



## Staff Report Item 9

**TO:** East Bay Community Energy Board of Directors

**FROM:** Nick Chaset, Chief Executive Officer

**SUBJECT:** Authorization to Submit CPUC Payment

**DATE:** December 6, 2017

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### **Recommendation**

Authorize the Chief Executive Officer to issue payment to the California Public Utilities Commission (CPUC) in lieu of the performance bond, as mandated by the CPUC for launch of EBCE's CCA program, in the amount of \$100,000.

### **Background & Discussion**

In order to become a registered retail electricity provider under the CCA model, EBCE is required to complete three steps:

1. Receive CPUC certification for its Implementation Plan
2. Enter into a service agreement with PG&E
3. Deposit a \$100,000 check or post a bond with the CPUC

The Board authorized the PG&E Service Agreement at its meeting on October 18, 2017 and EBCE's Implementation Plan was certified by the CPUC on November 8, 2017. The next step is to post a performance bond or submit \$100,000 in lieu payment to the CA Public Utilities Commission pursuant to CPUC Resolution E-4133. This funding acts as a form of insurance and stays in place for the life of the CCA program to cover such costs as potential re-entry fees (return of service to PG&E), penalties for failing to meet operation deadlines, or errors in forecasting.

The \$100,000 payment must be in place before customer notifications are sent. EBCE anticipates that this payment will be processed no later than February, 2018.