



Community Advisory Committee Meeting

Monday, March 15, 2021

6:00pm

<https://us02web.zoom.us/j/84794506189>

Or join by phone:

Dial (for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or +1 346 248 7799 or +1 253 215 8782 or +1 929 205 6099 or +1 301 715 8592 or +1 312 626 6799 or 877 853 5257 (Toll Free)

Webinar ID: 847 9450 6189

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) 906-0491 or cob@ebce.org.

If you have anything that you wish to be distributed to the Committee, please email it to the clerk by 5:00 pm the day prior to the meeting.

C1. Welcome & Roll Call

C2. Public Comment

This item is reserved for persons wishing to address the Committee 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 Committee are customarily limited to three minutes per speaker and must complete an electronic [speaker slip](#). The Committee Chair may increase or decrease the time allotted to each speaker.

C3. Approval of Minutes from February 16, 2021 (5 minutes)

C4. CAC Chair Report (5 minutes)

C5. Legislative Update (45 minutes, Action Item)

Staff will update the CAC on EBCE's legislative program, bill tracker, and bill positions. The CAC will provide feedback to the board on bills that they feel should be supported or opposed.

C6. Overview of SMUD EnergyHELP and Connected Communities (25 minutes, Informational Item)

Staff will provide the CAC with a summary overview of the SMUD EnergyHELP program, as an example of what a municipal utility is doing to support customers struggling to pay bills; how this does and does not apply to EBCE; and plans for future customer payment support programs through Connect Communities.

C7. Aramis Project Update (15 minutes, Informational Item)

Staff will update the CAC on how the EBCE is involved in the Aramis Project (a 100 MW solar farm in Livermore that the Alameda County of Supervisors recently approved) and expected outcomes of the project. (The project manager, Intersect Power, indicated that the project is slated to begin construction in mid-2022 and could be operational by mid-2023).

C8. Supplier Diversity Overview & 2020 Report (25 minutes, Informational Item)

Staff will give the CAC an overview of the California Public Utilities Commission General Order 156 requirements and Supplier Diversity Program, and review of EBCE's first report results, planned activities, and challenges.

C9. CAC Member and Staff Announcements including requests to place items on future CAC agendas

**C10. Adjournment - to Date: Monday, April 19, 2021
Time: 6:00pm**



Community Advisory Committee Meeting

Draft Minutes

Tuesday, February 16, 2021

6:00pm

<https://us02web.zoom.us/j/84794506189>

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If you have anything that you wish to be distributed to the Committee, please email it to the clerk by 5:00 pm the day prior to the meeting.

C1. Welcome & Roll Call

Present: Members: Eldred, Landry, Padilla, Vice-Chair Franch and Chair Sutter

Excused: Member Pacheco

C2. Public Comment

This item is reserved for persons wishing to address the Committee 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 Committee are customarily limited to three minutes per speaker and must complete an electronic [speaker slip](#). The Committee Chair may increase or decrease the time allotted to each speaker.

Aleta Dupree spoke regarding the importance of renewable energy, and its potential for affordability and resilience. Aleta Dupree also spoke in support of powering municipal infrastructure with renewable energy.

**C3. Approval of Minutes from December 14, 2020 and January 19, 2021
(5 minutes)**

Member Eldred motioned to approve the December 14, 2020 minutes. Member Landry seconded the motion which passed 5/0. Excused: Member Pacheco

Member Padilla motioned to approve the January 19, 2021 minutes. Member Landry seconded the motion which passed 5/0. Excused: Member Padilla

C4. CAC Chair Report (5 minutes)

Chair Sutter reported that the CAC plans discuss the Aramis Project at its March 15, 2021 meeting if it is approved by Alameda County Board of Supervisors.

Chair Sutter also reported that the CAC application period has closed and that 26 applications were received. Enough applications were received to expect to find representation across all targeted areas, and to fill alternate seats. Chair Sutter said that a ten-member CAC would likely start in April.

C5. 2021 Bright Choice Power Content Procurement Floor (20 minutes, Informational Item)

Staff will update the CAC regarding the power content procurement floor for Bright Choice in 2021

The Committee discussed:

- Procurement floor content components
- Definition of grid unspecified energy
- Renewable content percentage trajectory
- New, local renewable content generation

Jessica Tovar asked what would happen if PG&E increased its renewable content more than 5% year over year.

Aleta Dupree spoke in support of increasing renewable content as much as possible while offering a less expensive product than PG&E.

C6. Fiscal Year 2020-21 Mid-Year Budget Report (30 minutes, Informational Item)

Staff will provide the CAC with a mid-year status of the annual budget

The Committee discussed:

- Variable cost line-items in budget forecast
- Mechanics of PUBA (PCIA Under-Collection Balancing Account)
- Investment Income

Blair Beekman spoke regarding the October 2020 IRP Report.

Audrey Ichinose spoke regarding CAISO's rules and regulations as a driver of price spikes and higher energy costs.

C7. Proposed Policy on Member Requests to Change the Default Product for Certain Customers (20 minutes, Informational Item)

Staff will describe the proposed policy on JPA member requests to change the default product for certain customers within their jurisdiction

The Committee discussed:

- Customer opt outs

Blair Beekman spoke regarding 2023 as a pivotal year for the implementation of renewable energy planning.

C8. Net Energy Metering (NEM) Policy Update (30 minutes, Informational Item)

Staff will provide the CAC with an update to EBCE's NEM Policy

The Committee discussed:

- EBCE's equity-based programs
- Public engagement about equity programs
- Savings allocation report
- Eligibility of 2021 NEM program to low-income ratepayers
- NEM and rental housing

Jessica Tovar spoke in opposition to closing the Net Energy Metering program to enrollment to new low-income customers.

Blair Beekman spoke regarding the closure of the NEM program to new enrollment and equity-based program development in Hayward and San Jose. Blair Beekman also spoke in support of using the term "smart data".

Vaughn spoke regarding alternatives to paying for solar energy, stating that the overproduction of energy in the spring should compensate for the underproduction of energy in the winter.

Audrey Ichinose spoke in support of using proposed savings generated by the NEM program to support solar+storage installation for renters.

C9. CAC Member and Staff Announcements including requests to place items on future CAC agendas

Member Eldred requested to discuss her project and voluntary survey at the March 15 CAC meeting.

C10. Adjourned at 8:05pm



CAC Item C5
Staff Report Item 12

TO: East Bay Community Energy Board of Directors

FROM: Melissa Brandt, Senior Dir. of Public Policy and Deputy General Counsel

SUBJECT: Approval of Legislative Positions (Action Item)

DATE: March 17, 2021

Recommendation

Receive an update on EBCE’s Legislative Program and Senate Bill (“SB”) 612, and take a “support” position on Assembly Bill (“AB”) 427 (Bauer-Kahan), AB 525 (Chiu), AB 843 (Aguiar-Curry), AB 1539 (Levine), anticipated budget bill (Ting), SB 31 (Cortese), SB 52 (Dodd), SB 99 (Dodd), SB 345 (Becker), and SB 551 (Stern), and a “support if amended” position on AB 1087 (Chiu).

Background and Discussion

In July 2018 the EBCE Board approved a Legislative Program which outlined three general legislative principles and five more specific public policy positions, as well as guidance for legislative policy coordination. The Legislative Program has been updated with a few clarifications and edits to names/addresses, however the principles and positions are the same. EBCE’s updated Legislative Program is provided for reference as an attachment to this item.

At the February 26, 2021 EBCE Board Executive Committee Meeting, the committee approved taking a “support” position on SB 612 (Portantino). SB 612 was amended as anticipated, on March 9, 2021, and is sponsored by the California Community Choice Association (“CalCCA”). The bill language will ensure fair and equal access to the benefits of legacy resources held in investor-owned utility (“IOU”) portfolios and address the management of the resources to maximize value for all customers. SB 612 aims ensure that Community Choice Aggregation (“CCA”) customers receive the benefits associated with the departed load costs they bear. EBCE sent a letter in support of SB 612 to the author’s office on March 1, 2021.

Recommended EBCE Bill Positions:

- **SUPPORT:** AB 427 (Bauer-Kahan) would require the California Public Utilities Commission (“CPUC”) to establish rules around resource adequacy (“RA”) counting for resources that are not participating in the wholesale energy market. It would allow behind-the-meter distributed energy resources (“DERs”) to deliver RA and require the establishment of a capacity valuation methodology for behind-the-meter energy storage and hybrid resources. Many of our DER partners have been seeking changes to the CPUC’s RA counting methodology to ensure their resources get full credit for the reliability value they provide. Bauer-Kahan is a member of EBCE’s legislative delegation. Supporting her bill would potentially enable local DER providers to produce and sell more qualifying RA.
- **SUPPORT:** AB 525 (Chiu) would require the California Energy Commission (“CEC”) to develop a strategic plan to achieve at least 10,000 MW of offshore wind off the California coast by 2040, with at least 3,000 MW by 2030. It would also require the CPUC to include offshore wind in its IRP analysis. Sen Eggman, a member of EBCE’s legislative delegation, is a co-author. The bill is sponsored by the American Clean Power - California Association and the Coalition of Utility Employees. The state may be able to leverage federal activity and funding in support of increased offshore wind development. EBCE could benefit from the development of additional renewables options in California that support grid reliability and from reductions in the cost of offshore wind energy products as the technology matures.
- **SUPPORT:** AB 843 (Aguilar-Curry) would allow CCAs to enter into Bioenergy Market Adjusting Tariff (“BioMAT”) contracts and recover related costs through the existing nonbypassable charge for the CPUC’s BioMAT program. This bill is sponsored by several CCAs. EBCE is not interested in contracting for BioMAT at the moment. However, allowing CCAs to utilize the same cost recovery mechanism that the IOUs use for public purpose-oriented procurement on behalf of the public good sets a positive precedent; EBCE staff accordingly recommends supporting this bill.
- **SUPPORT IF AMENDED:** AB 1087 (Chiu) would reallocate funding from the California Climate Credit towards a new streamlined grant program for climate resiliency oriented building upgrades to “community hubs”. This bill is sponsored by the Asian Pacific Environmental Network, Natural Resources Defense Council, and California Environmental Justice Alliance, and the goal is to assist disadvantaged community customers through increased access to resilience programs. The bill currently relies on the IOUs or a third-party administrator to administer the grants and provide technical assistance to customers; EBCE would seek an amendment that would allow CCAs to administer grants and provide technical assistance to the communities that the CCA serves, streamlining the grant process and providing value due to the CCA’s deeper connections with its customers and communities.

- SUPPORT: AB 1539 (Levine) would require that the Electric Vehicle Infrastructure Training Program courses remain available in an online format indefinitely instead of through 12/31/2024. The CEC would be required to reasonably assess the reasonableness of the fees assessed by the program. EBCE is expecting its CALeVIP grantees to utilize the training program for contractor certification and finds value in ensuring the training remains available post-2024.
- SUPPORT: Anticipated draft budget bill (bill number TBD) (Ting) would reallocate funds collected and unencumbered for the New Solar Homes Partnership (“NSHP”) Program to two programs to be administered by the Energy Commission: Grid-Smart New Solar Homes Program (72%) and the Local Permitting Support Program (28%). The Grid-Smart program would offer incentives for residential buildings with grid-responsive technology or energy storage systems. The Local Permitting Support program would offer local governments grants to adopt automated permitting systems, including remote inspections and trainings, to support reducing GHG emissions from homes. The NSHP funds are unused, and this bill would ensure that the funds are applied towards supporting residential building decarbonization. This bill language is in draft form and hasn’t gone to Leg Counsel yet; NRDC appears to be a sponsor. EBCE staff is recommending supporting the bill once it is in print assuming it doesn’t change substantially from the draft form.
- SUPPORT: SB 31 (Cortese) would require the CEC to identify and implement programs to promote existing and new building decarbonization. It would authorize expending federal funds for these projects. Furthermore, it would require the CEC under its EPIC program to award funds for projects benefiting electric ratepayers and leading to development of building decarbonization technologies and investments to reduce greenhouse gases in those buildings. EBCE staff recommend support as the bill would support additional funding, which is one of the biggest obstacles to building decarbonization efforts today.
- SUPPORT: SB 52 (Dodd) would expand the definition of sudden and severe energy shortage to include deenergization events. This would make a deenergization event a condition constituting a state of emergency and a local emergency, enabling state and local government action and resources. EBCE staff recommends supporting as deenergization events can be disruptive for our communities and this change in definition would give our local governments enhanced tools for responding.
- SUPPORT: SB 99 (Dodd) would require the CEC to develop and implement a grant program for local governments to develop community energy resilience plans. EBCE staff recommends supporting, as our cities may benefit from the technical guidance and financial assistance enabled by the CEC grants.

- **SUPPORT:** SB 345 (Becker) would require the CPUC to establish common definitions of nonenergy benefits, and incorporate those common definitions into DER programs and projects. Importantly, the bill would require that the nonenergy benefits produced are tracked in DER program evaluations. This bill is supported by Greenlining Institute, 350 Silicon Valley, California Housing Partnership, California League of Conservation Voters, Courage California, Environmental Defense Fund, GRID Alternatives, Menlo Spark, NRDC, People Organizing to Demand Env. & Economic Rights, Rising Sun Center for Opportunity, Self-help Enterprises, and Voices for Progress. EBCE staff recommends supporting because a more rigorous and sustained commitment to measuring and assessing nonenergy benefits of DER programs could ensure that environmental justice communities have more equitable access to programs, and aligns well with EBCE's Local Development Business Plan which also takes into account nonenergy benefits of EBCE's investments.
- **SUPPORT:** SB 551 (Stern) would establish a new California Electric Vehicle Authority in the Governor's office, enabling better state agency coordination on deployment of EVs and zero emission charging infrastructure. The authority would also be tasked with creating funding and financing tools to support deployments, and with prioritizing equity. This bill is sponsored by Los Angeles Cleantech Incubator (LACI) and Transportation Electrification Partnership (TEP). EBCE staff helped participate in the development of the bill idea through its participation in the TEP. As many agencies are implementing EV programs but without much central coordination, EBCE staff believe that funding and effectiveness of deployment could be improved through additional coordination in the Governor's office.

Fiscal Impact

SB 31 may result in additional funding for building decarbonization through the CEC. SB 99 may result in additional grant funding for local governments. SB 551 may result in additional funding and financing tools to support deployment of electric vehicles.

Attachments:

- A. March 17, 2021 Legislative Update
- B. EBCE Legislative Program

MARCH 17, 2021

Legislative Update



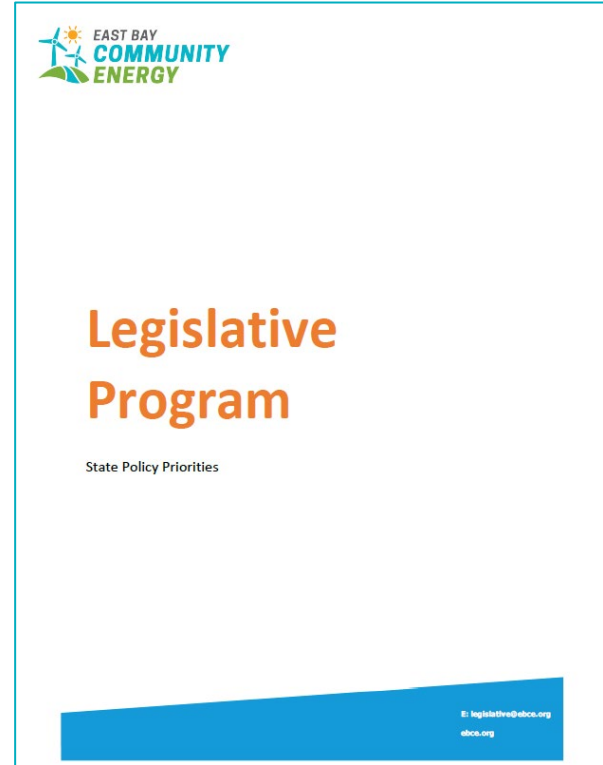
EBCE's Legislative Program

First Approved by the EBCE Board in 2018

Updated March 2021 with clarifying edits and updates to EBCE Board
Members and staff contact information

General Legislative Principles

- Accelerating Decarbonization
- Promoting Local Development
- Stabilizing Community Choice



EBCE's Legislative Program

EBCE Public Policy Positions

Nonbypassable Charges

Disadvantaged Communities

Environmental Sustainability

Finance

Educational, Neighborhood, and Social Services

Key Deadlines for the 2021 Legislative Year

- 1/8: Governor submitted budget
- 1/11: Legislature reconvened
- 2/19: Bill introduction deadline
- 4/30: Policy cmtes to move fiscal bills to fiscal cmtes (1st house)
- 5/7: Policy cmtes to move nonfiscal bills to floor (1st house)
- 5/21: Fiscal cmtes must move bills to floor (1st house)
- 6/4: Each house to pass bills introduced in that house
- 6/15: Budget bill must be passed
- 7/14: Policy cmtes to meet and report bills (2nd house)
- 8/27: Fiscal cmtes to move bills to floor (2nd house)
- 9/10: Last day for each house to pass bills
- 10/10: Last day for Governor to sign/veto bills

Key Energy Themes Emerging in 2021

Building Decarbonization

Clean Energy + Storage – technologies, counting rules, tariffs

De-Energization

Grid Reliability / Resource Adequacy

Central Procurement

Equity

Adopted Bill Positions

Bill #	Author	Description	Status	EBCE Position
SB 612	Portantino	CalCCA-sponsored bill: Requires electrical corporations to annually offer for the following year an allocation of each product arising from legacy resources that departed load customers currently bear cost responsibility for through the PCIA. Requires the CPUC to recognize and account for the value of all products in the legacy portfolio in determining the PCIA. Requires electrical corporations to conduct an annual solicitation to seek modifications from any willing parties to existing electricity purchase agreements to reduce the total procurement costs on a present value basis over the remaining life of the agreements.	Amended 3/9; awaiting cmte referral	SUPPORT: letter sent 3/1

Recommended Bill Positions – Assembly

Bill #	Author	Description	Status	Recommended EBCE Position
AB 427	Bauer-Kahan	Requires CPUC to establish rules governing the intersection of demand response, energy storage including customer-sited distributed generation plus storage, and RA.	Asm U&E Cmte	SUPPORT
AB 525	Chiu	Requires CEC to develop plan to achieve 10,000 MW offshore wind by 2040; requires CPUC to include offshore wind in IRP.	Asm U&E Cmte	SUPPORT
AB 843	Aguiar-Curry	Allows CCAs to enter into Bioenergy Market Adjusting Tariff (BioMAT) contracts and recover related costs through the existing nonbypassable charge for the BioMAT program.	Asm U&E Cmte	SUPPORT
AB 1087	Chiu	EJ Community Resilience Hubs. Reallocates funding from CA Climate Credit towards streamlined grant program for climate resiliency improvements to buildings that constitute community hubs. Building upgrades such as improved bldg insulation, clean energy microgrids installation for backup power, and air filtration systems to combat wildfire smoke.	Asm U&E Cmte	SUPPORT IF AMENDED
AB 1539	Levine	Requires CEC's EV infrastructure training course to remain available in an online format indefinitely.	Asm U&E Cmte	SUPPORT
TBD	Ting	Draft – not yet in print. Bill concept is to reallocate unused funds from the New Solar Homes Partnership Program and apply them to two new programs to be administered by the CEC for residential building decarbonization efforts and grants to local governments to adopt automated permitting systems to support reducing home GHG emissions.	Budget Bill – likely to be heard in cmte week of 3/22	SUPPORT

Recommended Bill Positions – Senate

Bill #	Author	Description	Status	Recommended EBCE Position
SB 31	Cortese	Requires CEC to identify/implement programs to promote existing & new building decarb. Would authorize expending fed funds for these projects. Would require CEC under EPIC to award funds for projects benefiting electric ratepayers & leading to development of building decarbonization technologies and investments to reduce GHG in those bldgs.	Sen EUC Cmte hearing 3/15	SUPPORT
SB 52	Dodd	Expands sudden and severe energy shortage definition to include deenergization events, constituting state of emergency and local emergency.	Sen Approps Cmte hearing 3/22	SUPPORT
SB 99	Dodd	Community Energy Resiliency Act of 2021. Requires the CEC to develop and implement a grant program for local govts to develop community energy resilience plans.	Sen EUC Cmte	SUPPORT
SB 345	Becker	Requires the CPUC to establish common definitions of nonenergy benefits, incorporate into DER programs and projects, and track nonenergy benefits produced in DER program evals.	Sen EUC Cmte hearing 3/15	SUPPORT
SB 551	Stern	Establishes California EV Authority in the Governor's office, responsible for coordinating state agency activities to deploy EV and zero emission charging infrastructure, create funding/financing tools to support deployments, prioritize equity	Sen Governmental Org Cmte	SUPPORT

Bill Tracker Highlights - Assembly

Bill #	Author	Description	Status	EBCE Position
AB 64	Quirk	Requires agencies to develop strategy to achieve zero-carbon electricity policy in cost-effective and environmentally friendly manner, including energy storage methods/technologies.	Asm U&E Cmte	WATCH
AB 965	Levine	Requires Dept of Housing and Community Devel to update CALGreen to ensure EV charging infrastructure for parking spaces in existing multifamily dwellings and nonresidential development.	Awaiting referral	WATCH
AB 1088	Mayes	Establishes CA Procurement Authority to fill in procurement gaps if LSEs lack adequate RA and IRP resources; serves as POLR if IOU exits retail service.	Asm U&E Cmte	WATCH
AB 1139	Gonzalez	Increases avg CARE discount level. Repeals current NEM tariff and requires new NEM tariff based on wholesale rates.	Asm U&E Cmte	WATCH
AB 1161	E.Garcia	Requires Dept of Water Resources (DWR) to procure 100% of electricity for state agencies by 12/31/2030. Requires LSEs to provide confidential pricing info to DWR.	Asm U&E Cmte	WATCH
AB 1317	Berman	SPOT BILL: Intent to accelerate state's progress towards 100% renewable/zero-carbon electricity.	Awaiting amendments	WATCH
AB 1389	Reyes	SPOT BILL: intent to modify the Alternative and Renewable Fuel and Vehicle Technology Program (AB 8).	Awaiting amendments	WATCH

Bill Tracker Highlights - Senate

Bill #	Author	Description	Status	EBCE Position
SB 18	Skinner	Requires ARB to prepare strategic plan for accelerating green hydrogen.	Sen EUC Cmte hearing 3/15	WATCH
SB 32	Cortese	Requires cities/counties to amend elements of general plans to decarbonize newly constructed commercial & residential bldgs.	Sen Governance & Finance Cmte	WATCH
SB 67	Becker	Accelerates 100% renewable/zero-carbon goals on a 24/7 basis.	Sen EUC Cmte	WATCH
SB 68	Becker	Requires CEC to develop guide for electrification of bldgs and report on barriers. Authorizes EPIC \$ for reducing costs of bldg elec. Requires CPUC to est timeframe for EDUs to respond to elec service upgrades/extensions, and report on failure to meet timeframes. CPUC to assess penalties for failures.	Awaiting referral	WATCH
SB 204	Dodd	Clarifies that an IOU can allow anyone in their service territory to enroll in its Base Interruptible Program (BIP). Allows the CPUC to increase incentive levels. CPUC should consider revising from supply-mod DR to a load-mod DR resource.	Sen EUC Cmte hearing 3/15	WATCH
SB 423	Stern	Requires CPUC and CEC to bolster reliability and resiliency of grid & reduce local air pollutants & GHG emissions. CPUC to ensure reliability during multi-day extreme or atypical weather events. CPUC to encourage development of renewable energy resources at the necessary pace.	Sen EUC Cmte	WATCH
SB 533	Stern	Requires IOU collaboration with CCAs on microgrid development. Requires CPUC/CAISO to develop methodology for counting RA from distributed energy storage.	Sen EUC Cmte	WATCH
SB 582	Stern	Accelerates statewide GHG emissions reduction goals	Awaiting amends	WATCH
SB 617	Wiener	Requires local jurisdictions to provide online instant solar permitting process and remote inspections for residential solar or solar+storage	Sen Governance & Finance Cmte	WATCH

Next Steps

- Continue to review and analyze bills and amendments
- Send position letters for bills once EBCE formally takes a position
- Monitor existing bills on our watch list; determine when EBCE should formally take a position
- Monitor Governor's Budget request: \$1.5B for Zero Emission Vehicles (ZEV):
- Engage with CalCCA on legislative efforts
 - Collaborate with CalCCA on SB 612



Legislative Program

State Policy Priorities

E: legislative@ebce.org

ebce.org



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Introduction

The East Bay Community Energy Legislative Program outlines the legislative priorities and stances of East Bay Community Energy (“EBCE”) with the intent to inform customers, representatives, and policymakers of EBCE’s stances on the myriad of public policies that intersect with EBCE’s priorities, programs, and services. These priorities are applicable to legislation, statewide referenda, grant funding opportunities, and local ballot initiatives.

EBCE has three major legislative priorities: Accelerating Decarbonization, Promoting Local Development, and Stabilizing Community Choice. EBCE support of legislation will be contingent upon that legislation adhering to these priorities as well as EBCE’s priorities.

Moreover, EBCE supports any and all policies that will preserve or enhance the ability of EBCE to promote these priorities at the local level.

This document provides direction to EBCE’s legislative advocates in Sacramento. Additionally, this document serves as the foundation for any EBCE Board action regarding Federal or State legislation or funding opportunity. Staff may draft letters, direct our legislative advocates, or speak on behalf of EBCE regarding the legislative priorities this document outlines.

Any correspondence signifying EBCE’s support or opposition of a given bill must be approved by the EBCE Board of Directors, the Board’s Executive Committee, or the CEO in accordance with the delegation of authority provided by the Board to the CEO on time-sensitive matters.

Any questions regarding this Legislative Program can be directed to Melissa Brandt, Senior Director of Public Policy and Deputy General Counsel, at 510-570-5110 or mbrandt@ebce.org.

Sincerely,
Nick Chaset

Chief Executive Officer, EBCE



EBCE Board of Directors

Alameda County

Supervisor Richard Valle

Albany

Council Member Aaron Tiedmann

Berkeley

Council Member Kate Harrison

Dublin

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Mayor Teddy Gray King

Pleasanton

Council Member Kathy Narum

San Leandro

Council Member Corina Lopez

Tracy

Council Member Dan Arriola

Union City

Council Member Jaime Patino

Community Advisory Committee (non-voting)

Mary Sutter, Chair



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Legislative Advocates

State Legislative Advocate

Weideman Group

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General Legislative Principles

EBCE has three general legislative principles. These priorities serve as the foundation for all actions EBCE will take, including the lobbying for policies that promote those same guiding priorities.

Public policy encompasses a myriad of subject and topic areas. However, as these policies intersect at the local level, they have the ability to impact EBCE revenues, programs, and/or administrative discretion and control. EBCE will support policies that accelerate decarbonization, promote local development, stabilize community choice, or any combination thereof. If a given policy does not meet these criteria, EBCE will oppose, support with amendments, or in some cases take no stance on that policy or legislation.

The General Legislative Principles for EBCE are:

Accelerating Decarbonization

- Support the creation or expansion of federal, state, and local policies and programs that enable EBCE to contribute to the State's efforts to reduce greenhouse gas emissions.
- Oppose any legislation, policies, programs, referenda, unfunded mandates and budgets that would have an adverse impact on EBCE's ability to advance decarbonization through its procurement, programs, projects, and services.

Promoting Local Development

- Support any legislation, policy, referenda, and budgets that enhance community choice energy providers' ability to invest in local clean energy, distributed energy resources, and zero-emission transportation, and promote equity in the communities that it serves.
- Oppose any legislation, policy, referenda, and budgets that limit or undermine EBCE's ability to invest in local clean energy, distributed energy resources, and zero-emission transportation, and promote equity in the communities that it serves.

Stabilizing Community Choice

- Support any legislation, policies, referenda, and budgets that maintain or improve the stability of community choice energy providers by ensuring regulatory structure is equitable and enables CCE to meet its mission and goals.
- Oppose any legislation, policies, referenda, and budgets that undermine or circumvent community choice energy and impede the ability of the agency to achieve its mission and goals or its value proposition.



EBCE Public Policy Positions

The General Legislative Priorities help identify which public policy positions EBCE will take.

The list of policy positions below is by no means exhaustive. In addition to the general legislative priorities, EBCE takes the following more specific public policy positions:

1.1 Nonbypassable Charges

- A. Oppose legislation that restricts or limits EBCE's ability to procure its own energy products to meet state policy goals.
- B. Oppose legislation that increases or is likely to lead to an increase in nonbypassable charges.
- C. Support legislation that promotes a level playing field between community choice aggregators and other market participants.
- D. Support legislation that enhances the flexibility of community choice energy providers to support statewide procurement policy and develop and expand programs, local options, and rate design to support EBCE's community and customers.

1.2 Disadvantaged Communities

- A. Support legislation and initiatives that boost funding for new energy projects that support disadvantaged communities and low-income customers within EBCE's service territory.
- B. Support legislation and initiatives that increase access and funding for energy-related programs serving disadvantaged communities.
- C. Support legislation and initiatives that would reduce local air pollution, reduce other negative local impacts associated with energy production, and boost adoption of distributed energy resources within disadvantaged communities.
- D. Oppose legislation and initiatives that have the potential to disproportionately and negatively impact EBCE's disadvantaged communities and/or low-income customers.

1.3 Environmental Sustainability

- A. Support legislation and initiatives that increase funding for the creation of sustainable and stable energy supply infrastructure.
- B. Support legislation and initiatives that encourage the conservation of energy resources as well as the development of dynamic load-shifting capabilities.
- C. Support legislation and funding for renewable and advanced energy technology that increase efficient consumption.
- D. Support legislation and funding for pilot energy and resource efficiency programs.
- E. Support legislation and initiatives with the goal of reducing and mitigating the effects of climate change and building local resiliency.



1.4 Finance

- A. Support legislation that enhances the financial standing of community choice aggregators and their ability to receive a positive credit rating.
- B. Oppose legislation that reduces or removes the tax-exempt status of municipal bonds.
- C. Oppose any legislation that would divert community choice energy revenues to the State or other governmental entities.

1.5 Educational, Neighborhood and Social Services

- A. Support legislation that aids or helps to fund EBCE to provide energy support services, education, and opportunities for reducing energy costs to people who are low-income, seniors, veterans, and/or people with disabilities.
- B. Support legislation and initiatives that increase funding for energy efficiency, demand response, solar plus storage, and transportation electrification programs, and energy literacy services.



Legislative Program Coordination

Legislation can be brought to the attention of EBCE through a variety of channels:

- State Legislative Advocates
- Elected Representatives
- CalCCA
- EBCE Board Members
- EBCE Staff
- EBCE Community Advisory Committee
- EBCE Customers and Community Members
- Other Governmental Associations

All legislative requests for support or opposition will be directed toward EBCE's Public Policy department. EBCE staff will then review the legislation in coordination with any relevant departments to analyze whether or not the legislation aligns with EBCE's general legislative priorities. Staff will then monitor and track the legislation, providing updates when necessary.

Concurrent with this evaluation, EBCE's Public Policy department will recommend a position and course of action. There are six main levels of action, which may be taken independently or in combination, but all of which are coordinated by the Senior Director of Public Policy or their designee:

- 1. Direction to lobbyists to advocate in support, support with changes, or opposition to legislation**
 - Pursuant to direction from the EBCE Board of Directors, the Board's Executive Committee, or the CEO in accordance with the delegation of authority provided by the Board to the CEO on time-sensitive matters, EBCE staff will notify lobbyists of EBCE's stance on legislation and direct them to take appropriate action with legislators. EBCE may remain neutral on a given piece of legislation.
- 2. EBCE correspondence with relevant legislators**
 - In conjunction with providing direction to lobbyists once EBCE has determined its stance on legislation, EBCE staff will send a support or opposition letter to the appropriate legislators.
- 3. EBCE Board-approved resolution**
 - EBCE staff will draft a staff report and resolution for consideration by the full EBCE Board of Directors. Approved resolutions will be forwarded along with a letter signed by the Chief Executive Officer or his/her designee to the appropriate legislators.
- 4. EBCE Board outreach**
 - EBCE staff will draft talking points and other relevant information for individual Board Members to personally contact appropriate legislators to advocate on behalf of EBCE.
- 5. Travel to Sacramento or Washington, D.C**
 - EBCE staff and/or Board Members may decide to advocate in person. Staff will coordinate with the appropriate lobbyists to organize meetings or attendance at other lobbying events.
- 6. Draft or Sponsor Specific Legislation**
 - EBCE staff and legislative advocates will work with EBCE's legislative representatives to articulate EBCE's stance on a policy and to ensure said stance is codified in statute.



CAC Item C6
Staff Report Item 17

TO: East Bay Community Energy Board of Directors

FROM: Annie Henderson, VP Marketing and Account Services
JP Ross, VP Local Development, Electrification, and Innovation

SUBJECT: Overview of SMUD EnergyHELP and Connected Communities
(Informational Item)

DATE: March 17, 2021

Recommendation

Receive a summary overview of the SMUD EnergyHELP program, as an example of what a municipal utility is doing to support customers struggling to pay bills; how this does and does not apply to EBCE; and, plans for future customer payment support programs through Connect Communities

Background

The Sacramento Municipal Utility District (SMUD) is a municipal utility that provides customers with electricity service as well as the distribution of power. The SMUD EnergyHELP¹ program allows a customer to identify a specified amount be added to their bill each month and then donated to a charity partner of the customer's choice. According to SMUD's website, 14,000 customers participate in the program which has supported 37,000 households (<5% of EBCE accounts) in its nearly 17 years of operation. Donations are not directly applied to specific customer bills to avoid arrearage that could result in disconnection.

The charity partners are non-profit organizations that provide various social services. A list of charities and services are provided in the table below.

¹ <https://www.smud.org/en/In-Our-Community/Help-your-Community>

Charity Partner	Services
Community Resource Project	Improving opportunities for people in need through energy efficiency, health and education.
Folsom Cordova Community Partnership	Enhancing the health, education, and well-being of our community by assisting those in need
LAO Family Community Development Inc.	Advancing the economic well-being of our community through employment, housing, education and support services
Sacramento Food Bank & Family Services	Giving a hand up, rather than a hand out through grassroots community involvement
The Salvation Army	Devoted to meeting human needs in the Sacramento community for over 100 years
Travelers Aid Utility Assistance	Providing aid throughout the Sacramento community since 1896

Analysis & Discussion

SMUD provides both generation service and delivery service. This differs from EBCE who provides only generation service, while PG&E charges customers for delivery. In our case, a customer may be disconnected only by PG&E.

In the normal course of business, PG&E will disconnect an electricity customer for nonpayment per Electric Rule 11² as summarized below:

- PG&E must provide a 15-day, 48-hour, and 24-hour notice.
- PG&E must offer payment arrangements for a twelve (12) month duration.
- PG&E offers to enroll eligible customers in all applicable benefit programs administered by PG&E
- Customers shall not be disconnected if they currently have a Low-Income Home Energy Assistance Program (LIHEAP) pledge pending.
- PG&E shall visit, in-person, special needs profiled customers that have previously been identified as Medical Baseline, Life Support, or has self-certified that they have a serious illness or condition that could become life threatening if service is disconnected, within the 48 hours prior to, or at the time of, service termination.
- Service may be terminated to any customer, including special needs profiled customers who do not comply with a payment arrangement.
- When the customer and PG&E have agreed upon payment arrangements, PG&E will not terminate service as long as the customer complies with the arrangements. However, if the customer fails to comply, PG&E may terminate services the customer is receiving after notice is given.

EBCE may send a customer to PG&E service based on its Delinquent Accounts and Collections Policy, most recently updated in January 2021³, based on the following:

- Customer with an outstanding balance for EBCE charges exceeds \$250 in charges overdue for more than 90 days.

² https://www.pge.com/tariffs/assets/pdf/tariffbook/ELEC_RULES_11.pdf

³ https://res.cloudinary.com/diactiwk7/image/upload/v1610763039/Item_12_-_Extension_of_Payment_Policy_Suspend_sfidrg.pdf

- The customer will be provided 60 days to pay or make payment arrangements.
- If payment in full is not received within 60 days from the date of notification, or the terms of an activated payment arrangement are not fulfilled, the EBCE customer account may be closed and returned to PG&E bundled generation service.

Forgiving or paying off EBCE charges on customer accounts could, in theory, help avoid disconnection if the customer utilizes those savings to pay off outstanding balances due to PG&E. However, if a customer continues to carry a balance with PG&E and does not take any of the above noted actions, per Rule 11, even with a zero balance with EBCE, a customer could still be disconnected.

The CPUC has required its regulated utilities to make plans for dealing with customer debt as a result of COVID. Staff is currently tracking the development of a [PG&E COVID-19 Emergency Customer Protections Transition Plan](#)⁴. This draft plan outlines how PG&E intends to manage disconnections, presents initial potential payment plan options, and describes the reinstatement of low-income program participation verification. Staff attended a presentation of this plan given by PG&E to the CPUC's Low Income Oversight Board on March 11, 2021 [JR1][AH2][JR3]. Staff is also providing comments to the Order Instituting Rulemaking to Address Energy Utility Customer Bill Debt Accumulated During the COVID-19 Pandemic (R.21-02-014)⁵ to ensure the fair treatment of EBCE customers.

Rather than mirror the SMUD program or rely solely on PG&E's efforts, staff recommends we find meaningful ways to avoid customer disconnections. A portfolio of efforts is managed through the Connected Communities Program.

- **Focus Groups** - EBCE is convening focus groups with customers that have experienced arrearage and disconnections to understand the challenges customers have in paying their bills. The first round of focus groups has been completed in English, Spanish, and Cantonese. These focus groups have identified a series of insights that EBCE will continue to explore in a second round of meetings, which will include a session in Tagalog. EBCE will use the insights gained from these focus groups to structure outreach and bill payment programs and discounts for customers struggling to pay their bills.
- **CARE/FERA Enrollment** - EBCE conducts regular direct email outreach to provide potential participants with information and enrollment applications for CARE and FERA, which provide discounts of 17 to 35% on energy bills. EBCE has created an information page on our website with a video about how qualification guidelines and ways to enroll at ebce.org/care.

⁴ https://liob.cpuc.ca.gov/wp-content/uploads/sites/14/2021/02/E_Pacific-Gas-Electric-PGE_-Emergency-Customer-Protections-Transition-Plan_Draft.pdf

⁵ <https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M366/K563/366563533.PDF>

- **Disadvantaged Community Green Tariff (DAC-GT) and Community Solar Green Tariff (CS-GT)** - These programs will give CARE customers living in the top 25% of CalEnviroScreen 3.0 census tracts an additional 20% discount on their bundled rate. There are approximately 15,000 accounts that are eligible for DAC-GT and CS-GT across EBCE's service territory. EBCE will be rolling out this program after the CPUC approves the advice letter submitted in September 2020. EBCE will be able to offer this discount to approximately 1,800 accounts and will be evaluating the impact of this discount on customer arrearages and likelihood of disconnection.
- **Arrearage Management Program (AMP)** - This Program is a CPUC-sponsored program that provided customers with debt forgiveness if they are able to pay current bills over the course of a year. Eligible customers can erase 1/12 of their current debt each month they pay their current due amount. This will allow customers to erase their debt balance over the course of a full year. EBCE will be encouraging customers to participate in this program and evaluating the results to determine the effectiveness of this intervention in reducing arrearage and likelihood of disconnection.
- **Solar PV for customers in arrears** - EBCE is partnering with Grid Alternatives to leverage the Disadvantaged Communities Single-Family Affordable Solar Homes (DAC-SASH) incentive to provide solar photovoltaic systems to a limited number of homeowners in EBCE territory that are in arrears and face the threat of disconnection. EBCE is funding the cost gap between available incentives and the cost of installing a solar system to offer this program to customers. Grid Alternatives is completing customer outreach and using local labor to install the systems.

Staff will continue to track PG&E efforts related to debt relief and customer payment plans, as well as build out the portfolio of efforts under Connected Communities.

Attachments:

- A. Connected Communities presentation

MARCH 2021

Connected Communities

EBCE's Efforts to Reduce Utility Disconnections



CPUC/PG&E Disconnection Overview

- In normal course of business EBCE cannot disconnect customers. EBCE has the option to send non-paying customers back to PG&E, and PG&E can disconnect a customer according to Rule 11, which requires multiple notifications and steps prior to disconnection.
- The CPUC has instituted a disconnection ban until July 1, 2021.
- The CPUC is now requiring load serving entities (LSEs) to offer programs, such as the Arrearage Management Plan (AMP), to help customers reduce outstanding debts.
- The CPUC continues to review the impact of COVID on a customer ability to make payments through the Low-Income Oversight Board and a proceeding to address “Energy Utility Customer Bill Debt Accumulated During the COVID-19 Pandemic”.

EBCE Arrearage and Disconnection Overview

- Since COVID-19 EBCE has not sent customers back to PG&E for non-payment.
 - Current suspension of non-payment policy in place until April 21, 2021. Staff will ask for extension until July 1, 2021 at the April board meeting.
- EBCE has not referred customers with unpaid debt to collections agencies, which could result in reduced credit scores and further impact their borrowing potential.
- EBCE can forgive customer debt, but this does not directly impact PG&E's disconnection decision, as PG&E disconnection is based on PG&E debt, not EBCE debt.
- EBCE increased its uncollectable debt budget by 4x from \$2.4M in FY'20 to \$9.9M in FY'21, the mid-year budget update now forecasts uncollectable debt at \$10.9M.

SMUD EnergyHELP Summary

CHARITY PARTNER	SERVICES
Community Resource Project	Improving opportunities for people in need through energy efficiency, health and education.
Folsom Cordova Community Partnership	Enhancing the health, education, and well-being of our community by assisting those in need
LAO Family Community Development Inc.	Advancing the economic well-being of our community through employment, housing, education and support services
Sacramento Food Bank & Family Services	Giving a hand up, rather than a hand out through grassroots community involvement
The Salvation Army	Devoted to meeting human needs in the Sacramento community for over 100 years
Travelers Aid Utility Assistance	Providing aid throughout the Sacramento community since 1896

- The SMUD EnergyHELP program has been operating for 17 years and ~14k accounts have participated
- SMUD provides funding for local CBOs that provide assistance to low-income households and the program estimates that ~37k households have been supported
- SMUD and its partners do not provide direct bill debt relief or payment through this program
- EBCE has provided \$1.3M in grants to local CBOs since COVID-19

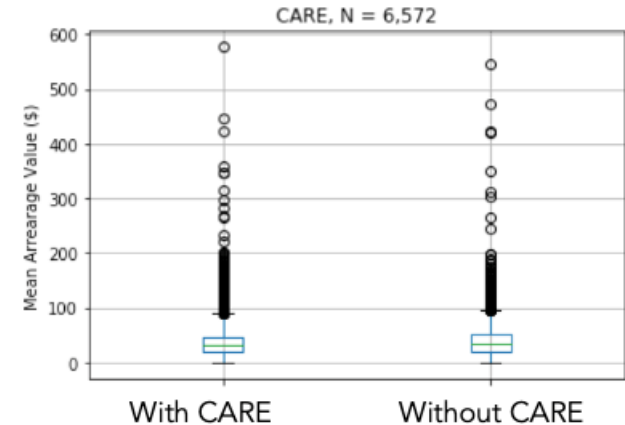
CONNECTED COMMUNITIES

Goal - Reduce arrearage and disconnections for EBCE customers

- Use data to drive decisions about program design and outreach
 - Review past arrearage and disconnection data to predict propensity for non-payment
 - Complete customer focus groups to understand why customers are not paying bills on-time or at all
- Partner with UC Berkeley to analyze arrearage data and design test interventions that effectively reduce arrearages and disconnections, including:
 - DAC-GT / CS-GT
 - Arrearage management plan
 - Usage/bill notifications
- Additional options surfaced by focus groups

CARE / FERA IMPACTS ON ARREARAGE ARE MARGINAL

- EBCE evaluated data for CARE/FERA customers on electricity usage and arrearage
- Existing data indicates that CARE /FERA have a marginal impact on arrearage and disconnection rates
- Arrearage declines by ~\$3 while the bill reduction from CARE is much larger (~\$30-\$40/month)
- Disconnection rates declined minimally when comparing CARE to non-CARE customers
- Customers may be using savings from CARE to pay other bills



This figure shows the mean arrearage for customers with and without CARE. The mean arrearage amount with CARE is marginally lower.

CARE/FERA OUTREACH GRANTS

- EBCE ran a solicitation for Community Outreach partners in August 2019¹
 - Objective to work with trust community-based organizations (CBOs) to encourage CARE enrollment within targeted zip codes
- Selected CBOs
 - Spectrum Community Services (Hayward): a non-profit that assists low-income individuals, families, and seniors through programs like Low Income Home Energy Assistance Program (LIHEAP), Low Income Weatherization Program, and Meals on Wheels
 - Interfaith Power and Light (Oakland): a statewide network of almost 700 congregations (~50 in EBCE territory) of all faiths committed to addressing climate change
- Each organization received a \$10,000 grant for CARE/FERA outreach and enrollment with a goal of 500 enrollments
 - Outreach included: direct 1:1 interactions, presentations, tabling, leadership trainings, e-newsletter, social media, and flyers.
- Successfully enrolled ~100 customers despite grant outreach running through Spring 2020 COVID-19 shutdown
- Lessons Learned
 - Many customers already enrolled in CARE
 - Ongoing technical issues with PG&E enrollment process
 - Allow for more time for ramp up

DISCONNECTION PROPENSITY MODEL

- Data team continues work that was initiated with UC Berkeley Data science team to build a disconnection propensity model
 - Accuracy was limited by a lack of household level income data
 - EBCE tested outreach through email and outbound calls to attempt to enroll customers in CARE using this data, but results were mixed, and outreach through outbound calling was expensive (\$4.50/call)
- Continuing to develop propensity model and adding new sources of data
 - Requesting more data from PG&E on past payment/disconnection
 - DMV records to scrape Kelly Blue Book vehicle resale value as proxy for income
 - Purchasing data from companies that can provide household level insights
- An accurate propensity model would allow EBCE to target efforts to those customers most at risk of disconnection

CUSTOMER FOCUS GROUPS

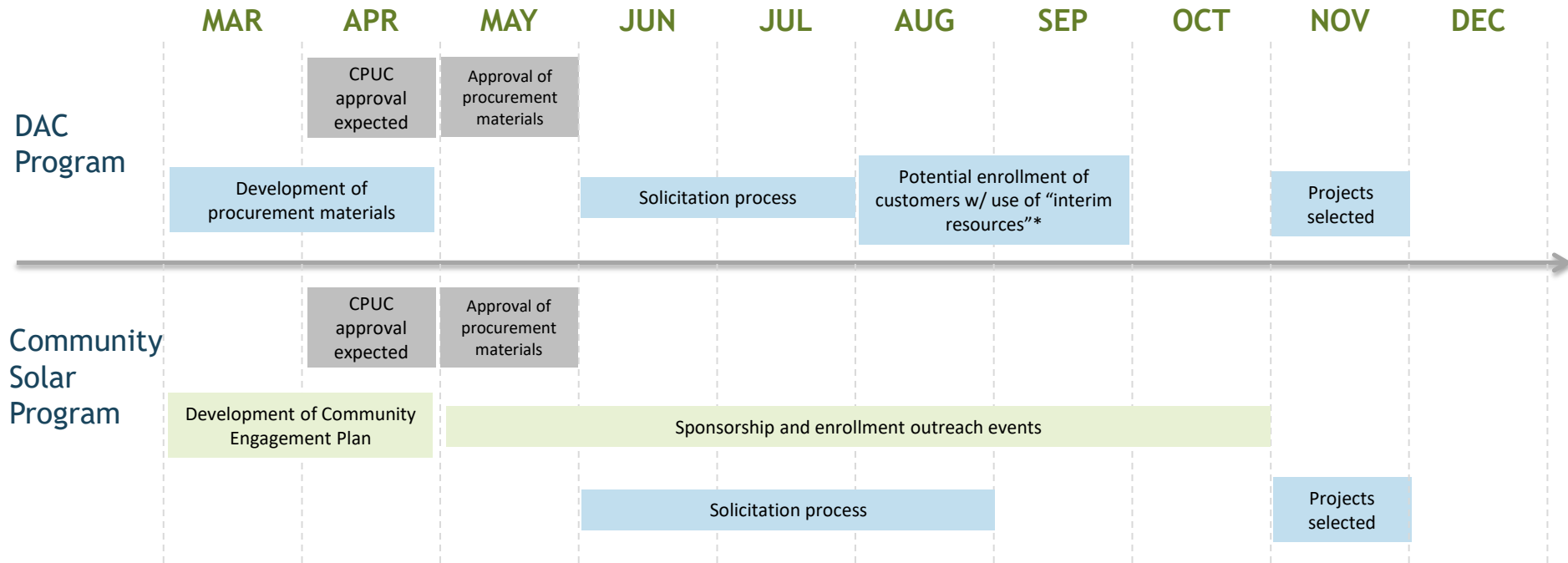
- EBCE hired consultant, EJ Solutions, to facilitate customer focus groups to identify challenges in paying bills and identifying potential solutions.
- Conducting 9 focus groups in 3 languages (English, Spanish, Cantonese) between November and March
- Focus groups have identified challenges with existing programs such as CARE and automatic payment plans as well as PG&E call center processing, bill comprehension, and payment options.
- We are now extracting lessons for EBCE program enrollment such as our Low-Income Energy Efficiency program and potential new interventions to test impacts in reducing arrearages.

DAC-GT/CSGT Program Summary

- **Both programs** allow CARE and FERA-eligible customers living in disadvantaged community (“DAC”) census tracts to receive 100% solar energy at a 20% discount on their electric bills.
- The key difference between the two programs is that the Community Solar Green Tariff program requires a **community sponsor of the project** and will result in projects **located within five miles of the community** it serves.

	DAC Program	Community Solar Program
Program Size:	~5.7 MW (serves ~1,700 customers)	~1.6 MW (serves ~450 customers)
Participant Requirements:	Residential customers who are CARE/FERA eligible and live in a DAC	At least 50% of participants must be residential customers who are CARE/FERA eligible; all participants must live in a DAC
Other Requirements:	N/A	<ul style="list-style-type: none">▪ Community Sponsor▪ Located within 5 miles of community served▪ Workforce development requirements

Preliminary Project Timeline (2021)



*Program rules permit energy providers to serve DAC program customers through already-existing solar projects that meet DAC-GT eligibility requirements on an "interim" basis until new projects come online.

Becoming a Community Sponsor: Overview

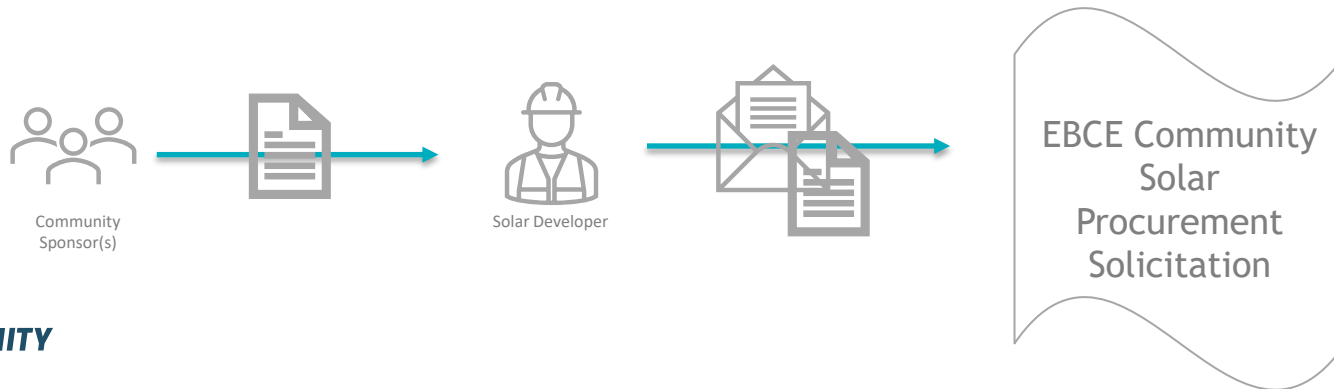
- **Eligibility:**
 - Non-profits, local governments, and schools
 - Located in a DAC that is within 5 miles of the project
- **Benefits to sponsor:**
 - 20% bill discount
 - May subscribe to up to 25% of solar project output
 - Potential to receive Marketing, Education & Outreach funds to educate and recruit subscribers
- **Sponsor's role: Help project developers and the community come together.**
 - Identify community-suggested project sites
 - Work with EBCE to conduct outreach and create interest in subscribing to the project
 - Provide a Letter of Commitment (see next slide)
- **Projects may have more than one sponsor.**

Community Sponsor “Commitment Letter”

The CPUC requires that project developers obtain a **letter of commitment from a project sponsor** that includes:

- “Demonstration of substantial interest of community members in subscribing to project;
- Estimated number of subscribers, with justification to ensure project is sized to likely demand;
- A preliminary plan to conduct outreach and recruit subscribers (which may be conducted in conjunction with the developer and/or EBCE); and
- Siting preferences, including community-suggested host sites, and verification that the site chosen for the bid is consistent with community preference.”

The sponsor provides the letter to the project developer, who includes it in their bid package to EBCE.



Next Steps Related to Community Sponsors

- **Development of an Engagement Plan for identifying Community Sponsors, including:**
 - **Engagement Principles**
 - Relying on best practices developed by CEJA, Greenlining
 - **Strategies and process for identifying project sponsors**
 - Potential examples:
 - Information Sessions: Hosting (virtual) information sessions for potential sponsors, including by leveraging existing partnerships and collaborating on events
 - Website Updates: Posting a form on EBCE's website where prospective Sponsors can express interest, and maintaining a list of interested sponsors on the site for potential Developers to contact
 - Matchmaking Events: Hosting a (virtual) developer/sponsor informal meet-and-greet
- **Upcoming meetings: Staff to seek CAC feedback on Engagement Plan and process for identifying project sponsors**

AMP - ARREARAGE MANAGEMENT PLAN

- Program to forgive debt to customers who have >\$500 in arrears to PG&E and have made payment
 - These are customers “on-the-bubble” who have shown some ability to pay but with significant debt accumulated on their account
- CCAs can participate and recover costs through Public Purpose Program Charge (PPPC).
- Allows forgiveness of arrearage amount up to \$8k/year
- Each monthly payment made by a customer forgives 1/12 of arrearage, after 12 monthly payments 100% of arrearage is forgiven
- If customer misses 2 consecutive monthly payments, they are removed from program for 1 year
 - Debt is forgiven each month, so even if customer doesn't complete the 12-month plan, some debt is still forgiven.
- PG&E has started enrolling. 311 EBCE customers already enrolled with 14k customers eligible. Average arrearage of EBCE enrolled customers is \$330
- EBCE is developing an outreach plan for education/enrollment.
- EBCE is working with UC team to determine options for robust evaluation of results.

GRID ALTERNATIVES SOLAR OFFER

- EBCE has partnered with Grid Alternatives to leverage DAC-SASH (Single-family Affordable Solar Homes) solar incentive and install solar on 7 homes at risk of disconnection.
- EBCE funding is filling the gap in DAC-SASH so that eligible customers can receive a free solar system including necessary service panel upgrades.
- EBCE is co-marketing with Grid Alternatives to enroll customers.



ADDITIONAL NON-DISCOUNT OPTIONS

- Based on our Focus Group discussions and in addition to testing bill discounts, we are evaluating other ways to increase payment and reducing arrearage such as:
 - Text message alerts/reminders when the bill is coming due
 - A concierge service to alert customers on auto-pay about upcoming payments and assist customers that need to change payment dates in order to avoid over-drawing accounts and paying bank fees
 - Encouragement₁ into autopay or other commitment devices
 - Information for understanding how bills work/bill literacy (see here₂ and here₃)

1 - https://www.mitpressjournals.org/doi/abs/10.1162/REST_a_00465

2 - <https://www.aeaweb.org/articles?id=10.1257/aer.104.2.537>

3 - <https://www.tse-fr.eu/sites/default/files/TSE/documents/sem2018/environment/shaffer.pdf>

SUMMARY

- EBCE has been supporting CBOs that provide relief to customers challenged to pay bills and suffering from COVID impacts to the economy
- EBCE has been working to provide customers with immediate relief while also using customer focus groups and data to identify options that will help our customers.
- The Connected Communities Program will deliver a suite of solutions from bill discounts to solar installations to assist customers in reducing late payments and debt.
- We need to identify scalable solutions that can grow with the size of this problem while still allowing EBCE to serve all customers with choice and competitive electricity.

3/15/2021

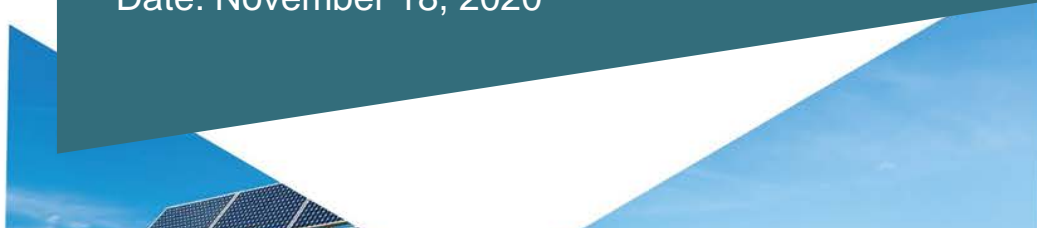
CAC Informational Update: DAC and Community Solar Green Tariff Programs





Aramis Solar & Storage RA Contract Approval

Presented By: Howard Chang
Date: November 18, 2020



Intersect Power & Aramis Solar + Storage

- Staff is seeking approval of a resolution authorizing the CEO to execute a 10-year local Resource Adequacy purchase from a 100MW Alameda County Solar and Storage Project (“Aramis project”) with Intersect as the developer.
- Intersect Power is a clean infrastructure company based in the Bay Area focusing on bringing low-carbon energy and infrastructure solutions to its customers in California. Their pipeline includes 3 GWDC of solar assets across California and Texas in various stages of development.
- The Aramis Solar & Storage Project is a 100MW solar plus 100MW/4hr duration storage project based in the North Livermore community at the Intersection of North Livermore Avenue and Manning Road.
- EBCE has negotiated a 10-year contract for approximately 20MW of local Greater Bay Area Resource Adequacy from the project.



Aramis Solar + Storage Project Highlights

- The Aramis project was submitted into EBCE's 2018 California Renewable Energy RFP and staff has been in discussions with Intersect since that time.
- CleanPowerSF will likely be a significant off-taker of the project as well.
- The project is expected to begin construction in 2023.
- The Aramis project is expected to begin to provide local Greater Bay Area Resource Adequacy to EBCE starting in April 2024 through December 2033 for a period of 10 years. The quantity will range from 14MW to 23MW and average approximately 20MW.



100MW

of clean, local,
reliable power



400

living-wage, all
union jobs



188,000

metric tons of CO₂
offset



25,000

homes powered
annually

Labor Agreement & Other Benefits

- PLA executed February 2018 w/ 5 local construction crafts.
- The 5 unions represent over 10,000 members living in Alameda and Contra Costa Counties:
 - IBEW Local 595
 - Operating Engineers Local 3
 - Laborers Local 304
 - Ironworkers Local 378
 - Carpenters Local 713
- Estimated **400** local construction jobs, Intersect's goal is to hire 100% of those jobs from Alameda County.
- Local sales tax revenue: **\$1.5M** to Alameda Co in 2021-2022, property tax revenue: **\$200k** increase per year.
- Local procurement: **\$7.5M** in 2021-2022: gravel, civil work, portable toilets, fencing, gasoline, diesel, etc.
- Indirect/induced local economic benefits: **\$22.5M** in 2021 and beyond from hotels, restaurants, etc.



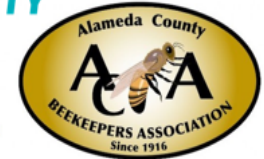
Community Benefits

- Partnering with Tipping Point to fund and install \$250,000 in rooftop solar systems for 10 local non-profit orgs, reducing energy costs for the organizations serving the Bay Area's most vulnerable populations.
- Intersect is committing to dedicating land for a public hiking trail to provide opportunities for STEM and outdoor education.

Community Partnerships



↑ **\$105k in donations committed by EOY** ↑



↑ **Aramis Key Project Supporters** ↑

Aramis Solar & Storage Project cont'd

- The project is seeking permitting approvals from the County during the fall/winter of 2020.
- Through the RFP and subsequent discussions, EBCE has evaluated the project from an energy product perspective and related to development and delivery risk.
- Staff evaluates permitting risk in terms of ability to deliver energy products and comply with negotiated PPAs. Obtaining all necessary permits is a requirement under the agreement.
- Thorough environmental review is completed by the local government and authorities having jurisdiction in the formal permitting approval process.
- Support letters for this project have been received from:
 - Sierra Club
 - NRDC
 - IBEW
 - Zero Net Energy Center
 - Livermore Valley Chamber of Commerce
 - East Bay Leadership Council



Conclusion

- EBCE has signed over 650MW of new renewable generation and storage projects in CA. This includes over 100MW of projects located within Alameda County.
- The Aramis project is unique because it is one of the largest renewable energy projects in Alameda County and Northern California and due to the significant battery storage that the project includes.
- The California Public Utilities Commission (CPUC) and the California Independent System Operator (CAISO) are forecasting capacity constraints over the coming years.
- Staff is recommending approval of this 10-year contract, which is competitively priced and will provide necessary local Resource Adequacy to our portfolio.
- This transaction reflects EBCE's commitment to supporting new renewable energy projects in CA and Alameda County and creating local jobs.

The Aramis Solar + Storage Project

www.intersectpower.com/projects



CAC Item C8
Staff Report Item 16

TO: East Bay Community Energy Board of Directors
FROM: Vanessa Gerber, Strategic Operations Analyst
SUBJECT: Supplier Diversity Overview & 2020 Report (Informational)
DATE: March 17, 2021

Recommendation

Receive an overview of the California Public Utilities Commission General Order 156 requirements and Supplier Diversity Program, and review of EBCE's first report results, planned activities, and challenges.

Background

The purpose of CPUC General Order 156 (GO 156), originally adopted in April 1988, is to promote and increase contracting opportunities for diverse suppliers with California utilities. GO 156 defines the Utility Supplier Diversity Program, its definitions, objectives, and reporting requirements. GO 156 requires utilities to "submit annual detailed and verifiable plans for increasing women-owned, minority-owned, disabled veteran-owned, and LGBT-owned business enterprises' (WMDVLGBTBEs) procurement in all categories." Until the 2020 reporting year, utilities with gross annual revenues exceeding \$25,000,000 were the only ones required to report. Now, pursuant to California Senate Bill 255 (2019, Bradford), Community Choice Aggregators (CCAs) are explicitly required to report to the California Public Utilities Commission on their procurements with certified diverse suppliers. The 2020 Annual Report and 2021 Annual Plan filing was due and submitted to the CPUC on March 1, 2021.

Analysis & Discussion

Prop 209

As a California local government entity bound by California Prop 209 (1996), EBCE is prohibited from considering race, sex, color, ethnicity, or national origin in its contracting. Accordingly, and in contrast to California's electrical corporations, EBCE does not consider Supplier Clearinghouse certification status nor eligibility in procurement decisions of any kind, nor does EBCE set supplier diversity targets or goals. On the November 2020 ballot, Prop 16 could have overturned Prop 209, but failed. As Prop 16 did not pass, Prop 209 will continue to restrict EBCE from expressing or exhibiting preference to diverse suppliers.

To comply with GO 156 and promote the statewide Supplier Diversity program, EBCE is approaching our Supplier Diversity activities in an innovative way that drives the program forward, while staying within the legal bounds that constrain CCAs from setting targets and expressing preference for diverse suppliers. Staff engaged with numerous other CCAs in preparation for the inaugural report to ensure alignment on reporting requirements and narrative language surrounding the Prop 209 limitations. Staff also discussed opportunities to collaborate with other CCAs on programmatic outreach and education efforts on GO 156.

Local Procurement

EBCE holds a strong commitment to investing directly in our service territory to the greatest degree possible. This takes the form of maximizing our direct purchasing from companies and organizations based in Alameda County and/or the City of Tracy, as well as in the form of deploying clean energy assets and customer programs that create local jobs and provide economic benefit to our customers. These are the types of actions CCAs can directly take relative to GO 156 objectives and were highlighted in EBCE's report.

2020 Results

In calendar year 2020, EBCE made procurements from seven certified suppliers for a total of \$303,763. Given CCAs' total procurement landscapes being heavily weighted to power procurement and supplier selection never considering diverse supplier status, our diverse supplier spend is only a small portion of our annual net procurement¹. EBCE's total procurement with certified vendors captures spend with small and local business services within our community and bespoke technical consulting services utilized to support our innovative new clean energy programs and power portfolio management. Their certification status is coincidental and is realized after contracting. All seven certified vendors supported in 2020 are California-based businesses. Three are based in EBCE's service territory, an additional three are located in other Bay Area counties, and the final vendor is located in Santa Cruz County.

2021 Plan and Next Steps

EBCE's 2021 Annual Plan highlights continued commitment to local procurement, grants and sponsorships, and workforce development, as well as details expanded

¹ Net procurement number as defined by the CPUC GO 156 table templates (i.e., includes purchase order, non-purchase, order, and credit card dollars) and CPUC guidance not to include staff salaries, staff benefits, or Director's Fees.

supplier outreach and education efforts. EBCE's report will be made public on the CPUC Utility Supplier Diversity Program website (<https://www.cpuc.ca.gov/supplierdiversity/>) for full details. Staff will also be coming back to the Board over coming months to further discuss local spend in the context of our budget.

Financial Impact

There is no financial impact associated with this item.

Attachments

- A. Supplier Diversity Overview & 2020 Report to CPUC Presentation