



Staff Report Item 11

TO: East Bay Community Energy Board of Directors

FROM: Melissa Brandt, Senior Director of Public Affairs and Deputy General Counsel

SUBJECT: Legislative and Regulatory Update (Informational Items)

DATE: September 26, 2018

Recommendation:

Receive an update on the 2018 California Legislative session.

Legislative Update

This year's California legislative session concluded on August 31, 2018.

Of the bills that EBCE supported this session, two ultimately passed the Senate and Assembly. On September 10, Governor Brown signed SB 100 (De León) into law. SB 100 increases to 60 percent, from 50 percent, how much of California's electricity portfolio must come from renewables by 2030. It establishes a further goal to have an electric grid that is entirely powered by clean energy by 2045, which could include other carbon-free sources, like large hydropower, that are not renewable. On September 13, Governor Brown signed SB 1014 (Skinner) into law, which gives state regulators authority to establish emissions reduction targets for ride-hailing services like Uber and Lyft.

EBCE opposed only one bill, SB 237. It narrowly passed the Senate and Assembly and Governor Brown signed SB 237 into law on September 20. EBCE had sent a veto letter to the Governor, as had a broad coalition of organizations including local community groups that agree that SB 237 would be harmful. SB 237 was amended and in its final form raises the current cap on the migration of commercial customers currently served by the investor-owned utilities and community choice aggregators to direct access service by 4,000 GWh. It is too early to predict more precisely the impact this bill will have on EBCE, as it depends on how the California Public Utilities Commission implements the expansion of the cap and which customers become eligible to convert to direct access.

Although EBCE did not take a position on the regionalization bill, AB 813 (Holden), it is worth noting that the bill was ultimately unsuccessful in the legislature.

Regulatory Update

EBCE staff has primarily been focused on the Power Charge Indifference Adjustment (“PCIA”) proceeding at the CPUC, especially since the August 1 release of Administrative Law Judge Roscow’s Proposed Decision (PD), followed by the August 14 release of Assigned Commissioner Peterman’s Alternate Proposed Decision (APD). EBCE staff has met with each of the five Commissioners’ offices, attended Commissioner Peterman’s all-party meeting on September 7, and filed reply comments on the PD and APD on September 13. The CPUC held a closed session Rate setting Deliberative Meeting on September 24 and is scheduled to vote out a final Decision on the PCIA at its September 27 business meeting, unless the Decision gets held to a later date.

Fiscal Impact

Unknown at this time