



Staff Report Item 13

TO: East Bay Community Energy Board of Directors

FROM: Alex DiGiorgio, Public Engagement Manager

SUBJECT: Inclusion of New Communities (Informational Item)

DATE: September 18, 2019

Recommendation

Receive report on including new jurisdictions within EBCE's service area.

Background and Discussion

As a mission-driven public agency, EBCE strives to reduce energy-related greenhouse gas (GHG) emissions by providing more renewable energy at competitive rates while pioneering innovative programs and policies. To the extent EBCE retains and expands its customer-base, it can accelerate the achievement of this mission. Moreover, by including new communities within its service area, EBCE can more generally advance sustainable development, environmental justice, and energy democracy throughout California.

New Community Inclusion: Requirements, Timing, Process

Section 3.1 of EBCE's Joint Powers Authority (JPA) Agreement refers to the "Addition of Parties," and provides for the possibility of including new cities and/or counties within the JPA.

Requirements

In order to join EBCE, the following requirements must be met: 1) the governing body of the prospective jurisdiction (i.e., the City Council or County Board of Supervisors) must pass a resolution and ordinance to join EBCE's JPA; 2) EBCE's Board must pass a resolution authorizing the membership of the prospective jurisdiction; and 3) EBCE

must update its Joint Powers Agreement and file an updated Implementation Plan with the California Public Utilities Commission (CPUC) reflecting the membership of the new jurisdiction(s) within EBCE’s JPA.

Section 3.1 of the Joint Power Agreement also provides for the possibility of other “conditions” for JPA membership (e.g. “membership payments” or “membership fees”), which are subject to the discretion of EBCE’s Board. To date, no such conditions have been considered.

Timing

In February of 2018, the CPUC passed [Resolution E-4907](#), which delays the timeline by which California cities and counties may begin service with Community Choice Aggregation (CCA) agencies, like EBCE. In effect, cities and counties must wait a full calendar year between the time they form or join a CCA and when electricity customers within their borders may be enrolled in the CCA’s service. As a result, any jurisdiction that requests to begin service with EBCE by 2021, must complete the process of joining EBCE’s JPA by the end of 2019. Otherwise, enrollment with EBCE will not be possible until 2022 or later.

Process

Given the requirements and timing articulated above, EBCE staff has drafted a document outlining the process to join EBCE in time to enroll customers before 2022. Please see attached: ‘Steps to Joining East Bay Community Energy (EBCE).’

Date	Event
Aug-Sept 2019	City completes PG&E Load Data Request Forms
Sept-Oct 2019	City passes Resolution, Ordinance to join EBCE
Aug-Oct 2019	EBCE conducts internal technical analysis to evaluate inclusion request(s)
Oct-Nov 2019	Earliest opportunities for EBCE Executive Committee (Exec Com/Board of Directors (BoD) and Community Advisory Committee (CAC) to consider technical analysis and inclusion request(s)
Nov-Dec 2019	Latest opportunities for EBCE Exec Com, BoD and CAC to consider technical analysis and inclusion request(s). Pending affirmative Board vote, staff updates Joint Powers Agreement and files updated Implementation Plan with CPUC
2020	New communities entitled to Board seat(s); community outreach within new jurisdictions begins
2021	Enrollment begins in new jurisdiction(s)

New Community Inclusion: Eligible Communities

The following jurisdictions have expressed interest in considering EBCE membership:

- 1) City of Tracy (San Joaquin County);
- 2) City of Newark (Alameda County); and
- 3) City of Pleasanton (Alameda County)

Fiscal Impact

There is no fiscal impact to consider the inclusion of new communities. There would be fiscal impacts, however, to considering the membership request(s) of a given jurisdiction. These should be discussed and considered by EBCE's Board if/when a jurisdiction completes its share of the required steps to join EBCE.

Staff Recommendation

Consider inclusion of new communities within EBCE's JPA

Attachments

1. Steps to Joining East Bay Community Energy
2. Presentation on New Community Inclusion