Executive Committee Meeting
Friday, July 20, 2018
11:30 am
City of Hayward
Council Chambers
777 B Street
Hayward CA 94580

Meetings are accessible to people with disabilities. Individuals who need special assistance or a disability-related modification or accommodation to participate in this meeting, or who have a disability and wish to request an alternative format for the meeting materials, should contact the Clerk of the Board at least 2 working days before the meeting at (510) 736-4981 or Scabrera@ebce.org.

If you have anything that you wish to be distributed to the Committee, please hand it to the clerk who will distribute the information to the Committee members and other staff.

1. Welcome & Roll Call

2. Public Comment
   This item is reserved for persons wishing to address the Board on any EBCE-related matters that are not otherwise on this meeting agenda. Public comments on matters listed on the agenda shall be heard at the time the matter is called. As with all public comment, members of the public who wish to address the Board are customarily limited to three minutes per speaker.

3. Approval of the Minutes for June 29, 2018

4. Administrative Policies
   Receive an update on a set of potential administrative policies and provide guidance to EBCE staff as they prepare these policies for the September 2018 Board meeting.

5. Power Procurement Update
   Receive an update from staff on current power procurement activities, including
   A. Oakland Clean Energy Initiative;
   B. 2018 Energy Request for Offers; and
   C. Joint Rate Mailing
6. **Marketing and Outreach Update**  
Receive an in-depth update from staff on major marketing and outreach activities, including review of current customer engagement and marketing materials.

7. **AB-813 Multistate regional transmission system organization: membership**  
Discuss Assembly Bill 813 with the option to take action in context with EBCE Legislative Policy.

8. **Regulatory and Legislative Update**  
Receive an in-depth update from staff on major regulatory and legislative matters facing EBCE, including review of scope of regulatory and legislative engagement, status of the Power Charge Indifference Adjustment proceeding, and review of major legislation

9. **Committee Member and Staff Announcements**

10. **Adjournment** - to  
**Date:** Friday, September 28, 2018  
**Location:** TBD
DRAFT SUMMARY MINUTES
Executive Committee Meeting
Friday, June 29, 2018
12:30 pm
County Administration Building
1221 Oak Street, 2nd Floor Room 255
Oakland CA 94612

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If you have anything that you wish to be distributed to the Committee, please hand it to the clerk who will distribute the information to the Committee members and other staff.

1. Welcome & Roll Call
   Present: Directors: Mendall, Haggerty, Vice-Chair Arreguin and Chair Martinez
   Excused: Director Kalb

2. Public Comment
   This item is reserved for persons wishing to address the Board on any EBCE-related matters that are not otherwise on this meeting agenda. Public comments on matters listed on the agenda shall be heard at the time the matter is called. As with all public comment, members of the public who wish to address the Board are customarily limited to three minutes per speaker.

   There were no speakers

3. Approval of Minutes:
   - April 27, 2018
   - May 18, 2018

Director Arreguin motioned to approve the April 27, 2018 and May 18, 2018 minutes. Director Mendall seconded the motion which carried 3/2; Excused: Directors: Haggerty and Kalb
4. Local Development Business Plan
   Receive an update from Local Development Business Plan team on draft LDBP
   Presented

   **The Committee Discussed**
   - Labor and Local job creation
   - Potential conflicts between LDBP implementation and Rates
   - Improvements to products offered
   - Annual reporting on implementation progress, program options, prioritization and tasking.
   - Implementation/Annual reporting - Staff need specific plan once LDBP is adopted and implementation.
   - Increasing local job creation and energy generation
   - Agency key goals
   - Thanked community, staff and consultant team for work on LDBP
   - Phasing of plan - 2021-2022 Agency expansion
   - How plan interfaces with reserve policy and credit rating goal
   - Creating a Mission statement as a guiding principal for EBCE.
   - Acknowledged and would like to include acknowledgement to the community and characterize their participation in process.

   **Al Weinrub** - Thanked the LDBP team for their work. Spoke regarding the community needs being addressed by the LDBP, Recognition of community involvement/representation, need for consistent metrics and a road map of items that can be done in the first year.

   **Richard Rollins** - Spoke in support of the LDBP, suggested an annual review, staff workplan and implementation schedule.

   **Kelly Ferguson** - Spoke in support of the LDBP, Aggregate rate metering for municipal accounts, incentivizing the market with tariff/monetary signals and Bid response process.

   **Carlos Salazar** - Spoke in support of the LDBP and suggested EBCE provide additional education on programs already available through other agencies.
5. **BayREN Letter of Support**
Approve EBCE’s submission of a letter of support for ClearRESULTS bid into BayREN’s Single Family Energy Efficiency RFP

**Director Mendall Motioned to approve EBCE’s submission of a letter of support for ClearResults. Director Arreguin seconded the motion which carried 3/0; Excused: Directors Haggerty and Kalb.**

**The Committee discussed**
- Grant obligations
- Staffing commitments

6. **Bay Area Air Quality Management District Grant Award**
Receive an update from staff on BAAQMD Grant Award for project to examine solar and storage to enhance grid resiliency

**Presented**

7. **Marketing and Outreach Update**
Receive an in-depth update from staff on major marketing and outreach activities, including market research and customer survey efforts

**Presented**

**The Committee Discussed**
- Share results with BOARD - Willingness to pay more needs to be conveyed to rest of the Board.
- Community rate sensitivity
- Educating communities on benefits
- Simplifying language - Provide rate changes/increases in dollars. When talking about increased prices - discuss in % or dollars to simplify for customers.

8. **Power Procurement Update**
Receive an update from staff on power procurement activities, including status of Oakland Clean Energy Initiative and CA Renewables RFP

**Presented**

9. **Regulatory and Legislative Update**
Receive an in-depth update from staff on major marketing and outreach activities, including market research and customer survey efforts

Director Haggerty arrived at 2:25 pm

**Al Weinrub** - Requested that the Board take formal positions on bills. Specifically, SB 237 and AB 813.
Richard Rollins - Spoke regarding AB 813 and SB 237. Mr. Rollins requested that EBCE take a formal opposition position on AB813.

The Committee
- Potential conflicts with opposing SB237
- AB 813 - Concerns with bill, Status of AB 813, potential amendments and anticipated schedule
- Presenting Bills to the Board for action.

10. Committee Member and Staff Announcements

Staff requested to move the July 27, 2018 meeting to July 20, 2018.

11. Adjourned
Staff Report Item 4

TO: East Bay Community Energy Board of Directors Executive Committee

FROM: Leah S. Goldberg, General Counsel

SUBJECT: EBCE Administrative Policies

DATE: July 20, 2018

__________________________________________________________

Recommendation

Discuss proposed EBCE policies and provide guidance to staff on policies to take to the full Board of Directors in September.

Background and Discussion

Operating any business or public agency requires operational procedures and policies. And the law requires public agencies, in particular, to promulgate various policies such as a conflict of interest policy and a policy for reimbursing Directors for out of pocket expenses and travel. During the summer Board recess, EBCE staff intends to take the time to review existing policies, propose updates and draft policies that are necessary for efficient operations.

Although the review, updating and drafting process will commence in earnest after this Executive Committee meeting, there are few policies that will be brought forward for discussion in September. Consistent with the delegation of authority from the Board of Directors, EBCE staff requests the executive committee’s input on the following proposed policies:

1. Regulatory Compliance Policy

As a load serving entity, EBCE must comply with various reporting obligations from the CPUC, the CEC and other regulatory agencies. EBCE intends to hire a Compliance Manager, and this manager will need delegated authority to file regulatory compliance documents consistent with parameters set out in a regulatory compliance policy. In other words, the intent of the policy will
be to allow the Compliance Manager to file compliance documents without gaining board approval for each of these documents prior to filing.

**Issues for the executive committee to discuss:** Are there specific types of documents that the board will want to see? For example, at the board meeting on July 18, 2018, staff requested authority to revise, update and submit the Integrated Resources Plan to the CPUC by the deadline. On the other hand, staff has been routinely complying with the CPUC’s monthly resource adequacy filings without obtaining board approval. Will the Board want updates on compliance filings, and if so, how often?

2. Modification of Terms and Conditions
Legally, EBCE must have a set of terms and conditions available for its customers. The Board has approved each and every version of the terms and conditions, even when there were only minor changes. At this point, the primary terms and conditions have been drafted and approved. As the program is refined, and we offer additional product offerings, the terms and conditions need to be tweaked to reflect those changes. It would be more efficient for EBCE staff to have the authority to modify the terms and conditions to reflect Board approved changes in the program without having to bring the actual language back to the Board for approval.

**Issues for the executive committee to discuss:** Does the board feel the need to actually lay eyes on each and every change to the terms and conditions? At what point and for what kinds of changes will the board want to review and approve modifications to the terms and conditions?

3. Minor Correction of Documents
Periodically, the Board has been asked to reconsider documents because of minor mistakes in the documents. Most cities have delegated authority to their staff to make de minimis/minor correction to documents and EBCE staff needs that authority as well to avoid cluttering Board agendas with corrections that are merely ministerial. For example, the board was asked to review rate sheets for phase I customers on two occasions. The second occasion was merely to correct the numbers on one rate sheet that had little impact on the ratepayer’s bill. This was a change that should not have taken additional Board attention.

**Issues for the executive committee to discuss:** Are there specific parameters that the executive committee would like to see in such a policy?

4. Conflict of Interest Policy Update
EBCE has two conflict of interest policies. One obligates EBCE Board Members and staff to file Statements of Economic Interest and the other is for CAC members to file statements of economic interest. Conflict of interest policies must be updated periodically to reflect the growth
in the organization. EBCE’s conflict of interest policy has not been amended in the past six months. Since then, EBCE has added staff and will be growing over the next few months. It is important to update the conflict of interest policy to include all directors, senior directors and vice president level staff.

**Issues for the executive committee to discuss:** Does executive committee have any concerns or comments about adding these positions onto the conflict of interest policy as employees that must file statements of economic interest?

5. Rate Setting Policy

EBCE has a rate setting policy that should be updated to include lessons learned during the initial rate setting for phases one and two. There has been discussion of providing a draft rate setting policy and asking the Community Advisory Committee to comment on and refine the draft policy.

**Issues for the executive committee to discuss:** Is this process one that the executive committee would like to see vis-a-vis updating the rate setting policy? Or would the executive committee preferred that staff propose a rate setting policy and bring it directly to the executive committee to refine? Are there any specific requirements or provisions relating to rate setting that the executive committee at this point would like to see in a draft policy?

**Fiscal Impact**

These operational policies and procedures should not add any additional costs or have any fiscal impact.

**CEQA**

These operational policies and procedures are not projects as defined by CEQA.
Staff Report Item 5

TO: East Bay Community Energy Executive Committee

FROM: Howard Chang, Chief Operations Executive Officer

SUBJECT: Power Procurement Update

DATE: July 20, 2018

__________________________________________________________

Background

Receive an update from staff on current power procurement activities, including

A. Oakland Clean Energy Initiative
B. 2018 Energy Request for Offers
C. Joint Rate Mailer
Solicitation Update

• Oakland Clean Energy Initiative
  • Review of proposals in process
  • Mid/Late August: convene with PG&E to review respective shortlist offers
  • Mid September: Notify awardees and begin contract negotiations

• CARenewable Energy RFP
  • Review of proposals in process
  • Early August: Develop long list of projects
  • Late August: Develop short list of projects
  • Late September: Notify awardees and begin contract negotiations

• Ad-hoc committee formation
  • 5-member board committee to assist in shortlist and contracting
  • Target date to form committee(s): 7/27
  • OCEI Proposal review: Early August
  • CARenewable RFP Proposal review: Mid August
# PG&E & East Bay Community Energy Comparison

## Electric Power Generation Mix*

<table>
<thead>
<tr>
<th>Specific Purchases</th>
<th>PG&amp;E</th>
<th>PG&amp;E Solar Choice</th>
<th>East Bay Community Energy</th>
<th>Brilliant 100</th>
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<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Bright Choice</td>
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<tr>
<td><strong>Total</strong></td>
<td>100%</td>
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<tr>
<td>Renewable</td>
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<tr>
<td>- Biomass &amp; Biowaste</td>
<td>33%</td>
<td>100%</td>
<td>38%</td>
<td>40%</td>
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<tr>
<td>- Geothermal</td>
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<td>0%</td>
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<tr>
<td>- Eligible hydroelectric</td>
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<td>0%</td>
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<td>0%</td>
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<tr>
<td>- Solar electric</td>
<td>13%</td>
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<td>- Wind</td>
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<td>0%</td>
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<td>Coal</td>
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<td>Large Hydroelectric</td>
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<td>Nuclear</td>
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<td>Other</td>
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<td>0%</td>
<td>0%</td>
<td>0%</td>
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<tr>
<td>Unspecified Sources of Power **</td>
<td>2%</td>
<td>0%</td>
<td>38%</td>
<td>0%</td>
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</table>

*As reported to the California Energy Commission’s Power Source Disclosure Program, PG&E data is subject to an independent audit and verification that will not be completed until October 1, 2018. EBCE’s generation data is a forecast for 2018. Actual 2018 generation data will be reported to the California Energy Commission in 2018. The figures above may not sum up to 100 percent due to rounding.

**Unspecified sources of power refers to electricity that is not traceable to a specific generating facility, such as electricity traded through open market transactions. Unspecified sources of power are typically a mix of all resource types, and may include renewables. Unspecified sources of power include power provided by Asset Controlling Suppliers “ACS”. EBCE is forecasting that 23% of its generation mix will come from the BC Hydro system, which is a form of ACS.
The current deadline to send the joint rate mailer is Sept 1, 2018, which is a regulatory requirement by the CPUC.

This notification will be sent to all Phase 1 customers.

This is a forecasted PCL for use in the joint rate mailer and subject to change based on actual purchases. PCL for 2018 content will be finalized and sent to customers in Fall 2019.

AB1110 is an active proceeding with proposed changes to the PCL methodology, which may take effect for 2019.

Unspecified Sources of Power include power from the BC Hydro system, which is imported from the Pacific Northwest. This is forecasted to be approximately 23%.

Large Hydro (24%) + ACS (23%) = 47% carbon free energy goal.
Carbon Accounting

- EBCE is in the process of developing a carbon accounting methodology in accordance with the requirements of the JPA to disclose its 2018 emissions.
- Under review is the accounting methodology from the Climate Registry and other methodologies.
- One methodology that staff is considering is establishing an emissions benchmark for Bright Choice that utilizes the default emissions factor for CA system power of 0.428 MT CO2e/MWh for 15% of the portfolio.
- Staff will review with the board and seek approval prior to finalizing the methodology.
Staff Report Item 6

TO: East Bay Community Energy Executive Committee

FROM: Annie Henderson, VP of Marketing and Account Services

SUBJECT: Marketing and Outreach Update

DATE: July 20, 2018

Recommendation

Receive an update from staff on major marketing and outreach activities, including review of current customer engagement and upcoming launch event.

Attachment

A. Draft Phase 2 Notification #1
B. Marketing Update Presentation
Dear Alameda County Residents,

Alameda County residents living in the county and 11 participating cities will soon have a new, greener choice in electricity providers. East Bay Community Energy (EBCE) is a local power supply program that will work in partnership with PG&E to bring you electricity from renewable sources at affordable prices.

As a resident of one of the cities that voted to form EBCE your benefits will include:

- More renewable energy at competitive rates
- Lower greenhouse gas emissions
- Innovative services
- Community involvement
- Local projects, jobs, and economic benefits

How it Works

EBCE will purchase electricity on your behalf, including more renewable power than PG&E currently provides. PG&E will act in partnership with us to deliver, maintain, and service your electricity as it always has. You’ll be enrolled automatically, so you don’t need to do a thing. And billing will be simple—you’ll still get a single monthly bill that includes EBCE’s charge for electricity generation, and PG&E’s charges for their other services.

You will be automatically transitioned to EBCE service in November. The transition will be completely seamless to you, and your service will continue uninterrupted.

You will be enrolled in our Bright Choice service so you don’t need to do a thing to take advantage of a lower cost than your current PG&E rate. But you can always opt up to Brilliant 100 or Renewable 100, or opt out if you choose. Call to notify us at 1-833-699-EBCE (3223) or visit ebce.org.

EBCE service helps retain local involvement in energy choices, create jobs, and provide economic benefits to our communities, while reducing our community’s greenhouse gas emissions.

*Based on the average residential customer bill in Alameda County
A Proven Model

Programs similar to ours have been working throughout the state and the Bay Area for years. In fact, Marin, Napa, Sonoma, Contra Costa, Santa Clara, San Mateo, and San Francisco Counties already have active Community Choice Energy programs, like EBCE. Dozens of other California counties and cities are considering or starting their own.

Your Energy, Your Choice

EBCE began providing electricity to business and municipal customers in June 2018. Residential customers will be enrolled in November 2018. Customers with rooftop solar will be enrolled throughout 2019 based on their “True-Up” date.

Some Background

- In accordance with California State law, EBCE is designed as an opt out program. That means EBCE is now the County’s official electricity provider as of the program’s launch to local residents in November. You can opt out at any time.
- The program is governed by a Board of Directors composed of elected officials from the County and its 11 participating cities, including Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Oakland, Piedmont, San Leandro, and Union City.
- EBCE isn’t replacing PG&E—we’re working in partnership with them.
- You’ll always have a choice to remain with PG&E’s current service for both electricity and power delivery, and can let us know your preference to do so—or to opt up or down—with a single click at ebce.org, or call at 1-833-699-EBCE (3223).

SPECIAL NOTE: Customers participating in the CARE, FERA, and/or Medical Baseline Allowance programs continue to receive these discounts while on EBCE service.

Abbreviated Terms and Conditions of Service

ENROLLMENT AND SERVICE OPTIONS
As of November 2018, East Bay Community Energy (EBCE) is the default electric provider serving Alameda County, except the cities of Alameda, Pleasanton, and Newark. Accounts within the participating 11 cities will be automatically enrolled. Customers may also request to opt up, opt down, or opt out and stay with PG&E bundled service at any time subject to the opt-out guidelines.

RATES AND FEES
EBCE’s generation rates are managed to provide cleaner, greener electricity to our community at competitive rates. Any future rate changes will be adopted at public meetings of the EBCE Board. As an EBCE customer, PG&E charges you a monthly Power Charge Indifference Adjustment (PCIA) and Franchise Fee Surcharge. Please contact PG&E for more information about these charges.

BILLING
As an EBCE customer, you will continue to receive a single monthly bill from PG&E that includes all electricity-related charges, including EBCE’s generation charges. PG&E will continue to charge for gas services, transmission, distribution, public goods programs, and other non-generation charges at the same rates it charges customers who do not receive EBCE service.

OPT OUT
You may opt out of EBCE service at any time by calling 1-833-699-EBCE (3223) or by completing the opt-out form at www.ebce.org/optout. There is no fee to opt out before enrollment or in the first 60 days of receiving EBCE service.

CUSTOMER CONFIDENTIALITY
EBCE is committed to protecting customer privacy. EBCE’s customer confidentiality policy can be found at www.ebce.org/confidentiality.

Full details of the EBCE Terms and Conditions can be found at www.ebce.org/terms.
Marketing and Outreach Update

PRESENTED BY Annie Henderson
DATE 07/20/18
## Updates on Phase 2

<table>
<thead>
<tr>
<th>Channel</th>
<th>Materials</th>
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</table>
| **Print Collateral** | In Progress  
• Factsheets  
• Brochures  
• Video  
• Photos  
• FAQs  
• Senior Guide  
• Yard Signs  
| Done  
• Banners  
• Window Cling  
• Customer Enrollment Notice #1 |
| **Website**      | Updating content and translations  
Added Events page (ebce.org/events) |
| **Paid Advertising** | Compiling vendor quotes, including digital, print, cable, transit, billboards, and radio |
| **Social Media** | On-going |
| **Events**       | Confirmed Events  
• Alameda County Fair (banner)  
• Freemont Street Party (July 19)  
• Oakland Art and Soul (July 28/29)  
• GreenerBuilder Conference (contractor/builder community) (SF - 8/1)  
• Fremont Festival of the Arts (8/4-8/5)  
• San Leandro Farmers’ Market (8/8, 9/12, 10/10)  
• Fremont Street Eats (8/17, 10/12)  
• Livermore Harvest Wine Festival (9/2)  
• Hayward Mariachi Festival (9/14)  
Many more in progress such as Castro Valley Street Eats, Oakland China Town Street Festival, Solano Stroll, Dublin Splatter Festival, Union City Alvarado Fall Fest, Emeryville Art Exhibition, and many other farmers’ markets throughout the county |
| **Earned Media** | Press Release on LDBP |
Looking Forward

<table>
<thead>
<tr>
<th>Month</th>
<th>Tasks</th>
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<tbody>
<tr>
<td>August</td>
<td>• Collateral development</td>
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<tr>
<td></td>
<td>• Public engagement events scheduling and staffing</td>
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<tr>
<td></td>
<td>• Website Updates</td>
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<td></td>
<td>• Advertising campaign creative development</td>
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<td></td>
<td>• PSA video in production</td>
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<td></td>
<td>• Coordinate first customer notification</td>
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<td></td>
<td>• Backend systems for customer enrollment</td>
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<tr>
<td></td>
<td>• Hiring and training</td>
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<td></td>
<td>• Phase 1 New Customer notification begins</td>
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<td></td>
<td>• Coordinate Phase 1 Joint Rate Mailer</td>
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<tr>
<td>September</td>
<td>• Public engagement events scheduling and staffing</td>
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<td></td>
<td>• Advertising campaign deployment</td>
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<td></td>
<td>• First customer notification delivered</td>
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<tr>
<td></td>
<td>• Call center support for Phase 2 launches</td>
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<tr>
<td></td>
<td>• Phase 1 Joint Rate Mailer delivered</td>
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</table>
Other Activities

- Hayward garbage bill insert

Starting in November, East Bay Community Energy (EBCE) will begin service to Hayward residents. Local residents will be enrolled in the Brilliant 100 service, which means you’ll now receive cleaner, greener, reliable energy at the same rates you currently pay with PG&E. EBCE offers a choice of three services, and you can opt up, down, or out all together:
  - **Bright Choice:** higher percentage of clean power at a 1.5% rate discount
  - **Brilliant 100:** 100% carbon-free electricity at the same rate you currently pay with PG&E
  - **Renewable 100:** 100% renewable and costs a little more than PG&E (about $4/month for the average customer)

Visit our website or contact us at the phone number or email below.

- ebce.org
- 1-833-699-EBCE (3223)
- info@ebce.org

- Dublin Fall Recreation Guide

Beginning in November 2018, Dublin residents will have the opportunity to get affordable, greener power with East Bay Community Energy (EBCE). Local residents will be enrolled in the Bright Choice, one of EBCE’s three services.
  - **Bright Choice:** higher percentage of clean power at a 1.5% rate discount
  - **Brilliant 100:** 100% carbon-free electricity at the same rate you currently pay with PG&E
  - **Renewable 100:** 100% renewable and costs a little more than PG&E (about $4/month for the average customer)

To learn more, visit www.ebce.org.

Call 1-833-699-EBCE (3223)

Or email info@ebce.org
Customer Notification #1

- Delivered in September to Phase 2 customers
- Additional in-language content
- Includes Renewable 100
Joint Rate Mailer

- Delivered in September to **Phase 1** customers
- **CleanPowerSF Example**
- Working with PG&E on EBCE Mailer
Staff Report Item 7

TO: East Bay Community Energy Executive Committee Members

FROM: Melissa Brandt, Senior Director, Public Affairs

SUBJECT: AB-813 Multistate regional transmission system organization: membership

DATE: July 20, 2018

Background

Receive an update from staff on AB 813 and take potential action to direct EBCE staff to take a formal position on the bill.

Attachment:
   A. Presentation on AB 813
East Bay Community Energy
AB 813 (Holden) Regionalization
Elected leaders are talking about:

- Governor Brown’s Last Months in Office
- Newsom’s Ascendace
- Protecting SB 1
- Battle over California’s Congressional Seats
- Wildfires and Utility Liability Protection
- Bail Reform

Other energy priorities include:

- SB 100
- Regionalization
- Direct Access
Regionalization

One of Governor Brown’s Few Remaining Priorities

- Regionalization has been a priority of the Governor’s and he appears motivated to get it done this year
- Multi year effort involving numerous meetings with energy regulators and governors’ offices from Western states, public department workshops, and studies examining the economic and environmental impacts
- The complexity and controversial nature of regionalization has stakeholders divided, creating challenges to reaching agreement
- Given the Legislature will only be in session until August 31 and it is Governor Brown’s last year in office, the pressure to reach an agreement on regionalization is significant
AB 813 (Holden)

- Enough progress had been made between the Governor and the Assembly at the end of last year to amend regionalization language into AB 813 by Assembly Utilities & Energy Chair Holden.

- However, the Senate’s top priority last year was SB 100 so there was a standoff that led to both bills not moving -- labor concern over DER language was part of that standoff.

- Author and Administration have been convening meetings in 2018 in search of resolution to issues, but concerns surrounding jobs, governance, and integrating renewables under Western RTO still need to be resolved.

- Currently in Senate Appropriations, its fate is still in some ways tied to other priority energy bills (e.g., SB 100, wildfires).

- Deadline for policymakers to approve and send the bill to the Governor is August 31.
Support

- Support for AB 813 is a mix of environmental groups and business.


- Supporters state a regional market would accelerate the scale-up of clean energy while reducing operating costs and save ratepayers money, enabling California to meet its climate goals, and sets in statute good governance measures prior to the participation of California utilities and transmission owners.

- Supporters state AB 813 intends to ensure California’s energy values and procurement policies are not comprised, works proactively to benefit ratepayers, the grid, and the market, and enacts protections to uphold the legislature’s and agencies’ energy goals.
Opposition

- Opposition to AB 813 is a mix of labor, consumer groups, and environmental justice organizations.
- List of opposition includes the Sierra Club, California Environmental Justice Alliance, Building and Construction Trades Council, The Utility Reform Network.
- Opposition states the Western RTO would increase costs to ratepayers, relinquish California’s control over clean energy and climate policy, shift jobs out of state, and place certain renewable energy at a disadvantage.
- The opposition has proposed alternative approaches to regionalization which they argue will not involve California giving up oversight, and increase benefits while reducing risks.
The Path Forward

- The notion of regionalization has support, but the manner in which regional integration occurs is the issue.

- Supporters of the bill acknowledge additional discussions need to take place in order to successfully pass a regionalization bill; changes to AB 813 are likely forthcoming.

- Given the Governor’s involvement and having the Chair of the Assembly Utilities and Energy authoring AB 813, it is clear that a push for AB 813 will occur before the end of session, but it is unknown what the final product will look like.

- Important stakeholders to EBCE are on both sides of the issue.

- EBCE can make any concerns known and work with the author without taking an official position on AB 813.
Staff Report Item 8

TO: East Bay Community Energy Executive Committee Members

FROM: Nick Chaset, Chief Executive Officer

SUBJECT: Regulatory and Legislative Update

DATE: July 20, 2018

Background

Receive an in-depth update from staff on major regulatory and legislative matters facing EBCE, including review of scope of regulatory and legislative engagement, status of the Power Charge Indifference Adjustment proceeding, and review of major legislation.
Regulatory & Legislative Updates

Melissa Brandt

July 20, 2018
• End-July – Proposed Decision expected
• 8/2 – Oral Argument (Nick Chaset for EBCE)
• 9/13 – Final Decision could be approved
CPUC Regulatory Proceedings
Resource Adequacy (RA)

- 7/19 – RA Workshop
- 8/8 – Responsive Testimony Due
- Late Aug – Evidentiary Hearings
- 9/19 – Opening Briefs
- 10/5 – Reply Briefs
- Q4 – Proposed Decision expected
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Lead Author / Coauthors</th>
<th>Subject</th>
<th>EBCE Position</th>
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<tbody>
<tr>
<td>SB 64</td>
<td>Wieckowski</td>
<td>Improve Air Quality in EJ Communities</td>
<td>Support</td>
<td>Passed Asm Utilities and Energy (7/3); next Asm Appropriations</td>
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<tr>
<td>SB 100</td>
<td>De León / Gloria (A), Gonzalez Fletcher (A), Skinner (S)</td>
<td>Accelerating CA RPS goals and Decarbonization</td>
<td>Support</td>
<td>Passed Asm Utilities and Energy (7/3); next Asm Appropriations</td>
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<tr>
<td>SB 237</td>
<td>Hertzberg</td>
<td>Reopen Direct Access for All Non-Res Customers</td>
<td>Oppose</td>
<td>Passed Asm Utilities and Energy (6/28); next Asm Appropriations</td>
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<tr>
<td>AB 813</td>
<td>Holden / Patterson (A), Quirk (A), Stern (S), Wieckowski (S)</td>
<td>CAISO Regionalization</td>
<td>Watch</td>
<td>Passed Sen Judiciary (6/26); next Sen Appropriations (8/6)</td>
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