



Staff Report Consent Item 8

TO: East Bay Community Energy Board of Directors

FROM: Annie Henderson, VP - Marketing and Account Services

SUBJECT: Revisions to Service Terms and Conditions to Support Product Changes in January 2022

DATE: December 15, 2021

Recommendation

Receive an update on revisions made to the Service Terms and Conditions to support the product changes in January 2022 related to the closure of Brilliant 100 and default product changes to Renewable 100 service

Background and Discussion

On October 21, 2020, the board voted to offer the Brilliant 100 product until January 31, 2021 at price parity to the standard PG&E rate, with a renewable energy content equivalent to the current Renewable Portfolio Standard, and with the remaining power being supplied by large hydro-electricity for a total of 100% carbon free power. Additionally, the board authorized the Chief Executive Officer to take any necessary actions to implement Resolution R-2020-32 (attached).

Subsequently, on November 18, 2020, the board voted to maintain Brilliant 100 cost at parity with PG&E for 2021, not enroll new customers with the exception of new communities Newark, Pleasanton and Tracy, and close Brilliant 100 effective January 1, 2022. The presentation made at the November meeting is attached along with the meeting notes showing the board's discussion and motion on the item.

Furthermore, on March 17, 2021, the board approved the request from the city of Dublin to change the default product for residential customers - except those on CARE, FERA, or medical baseline allowance - from Bright Choice to Renewable 100

and directed the EBCE Chief Executive Officer or his/her designee to take any and all necessary actions to change the default rate product, per Resolution R-2021-9 attached.

With the closure of Brilliant 100 in January 2022, cities with this service as their default had to choose if their local customers would default to Bright Choice or Renewable 100. The cities of Albany, Hayward, Pleasanton, and Piedmont each had a at least one customer class defaulted onto Brilliant 100. Their new defaults are shown below:

	Current Default			January 2022 Default		
	Residential	Commercial	CARE	Residential	Commercial	CARE
Albany	Brilliant 100	Brilliant 100	Brilliant 100	Renewable 100	Renewable 100	Bright Choice
Hayward	Brilliant 100	Brilliant 100	Bright Choice	Renewable 100	Renewable 100	Bright Choice
Pleasanton	Brilliant 100	Brilliant 100	Bright Choice	Renewable 100	Renewable 100	Bright Choice
Piedmont	Renewable 100	Bright Choice	Brilliant 100	Renewable 100	Bright Choice	Bright Choice

There are several steps to support the closure of Brilliant 100 and transition of customers to Renewable 100. One significant step is the revision of the Service Terms and Conditions, which are included on our website (<https://ebce.org/terms/>) and on new customer notifications.

Staff revised the Service Terms and Conditions to support the changes previously approved by the board. Legal counsel reviewed the changes and determined they were sufficiently within the scope of authorizations from the resolutions and/or are minor clarifying changes. Therefore, the changes have been implemented and this report serves to inform the board of the changes. A version of the Service Terms and Conditions with changes tracked is attached to this report.

Fiscal Impact

There is no fiscal impact to revising the Service Terms and Conditions

Attachments

1. Resolution R-2020-32
2. November 18, 2020 Presentation
3. November 18, 2020 Meeting Minutes
4. Resolution R-2021-9
5. Revisions to Service Terms and Conditions

RESOLUTION NO. R-2020-32

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE EAST BAY COMMUNITY ENERGY AUTHORITY TO CONTINUE TO OFFER THE
BRILLIANT 100 PRODUCT UNTIL JANUARY 31, 2021**

WHEREAS The East Bay Community Energy Authority (“EBCE”) was formed as a community choice aggregation agency (“CCA”) on December 1, 2016, Under the Joint Exercise of Power Act, California Government Code sections 6500 *et seq.*, among the County of Alameda, and the Cities of Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Piedmont, Oakland, San Leandro, and Union City to study, promote, develop, conduct, operate, and manage energy-related climate change programs in all of the member jurisdictions. The cities of Newark and Pleasanton, located in Alameda County, along with the City of Tracy, located in San Joaquin County, were added as members of EBCE and parties to the JPA in March of 2020.

WHEREAS The Board voted on June 17, 2020 to no longer offer the Brilliant 100 product to any customers after December 31, 2020.

WHEREAS As of October 2020, the Board is still discussing the potential product options to replace the current Brilliant 100 product in 2021.

WHEREAS It is in the best interest of our customers that a decision on potential product options be made with as much relevant information as possible and that customers are given adequate notice of changes to our products.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE EAST BAY COMMUNITY ENERGY AUTHORITY DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The Brilliant 100 product will be offered until January 31, 2021 at price parity to the standard PG&E rate, with a renewable energy content equivalent to the current Renewable Portfolio Standard, and with the remaining power being supplied by large hydro-electricity for a total of 100% carbon free power.

Section 2. The Board hereby authorizes the Chief Executive Officer to take any necessary actions to implement this Resolution.

ADOPTED AND APPROVED this 21st day of October, 2020.

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Dan Kalb
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Dan Kalb, Chair

ATTEST:

DocuSigned by:

Stephanie Cabrera

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Stephanie Cabrera, Clerk of the Board



Staff Report Item 13

TO: East Bay Community Energy Board of Directors
FROM: Nick Chaset, Chief Executive Officer
SUBJECT: Brilliant 100 Options (Action Item)
DATE: November 18, 2020

Recommendation

Decide to change the Brilliant 100 consumer electricity product in one of following way:

- A) Close Brilliant 100 effective February 1, 2021. All current Brilliant 100 customers would be defaulted onto Bright Choice unless the city council/Board of Supervisors have affirmatively voted to default these customers onto another product, or
- B) Set Brilliant 100 cost above PG&E – with specific premium brought to Board of Directors in December 2020. All current Brilliant 100 customers would see these new costs effective February 1, 2021. Under this option Brilliant 100 would continue to be available to all EBCE customers, or
- C) Maintain Brilliant 100 cost at parity with PG&E for 2021, but close Brilliant 100 effective January 1, 2022.

Background and Discussion

At its meeting on June 17, 2020, EBCE's Board voted to close *Brilliant 100* to new accounts beginning July 1, 2020, as one of several budget-related actions. Staff had determined current *Brilliant 100* rates no longer cover the cost of service and would need time to develop alternative courses of action for the Board to consider.

Over the last number of months, EBCE staff have worked to develop three options for how to proceed with Brilliant 100 for 2021 and beyond. The three options are laid out in the attached presentation.

Fiscal Impact

Option C carries a projected fiscal impact of at least \$1.85m.

Attachments

- A. Presentation on New Carbon-free Electricity Product and Brilliant 100 Options



Brilliant 100 Options in 2021

Nick Chaset
November 18, 2020

Overview of Agenda Item

Which of the following changes to Brilliant 100 for 2021 should EBCE make?

- A) Close Brilliant 100 effective February 1, 2021. All current Brilliant 100 customers would be defaulted onto Bright Choice unless the city council/Board of Supervisors have affirmatively voted to default these customers onto another product, or
- B) Set Brilliant 100 cost above PG&E – with specific premium brought to Board of Directors in December 2020. All current Brilliant 100 customers would see these new costs effective February 1, 2021. Under this option Brilliant 100 would continue to be available to all EBCE customers, or
- C) Maintain Brilliant 100 cost at parity with PG&E for 2021, but end B100 effective January 1, 2022

2021 Brilliant 100 Policy

Option A

- Close Brilliant 100 effective February 1, 2021.
- All current Brilliant 100 customers would be defaulted onto Bright Choice unless the city council/Board of Supervisors have affirmatively voted to default these customers onto another product.
- No Fiscal Impact

2021 Brilliant 100 Policy

Option B

- Set Brilliant 100 cost above PG&E – with specific premium brought to Board of Directors in December 2020.
- All current Brilliant 100 customers would see these new costs effective February 1, 2021.
- Under this option Brilliant 100 would continue to be available to all EBCE customers.
- No Fiscal Impact

2021 Brilliant 100 Policy

Option C

- Maintain Brilliant 100 cost at parity with PG&E for 2021 but Brilliant 100 to all customers effective Jan 1, 2022
- Fiscal Impact Detailed

2021 Brilliant 100 Policy

Option C Fiscal Impact Assessment: \$1.85m to serve existing Brilliant 100 in 2021

- Brilliant 100 costs estimated to cost approx. \$2.70/MWh more to procure than Bright Choice:
 - Brilliant 100: $\$14.5 \times 36\% \text{ (RE)} + \$5.0 \times 54\% \text{ (Lhyd)} + \$0 \times 10\% \text{ (PG\&E Allocation Share)} = \7.92 Adder
 - Bright Choice: $\$12.7 \times 41\% \text{ (RE)} + \$0 \times 10\% \text{ (PG\&E Allocation Share)} = \5.21 Adder
 - With energy and overhead costs, Brilliant 100 is 4.6% more expensive than Bright Choice, while only priced at 1% more than Bright Choice. This equates to 3.6% higher Brilliant 100 cost not recovered in rates, which means that 78% of the Brilliant 100 premium should be treated as incremental costs.
- Brilliant 100 projected to create an incremental cost in 2021 of \$1.85m to serve current Brilliant 100 customers
 - Brilliant 100 2021 load projection: 875,000 MWh
 - $\$2.71 \times 78\% \times 875,000 \text{ MWh} = \1.85 m
- Brilliant 100 incremental costs scale up with each additional MWh, so if new customers or communities join Brilliant 100, costs to EBCE rise. For example, if Dublin/Pleasanton and Berkeley were to opt all accounts onto Brilliant 100 for 2021, that would result in an unfunded increase in procurement costs of \$1,895,400
 - Brilliant 100 Cost Premium (\$2.70) * Unfunded share of Brilliant 100 costs (78%) * Approx Dublin/Berkeley/Pleasanton Load (900,000 MWh) = **\$1.90m**



Draft Minutes

Board of Directors Meeting

Wednesday, November 18, 2020

5:00 pm

<https://us02web.zoom.us/j/87023071843>

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 888 475 4499 (Toll Free) or 877 853 5257 (Toll Free)

Webinar ID: 870 2307 1843

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 cob@ebce.org.

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

1. Welcome & Roll Call

Present: Directors: Haggerty (Alameda County), Pilch (Albany), Arreguin (Berkeley) Hernandez (Dublin), Mei (Fremont), Mendall (Hayward), Munro (Livermore), Hannon (Newark), Rood (Piedmont), Hernandez (San Leandro), Arriola (Tracy), Director Patino (Union City), Sutter (Community Advisory), Vice-chair Martinez (Emeryville), and Chair Kalb (Oakland)

Excused: Director Pentin (Pleasanton)

2. Pledge of Allegiance

3. 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 and must complete an electronic [speaker slip](#). The Board Chair may increase or decrease the time allotted to each speaker.

Aleta Dupree shared several electrification and storage ideas that EBCE should consider.

Blair Beekman spoke regarding San Jose local energy plans for 2021, sustainability, and public engagement.

Kelly Abru spoke regarding environmental impact reports of rural areas.

Jill ZamEk spoke in opposition of including Nuclear energy in EBCE power mix.

Jessica Tovar spoke in support of EBCE remaining nuclear free and the unanimous decision of Hayward city council for rejecting nuclear in its B100 power mix. J Tovar also spoke against the PCIA calling it the root cause of the financial concerns with CCAs.

Manav Patel requested EBCE to endorse the Bay area’s version of the “Clean New Deal.”

Jeremiah Pinguelo spoke against including nuclear energy in EBCE’s power mix.

Ceyda Durmaz Dogan requested that the Board create a policy prohibiting the inclusion of nuclear energy in EBCE’s power mix.

Jane Swanson resides near the Diablo Canyon facility and supported previous comments opposing nuclear energy.

CONSENT AGENDA

4. Approval of Minutes from October 21, 2020

5. Contracts entered into (Informational Item)

6. Second Amendment to the Maher Accountancy CSA

Authorize the CEO to sign the Second Amendment to the Maher Accountancy Contract Service Agreement (CSA) to extend the term of service through December 31, 2021 and increase the not to exceed contract limit by \$210,000.

R-2020-36

Director Arreguin motioned to approve the consent calendar. Director Pilch second the motion which carried 14/0 Excused: Director Pentin (Pleasanton)

REGULAR AGENDA

7. CEO REPORT

- A. Executive Committee Meeting;
- B. Finance, Administration and Procurement Subcommittee Meeting;
- C. Marketing, Regulatory and Legislative Subcommittee Meeting;
- D. Marketing and Account Services Update

The Board Discussed

- Data points presented
- Grant recipients
- Online survey

Kelly Abru suggested EBCE focus on generation and legislation to help increase cleaner energy.

8. Community Advisory Committee Report

Advisory Committee Chair Sutter spoke regarding the CAC metric initiative review with staff to document results of EBCE's stage 1 of the Local Development Plan, track values of LDBP listed metrics and describe how plan principals are being met.

9. Reserve Fund Allocations from 2019-2020 Fiscal Year Net Revenues (Action Item)

Adopt a Resolution to approve the proposed contributions to the reserve funds.

R-2020-37

The Board Discussed Increasing

- Fiscal responsibility
- Credit rating methodology

Aleta Dupree spoke in support of a strong reserve policy.

10. 2019 Power Source Disclosure Annual Report and Power Content Label (Action Item)

Adopt a Resolution to accept the 2019 Power Source Disclosure Program Annual Report (PSDR) and the 2019 Power Content Label (PCL).

Presented

R-2020-38

The Board Discussed Increasing

- Energy sources
- PG&E power content
- Bundled purchases

Aleta Dupree spoke regarding the EBCE power portfolio.

Mike Fredrich spoke regarding Renewable 100 and how energy is used in off hours.

Blair Beekman thanked previous speakers on their comments and spoke regarding sustainable ideas.

Director Marquez motioned to accept the 2019 Power Source Disclosure Annual Report and Power Content Label. Director Hernandez (Dublin) seconded the motion which carried 13/0; Excused: Directors Pentin and Haggerty

11. East Bay Community Energy 2019 Emissions Factor (Informational Item)

Receive a staff report on East Bay Community Energy's 2019 Bright Choice emissions factor.

Presented

12. Power Procurement Project Update (Informational Item)

Update on three renewable energy projects:

- A. Clearway - Rosamond Central Solar Energy Project;
- B. Alameda Summit Wind Farm (Alameda County); and
- C. Mulqueeney Wind Project (Alameda County).

Presented

Vaugh Wolfe spoke regarding energy storage concerns.

13. Brilliant 100 Options (Action Item)

Decide to change the Brilliant 100 consumer electricity product in one of following way:

- A. Close Brilliant 100 effective February 1, 2021. All current Brilliant 100 customers would be defaulted onto Bright Choice unless the city council/Board of Supervisors have affirmatively voted to default these customers onto another product, or
- B. Set Brilliant 100 cost above PG&E - with specific premium brought to Board of Directors in December 2020. All current Brilliant 100 customers would see these new costs effective February 1, 2021. Under this option Brilliant 100 would continue to be available to all EBCE customers, or
- C. Maintain Brilliant 100 cost at parity with PG&E for 2021, but close Brilliant 100 effective January 1, 2022.

The Board Discussed

- Member city municipal account options
- Potential to create a muni only product
- Transition from product
- Increasing GHG free and renewable content

Barbara Stebbins spoke regarding previous critique of the B100 product due to current concerns with mix, subsidizing product to support city climate action plans.

Aleta Dupree spoke against subsidizing product and suggesting more renewables be added to the grid.

Glenn Kirby spoke regarding concerns with customer rate sensitivity, energy market and suggested ways to subsidize current product.

Jessica Tovar spoke in support of subsidizing municipal accounts what wanted to continue to use B100 products subsidy for cities that wanted to continue using B100

Cynthia Landry spoke regarding SEIU resolution to oppose nuclear energy in EBCE's portfolio, in support of option C, cities who want to choose option A, and subsidizing current muni customers.

Director Arreguin motioned to approve option C - Maintain Brilliant 100 cost at parity with PG&E for 2021, but close Brilliant 100 effective January 1, 2022. Director Hernandez (Dublin) seconded the motion.

Vice-Chair Martinez requested a friendly amendment to not enroll new customers with the exception of new communities Newark, Pleasanton and Tracy.

Motion maker and seconder accepted the amendment

Director Arreguin motioned to approve option C - Maintain Brilliant 100 cost at parity with PG&E for 2021, allow enrollment of new communities, Newark, Pleasanton, and Tracy, but close Brilliant 100 effective January 1, 2022. Director Hernandez (Dublin) seconded the motion which carried 12/0; Abstained: Chair Kalb; Excused: Directors Haggerty and Pentin

14. Aramis RA Solar & Storage Contract Approval (Action Item)

Adopt 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.

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.

R-2020-39

Director Haggerty recused himself from this item and dropped off the call.

Director Munro motioned to adopt 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. Vice-Chair Martinez seconded the motion which carried 12/0; Abstained: Pilch; Excused: Directors Haggerty and Pentin.

30 members of the public spoke in support or opposition of the project citing the following benefits and concerns:

- Land use concerns
- Environmental Impact Report (EIR) results
- Union Labor support
- Local generation project
- Lack of engagement with consulting agencies
- Livestock concerns
- Increase in renewable content
- Local job creation
- Other projects by the developer and ownership changes
- Workforce training
- Decarbonization
- Environmental groups supporting project
- Project site design and enhancements

15. Board Member and Staff Announcements including requests to place items on future Board Agendas

Chair Kalb acknowledged upcoming Board changes.

Director Pilch spoke regarding his time as an EBCE Director, thanked the Board and Staff for the experience and requested an EBCE branded mask.

16. Adjourned

RESOLUTION NO. R-2021-9**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE EAST BAY COMMUNITY ENERGY AUTHORITY DIRECTING STAFF TO MAKE
NECESSARY ARRANGEMENTS TO CHANGE THE DEFAULT RATE PRODUCT TO
RENEWABLE 100 FOR CERTAIN RESIDENTIAL CUSTOMERS IN THE CITY OF DUBLIN**

WHEREAS, the East Bay Community Energy Authority (“EBCE”) was formed on December 1, 2016, under the Joint Exercise of Power Act, California Government Code sections 6500 *et seq.*, among the County of Alameda, and the Cities of Albany, Berkeley, Castro Valley, Dublin, Emeryville, Fremont, Hayward, Livermore, Oakland, San Leandro, and Union City, to study, promote, develop, conduct, operate, and manage energy and energy-related climate change programs in all the member jurisdictions. The cities of Newark and Pleasanton, located in Alameda County, along with the City of Tracy, located in San Joaquin County, were added as members of EBCE and parties to the JPA in March of 2020.

WHEREAS, in 2018, the Board of Directors approved three product offerings—a product called Bright Choice offered at a discounted price, a product called Brilliant 100 that is 100% carbon-free at price parity with PG&E rates, and a 100% renewable energy product called Renewable 100 offered at a premium cost.

WHEREAS, in 2020, the Board of Directors voted to eliminate the Brilliant 100 product as of 2022.

WHEREAS, on September 15, 2020, the City Council of the City of Dublin adopted the *City of Dublin Climate Action Plan 2030 and Beyond*, which includes a goal of reducing greenhouse gas emissions by 40% below 1990 levels by 2030 to align with California Senate Bill 32 and to put the City on a path to reach carbon neutrality by 2045.

WHEREAS, the City of Dublin’s *Climate Action Plan 2030 and Beyond* identifies renewable and carbon-free electricity as the biggest opportunity to reduce greenhouse gas emissions within the City of Dublin.

WHEREAS, on January 12, 2021, the Dublin City Council adopted a Resolution requesting that the EBCE Board of Directors change the default product for most of its residential customers to Renewable 100.

WHEREAS, as part of the Resolution adopted by the Dublin City Council on January 12, 2021, the City Council asked that residential accounts participating in the California Alternate Rates for Energy (CARE), Family Electric Rate Assistance (FERA), and Medical Baseline Allowance programs remain on the current default Bright Choice service, which is offered at a slight discount compared to Pacific Gas & Electric’s (PG&E) standard product.

WHEREAS, residential customers in the City of Dublin retain the option to “opt down” to a service with a lower percentage of carbon-free electricity or to “opt out” to PG&E’s service at any time.

THE BOARD OF DIRECTORS OF THE EAST BAY COMMUNITY ENERGY AUTHORITY DOES HEREBY FIND, RESOLVE, AND ORDER AS FOLLOWS:

Section 1. The Board of Directors hereby directs the EBCE Chief Executive Officer or his/her designee to take any and all necessary actions to change the default rate product for residential accounts with the City of Dublin to Renewable 100, excluding residential accounts participating in CARE, FERA, and the Medical Baseline Allowance programs, which will remain on Bright Choice service.

Section 2. The change to the City of Dublin’s default rate product as described herein shall comply with the Default Rate Product Change Policy as approved by the Board.

ADOPTED AND APPROVED this 17th day of March 2021.

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Dan Kalb

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Dan Kalb, Chair

ATTEST:

DocuSigned by:

Adrian Bankhead

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Adrian Bankhead, Assistant Clerk of the Board

Revisions to
Service Terms and Conditions

Enrollment and Service Options

East Bay Community Energy (EBCE) is the default electric provider serving Alameda County (except the City of Alameda) and the city of Tracy.

Bright Choice

Most accounts within EBCE’s coverage area are automatically enrolled in EBCE’s Bright Choice service, which is powered by at least 5% more renewable energy than Pacific Gas and Electric’s (PG&E) power content forecast each year and offered at a 1% discount to the corresponding PG&E rate. Customers may request to opt up to Renewable 100 or opt out and return to PG&E bundled service at any time, subject to the opt out guidelines described below. Bright Choice electric generation rates are set below PG&E electric generation rates, inclusive of utility exit fees. More information about rates can be found at ebce.org/rates.

Renewable 100

Certain customers are defaulted to EBCE’s 100% renewable energy service, Renewable 100, offered at \$0.01/kWh above the PG&E rate inclusive of utility exit fees. Renewable 100 customers may choose to opt down to Bright Choice service at no cost. Changes in a service option are effective as of the customer’s next billing cycle.

Default Service by Jurisdiction, Customer Class, and Program Participation

In an effort to support sustainability goals, certain cities have chosen to enroll customers in their jurisdictions in different services based on customer class and program participation, as indicated in the table below. Customers are free to change their service option at any time, which will become effective as of the customer’s next billing cycle.

Default Enrollment Service as of January 2022*

Jurisdiction	Commercial Customers	Residential Customers	Customers on CARE, FERA, Medical Baseline
Albany	Renewable 100	Renewable 100	Bright Choice
Dublin	Bright Choice	Renewable 100	Bright Choice

Hayward	Renewable 100	Renewable 100	Bright Choice
Piedmont	Bright Choice	Renewable 100	Bright Choice
Pleasanton	Renewable 100	Renewable 100	Bright Choice
All other jurisdictions**	Bright Choice	Bright Choice	Bright Choice

*New customers establishing electric service in the cities of Albany, Hayward, and Pleasanton as of November 1, 2021 will be started on Renewable 100 as their default service, unless participating in CARE, FERA, or Medical Baseline.

**Berkeley, Emeryville, Fremont, Livermore, Newark, Oakland, San Leandro, Tracy, Union City, and County of Alameda

Rates, Fees and Programs

EBCE’s electric generation rates are managed to provide greener electricity to our community at competitive rates. Any future rate changes will be adopted at duly noticed public meetings of the EBCE Board. You can view EBCE rates online at ebce.org/rates, or call 1-833-699-EBCE (1-833-699-3223) for more information. Rates and cost comparisons may change over time.

As an EBCE customer, PG&E charges you a monthly Power Charge Indifference Adjustment (PCIA) and Franchise Fee Surcharge. EBCE has accounted for these additional exit fees and charges in its rate setting process. Please contact PG&E for more information about these charges.

Financial assistance programs including CARE (California Alternate Rates for Energy), FERA (Family Electric Rate Assistance), and Medical Baseline Allowance remain the same with EBCE. If you are enrolled in any of these programs with PG&E, they continue to apply to you as an EBCE customer.

Billing

As an EBCE customer, you continue to receive a single monthly bill from PG&E that includes all electricity-related charges, including EBCE’s electric generation charges. EBCE generation charges are not duplicate or extra fees. You make a single monthly payment to PG&E, and PG&E forwards your payments for electric generation to EBCE. PG&E continues 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.

Choosing PG&E (Opt Out)

You may opt out of EBCE electric generation service and choose PG&E at any time by calling 1-833-699-EBCE (1-833-699-3223) or by completing the Choose PG&E form at ebce.org/optout. You will need your PG&E account information to begin the opt-out process.

There is no fee to choose PG&E before enrollment or in the first 60 days of receiving EBCE service. If you choose PG&E 60 or more days after EBCE service begins, you will be charged a one-time termination fee of \$5 per residential account or \$25 per commercial account. These fees are waived for customers in Newark, Pleasanton, and Tracy until April 2022. All

customers are also subject to PG&E's terms and conditions of service, which prohibit you from returning to EBCE for a full year after your opt-out date.

If returning to PG&E generation service after receiving EBCE service for more than 60 days, PG&E requires that you choose one of the following options:

Option 1: Return to PG&E generation service at the end of the current billing cycle. You will be billed at PG&E's transitional rates for a six-month period, and PG&E's standard bundled electricity rates thereafter.

Option 2: Give six month's advance notice of your intent to return to PG&E generation service. At the end of the six-month notice period, you will be returned to PG&E service and billed PG&E's standard bundled electricity rates.

Accounts of customers who have requested to opt out and choose PG&E will be transferred on the next day their electric meter is read. Accounts cannot be transferred in the middle of a billing cycle. Your request to choose PG&E must be received at least 5 business days prior to your meter read date in order to switch service to PG&E before your next billing cycle begins. All other requests to choose PG&E will be processed on the subsequent meter read date. If you opt out and choose PG&E or otherwise stop receiving service from EBCE, you will be charged for all EBCE electricity used before ending EBCE electric service.

Failure to Pay

If you fail to pay your bill, EBCE may transfer your account to PG&E upon 30 days' written notice for commercial customers and 60 days' written notice for residential customers. If your account is transferred, you will be required to pay the opt out fees described above. This provision is suspended until at least December 31, 2021 and does not apply to any customer that is participating in a payment plan.

Customer Confidentiality

EBCE is committed to protecting customer privacy. EBCE's policy on customer confidentiality can be found at ebce.org/confidentiality or by calling 1-833-699-EBCE (1-833-699-3223).