



**Executive Committee Meeting**  
**Wednesday, March 6, 2024**  
9:00 am

In Person:

Conference Room 5  
Ava Community Energy  
(formerly East Bay Community Energy)  
1999 Harrison St., Suite 2300  
Oakland, CA 94612

Or from the following remote location:

- Member Hu - Dublin City Hall - 100 Civic Plaza, Dublin, CA 94568

Via Zoom:

<https://us02web.zoom.us/j/88267670367>

Or join by phone:

Dial (for higher quality, dial a number based on your current location):  
US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 301 715 8592  
or +1 312 626 6799 or 877 853 5257 (Toll Free) or 888 475 4499 (Toll Free)  
Webinar ID: 882 676 70367

*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@avaenergy.org](mailto:cob@avaenergy.org).*

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

**1. Welcome & Roll Call**

**2. Selection of Executive Committee Chair (Action Item)**

**3. Public Comment**

*This item is reserved for persons wishing to address the Executive Committee on any Ava Community Energy-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 Executive Committee Chair may increase or decrease the time allotted to each speaker.*

- 4. Approval of Minutes from February 7, 2024**
- 5. Recommendation for Timing of Customer Enrollment for Stockton and Lathrop (Informational Item)**  
Present recommendation to board for when we should enroll new customers in 2025
- 6. Default Rate Product Change Policy Amendments (Informational Item)**  
Adjust policy to single annual deadline.
- 7. Resilience Hubs and Solar + Storage Incentive Update (Informational Item)**  
Update about resilience hubs and solar + storage incentives.
- 8. Committee Member and Staff Announcements including requests to place items on future Executive Committee Agenda**
- 9. Adjourn**

The next Executive Committee meeting will be held on Wednesday, April 3, 2024.



**Draft Minutes**  
**Executive Committee Meeting**  
**Wednesday, February 7, 2024**  
9:00 am

In Person:  
Conference Room 5  
Ava Community Energy  
(formally East Bay Community Energy)  
1999 Harrison St., Suite 2300  
Oakland, CA 94612

Or from the following remote location:

- Member Hu - Sonesta Bee Cave Austin Hill Country – Lobby, 12525 Bee Cave Parkway, Bee Cave, TX 78738

Via Zoom:  
<https://us02web.zoom.us/j/88267670367>

Or join by phone:  
Dial(for higher quality, dial a number based on your current location):  
US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 301 715 8592  
or +1 312 626 6799 or 877 853 5257 (Toll Free) or 888 475 4499 (Toll Free)  
Webinar ID: 882 676 70367

*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@avaenergy.org](mailto:cob@avaenergy.org).*

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

- 1. (4:09) Welcome & Roll Call**  
**Present: Members: Tiedemann (Albany), Hu (Dublin), Marquez (Alameda County) and Chair Balch (Pleasanton)**  
**Not Present: Member Kalb (Oakland)**

*Member Marquez joined the meeting at 9:11 am.*

- 2. (4:50) Public Comment**

*This item is reserved for persons wishing to address the Executive Committee on any Ava Community Energy-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 Executive Committee Chair may increase or decrease the time allotted to each speaker.*

**There were no speakers for public comment.**

**3. (5:25) Approval of Minutes from December 6, 2023**

**Member Tiedemann motioned to approve the minutes. The motion was seconded by Member Hu, which was approved 3/0/2:**

**Yes: Members Tiedemann, Hu and Chair Balch**

**Not Present: Members Kalb and Marquez**

**4. (5:54) Committee Member and Staff Announcements Public Comment**

**There were no speakers for public comment.**

**5. (6:11) Committee Member and Staff Announcements including requests to place items on future Executive Committee Agendas**

**There were no Committee Member or Staff Announcements.**

**6. (6:28) Closed Session Public Comment**

**There were no speakers for public comment.**

**7. (6:52) Closed Session**

- a. Public Employee Performance Evaluation and Appointment pursuant to Government Code § 54957: Chief Executive Officer; Conference with Labor Negotiators (Negotiators: Board Chair and Vice Chair) (Unrepresented Employee: Chief Executive Officer).
- b. Conference with Real Property Negotiators pursuant to Government Code § 54956.8: 251 8th Street (Negotiators: CEO Nick Chaset, COO Howard Chang, General Counsel Inder Khalsa) (price and terms of payment).

**8. (1:39:35) General Report Out of Closed Session**

**There were no items to report out of closed session.**

**9. Adjourned at 10:39 AM.**

The next Executive Committee meeting will be held on Wednesday, March 6, 2024.



## **Staff Report Item 5**

**TO:** Ava Community Energy Authority Executive Committee

**FROM:** Annie Henderson, Chief Customer Officer

**SUBJECT: Recommendation for Enrollment of Customers in Lathrop and Stockton in April 2025**

**DATE:** March 6, 2024

---

### **Recommendation**

Accept the staff recommendation to begin customer enrollment for residents of Stockton and Lathrop in April 2025.

### **Background and Discussion**

Ava Community Energy's initial customer enrollment occurred in two phases in 2018 - commercial customers in June and residential customers in November. With more experience and tested systems, the enrollment of Newark, Pleasanton, and Tracy occurred in a single phase of all customers in April 2021.

The cities of Stockton and Lathrop have received CPUC approval for a start of Ava service as early as January 2025. Staff looked at several factors when considering a recommended enrollment launch date:

- Ava Financials: Cost to serve and revenue
- Operations: Complexity of phasing
- Customer Awareness: External factors on marketing & outreach
- Customer Financials: Historic trends in monthly bill costs

The leading consideration was financial impact to the agency. Analysis was done specific to the load profiles of Stockton and Lathrop and under different scenarios regarding the extent of our open position for energy procurement, as well as considering three enrollment options:

- 1) All customers in January,
- 2) All customers in April, and
- 3) Split - Residential customers in January and commercial customers in April.

There was a clear negative financial impact under the scenario of enrolling all customers in January under the 100% open position scenario, which eliminated this option from consideration. Both options 2 and 3 were net positive but with a relatively minimal dollar impact compared to the overall procurement budget.

Options 2 and 3 were then analyzed based on the remaining considerations of operational complexity, customer awareness, and customer financials. An “all in April” enrollment is preferred in all cases due to simplicity, avoidance of customer notifications<sup>1</sup> during a crowded electoral and holiday season under option 1 & 3, and generally lower cost customer bills in April compared to January. Staff acknowledges that Ava will in fact reduce customer bills compared to the cost if served by PG&E; however, there is a concern that if a customer’s bill is high and they see something new or different (Ava charges) they will be inclined to assign that additional cost to Ava Community Energy and choose to opt out of our service.

Of special note, solar net-energy-metered customers in these cities will be enrolled on a staggered basis over the course of a year based on their “true-up date”, no sooner than the initial enrollment launch in April. This avoids or minimizes the impact to a customer having two account true-ups in a single 12-month cycle.

### **Fiscal Impact**

The recommendation to enroll all customers in Stockton and Lathrop in April 2025 has a net positive impact on the agency financials based on the analysis performed by staff.

---

<sup>1</sup> Ava is required to send customers notifications in the two months prior to enrollment and two months post enrollment. A January launch would require notices to be sent in November, during a Presidential election year, and December, during the holiday season. For an April enrollment, initial notifications would be mailed in February and March.



## Staff Report Item 6

**TO:** Ava Community Energy Authority Executive Committee

**FROM:** Alex DiGiorgio, Sr. Manager, Public Engagement

**SUBJECT:** **Proposed Amendments to Policy on Member Requests to Change the Default Rate Product for Certain Customers**

**DATE:** March 6, 2024

---

### **Recommendation**

Review and provide feedback on proposed amendments to Ava’s Default Rate Product Change Policy regarding Joint Powers Authority (JPA) member requests to change the default rate product for certain customers within their jurisdiction.

The proposed amendments include 1) adjusting the timeline for Board approval and agency implementation of JPA member requests within this Policy; and 2) administrative updates reflecting the Ava brand/agency name change.

### **Background and Discussion**

On March 17, 2021, Ava’s Board of Directors approved the agency’s Policy on Member Requests to Change the Default Rate Product for Certain Customers (“Policy” - attached). This action came in response to the City of Dublin’s request (expressed via City Council Resolution) to have Ava’s Renewable 100 become the new default electric service for all residential accounts within the City’s jurisdiction (aside from those on discount programs, such as CARE/FERA and/or Medical Baseline). Previously, Ava’s Bright Choice option had been Dublin’s default electric service for all customer accounts since the City’s initial enrollment—as was the case for the vast majority of Ava’s JPA member-jurisdictions.

Since the Policy’s passage, seven (7) of Ava’s JPA member-jurisdictions have implemented it to have Renewable 100 become the default service option for both residential and commercial customers.<sup>1</sup> These jurisdictions include the cities of Albany, Berkeley, Dublin<sup>2</sup>, Emeryville, Hayward, Pleasanton, and San Leandro.

Additional jurisdictions are currently exploring if/when to implement the policy (to make Renewable 100 the default service for some or all customer account types). The table below summarizes the default service option by customer account type (i.e., Residential, Commercial/Industrial, and Municipal accounts) for JPA member-jurisdictions currently served by Ava.<sup>3</sup> The highlighted rows indicate jurisdictions that have implemented the Policy.

**Table 1: Default Ava Service Option by JPA Member & Customer Type**

| Jurisdiction | Residential   | Commercial    | Municipal | CARE/FERA & Med Baseline |
|--------------|---------------|---------------|-----------|--------------------------|
| Albany       | R100          | R100          | R100      | Bright Choice            |
| Berkeley     | R100          | R100          | R100      | Bright Choice            |
| Dublin       | R100          | R100          | R100      | Bright Choice            |
| Emeryville   | R100          | R100          | R100      | Bright Choice            |
| Fremont      | Bright Choice | Bright Choice | R100      | Bright Choice            |

<sup>1</sup> The City of Piedmont chose to have Renewable 100 become the default service option for Residential accounts (excluding those on CARE/FERA and Medical Baseline) during its initial enrollment in 2018 and before the current policy had been established. Similarly, the cities of Albany, Hayward, and Pleasanton all chose to have Ava’s Brilliant 100 service (which was closed and no longer available to customers) as the default service during their initial enrollments.

<sup>2</sup> The City of Dublin implemented the policy on two separate occasions: first to make Renewable 100 the default service for all Residential accounts (apart from CARE/FERA and Medical Baselin), and then to make it the default service for all Non-Residential accounts (i.e., Commercial, Industrial and Muniicipl accounts).

<sup>3</sup> The cities of Stockton and Lathrop are scheduled to begin Ava service in January of 2025. Staff currently anticipates Bright Choice to be the initial default service option for all customer types within both cities.



|             |               |               |               |               |
|-------------|---------------|---------------|---------------|---------------|
| Hayward     | R100          | R100          | R100          | Bright Choice |
| Livermore   | Bright Choice | Bright Choice | R100          | Bright Choice |
| Newark      | Bright Choice | Bright Choice | Bright Choice | Bright Choice |
| Oakland     | Bright Choice | Bright Choice | Bright Choice | Bright Choice |
| Piedmont    | R100          | Bright Choice | R100          | Bright Choice |
| Pleasanton  | R100          | R100          | R100          | Bright Choice |
| San Leandro | R100          | R100          | R100          | Bright Choice |
| Tracy       | Bright Choice | Bright Choice | Bright Choice | Bright Choice |
| Union City  | Bright Choice | Bright Choice | Bright Choice | Bright Choice |

**Policy Implementation**

To implement the Policy, a city or county’s elected leadership (i.e., the City Council or County Board of Supervisors) must communicate its desire to do so by official action, typically by passing a Resolution to this effect. Thereafter, Ava’s Board of Directors must approve the jurisdiction’s request before staff may implement it.

To help ensure 1) a smooth transition for customers; and 2) adequate time for Ava to procure sufficient volumes of wholesale power resources, the Policy provides a six-month implementation “runway” from the time of Board approval to the subsequent enrollment/transition of customer accounts. As originally drafted, the Policy provided *two* timelines by which member-jurisdictions could seek Ava Board approval and implementation for default service transitions. These are summarized in the Policy via the table below:

**Table 2: Current Ava Policy for Citywide Service Plan Transitions**

| Ava Board Approval By  | Implementation By    |
|------------------------|----------------------|
| April 30 of Year A     | October 31 of Year A |
| September 30 of Year A | March 31 of Year A+1 |

To help further streamline the implementation process—and facilitate strategic, cost-effective, long and short-term power procurement—staff is proposing to amend the Policy to have one timeline by which member-jurisdictions may change their default service option(s). This proposed, single timeline would require **Ava Board approval by May 31 of a given year, with implementation to occur by either January 30 or March 31 of the following year.** As such, the Policy’s table above would be adjusted as follows:

**Table 3: Proposed Ava Policy Options for Citywide Service Plan Transitions**

| Ava Board Approval By                       | Implementation By   |
|---|---|
| <del>April 30</del> <b>May 31</b> of Year A | <del>October 31</del> <b>January 30 or March 31</b> of Year A + 1 |
| <del>September 30 of Year A</del>           | <del>March 31 of Year A+1</del>                                   |

**Committee feedback requested: Implementation of new default enrollments/service transitions in January or March?**

By limiting the Policy to a single, annual Board approval deadline of May 31, Ava’s staff will continue to have adequate “runway” to plan and procure for approved JPA member requests to transition to new citywide/countywide default service options. An outstanding question—and one which would benefit from Board/Committee feedback—is which month of the following year (i.e., January or March) would be preferable for enrolling customers in their new service option.

The table below provides a summary of certain considerations associated with enrolling customers in January vs. March of the following year:

**Table 4: Considerations of a January vs. March Default Service Plan Transition**

| Consideration                  | January  | March                                 |
|--------------------------------|--|---------------------------------------|
| Ease of outreach/communication | Customer notifications sent during Q4/holiday season | Customer notifications sent during Q1 |

|   |  |  |
|---|--|--|
| Customer bill impacts                       | Winter bills tend to be high, may also be aligned with a PG&E rate change  | Seasonal rates are lower, as is typical customer usage. However, summer bills are higher in inland communities.  |
| Accounting/Power Procurement                | <p>Straightforward 12 months for Renewable Energy Credits (RECs) and Carbon Free (CF) portfolio planning/purchasing</p> <p>Temperature/climate tends to be universally lower/less variable during January. This typically makes 24-hour energy scheduling easier to plan</p> | <p>Cost risks may increase with shorter timeframe for REC and CF procurement</p> <p>Jurisdictions w/higher temperatures/less moderate weather (e.g. San Joaquin County jurisdictions) may have greater impact on Ava's overall energy profile. Thus, 24-hour energy scheduling implications may be harder to anticipate if they begin later in the year.</p> |
| City/County Climate Action Plan Commitments | Annual accounting may be simplified  | Climate action planning may be somewhat more difficult/less straightforward  |

**Fiscal Impact**

There is no cost to amending the Policy on Member Requests to Change the Default Rate Product for Certain Customers.

Limiting the Policy to a single/annual implementation timeline may help streamline internal processes that result in operational efficiencies.

**Committee Recommendation**

No prior Committee recommendations

**Attachments**

- A. Clean version of Policy on Member Requests to Change the Default Rate Product for Certain Customers
- B. Redlined version of Policy on Member Requests to Change the Default Rate Product for Certain Customers

**EAST BAY COMMUNITY ENERGY**  
**DEFAULT RATE PRODUCT CHANGE POLICY**

The purpose of this Default Rate Product Change Policy is to specify a process for a Joint Powers Authority (JPA) member agency (“Member”) to change its Default Rate Product<sup>1</sup> and to ensure that East Bay Community Energy (EBCE) is provided with sufficient notice and time to prepare for the change.

When approving a request from a Member to change the Default Rate Product (“Default Rate Product Change”) after the Member’s initial service enrollment, the EBCE Board (“Board”) and Member shall adhere to this Policy, which requires specific cooperation from the Member. This Policy shall not apply to a change in the Default Rate Product which is the result of a rate product closure.

Under this Policy, the Default Rate Product Change request from a Member and subsequent implementation must comply with the following requirements:

1. **Timeline for Board Approval and Implementation:** Any request for a Default Rate Product Change must be approved by the Board. The Board will consider Members’ requests for Default Rate Product changes in the spring and the fall, based on the following schedule:
  - a. If the Board approves a Member’s request for a Default Rate Product Change by April 30 the Default Rate Change will be implemented in October of the same year.
  - b. If the Board approves a Member’s request for a Default Rate Change by September 30, the Default Rate Change will be implemented in March of the following year.
  - c. Notwithstanding the foregoing, the EBCE Chief Executive Officer (“CEO”) and the Member may mutually agree upon a different implementation schedule, provided that the CEO provides the Board with notification of the agreed-upon schedule.

| Board Approval By      | Implementation By    |
|------------------------|----------------------|
| April 30 of Year A     | October 31 of Year A |
| September 30 of Year A | March 31 of Year A+1 |

2. **Exceptions to Implementation of Default Rate Product Change:** Notwithstanding anything contained in this Policy, in no event shall a Member’s Board-approved Default Rate Product Change affect the following:

---

<sup>1</sup> For purposes of this Policy, the “Default Rate Product” is the EBCE rate product option that each Member selected as the default for EBCE customers within the Member’s jurisdiction.

- a. Prior customer enrollment actions. Any customer account that has affirmatively taken action to change its rate product will remain on the selected product.
  - b. Prior customer opt-out actions. Any customer account that has affirmatively taken action to opt out of EBCE service will remain opted out.
3. **Frequency of Default Rate Product Change by a Member:** A Member may not change its Default Rate Product more than one (1) time every two (2) years.
4. **EBCE Agency Requirements:** Upon the Board's approval of a Member's request for a Default Rate Product Change, EBCE staff may engage in any of the following activities:
  - a. Purchase or prepare to purchase the appropriate amount of resources to meet the expected change in demand associated with the Default Rate Product Change;
  - b. Complete or prepare to complete additional regulatory compliance and reporting requirements, if any;
  - c. Coordinate with EBCE's data and call center services manager to make necessary operational adjustments;
  - d. Evaluate fiscal impacts of the Default Rate Product Change;
  - e. Examine EBCE rates and any rate impacts;
  - f. Coordinate and work with PG&E on billing considerations, if any;
  - g. Prepare for and deploy customer communication efforts;
  - h. Identify and address any other operational impacts or issues and take steps to mitigate those impacts/issues; or,
  - i. Take any other action necessary to effectuate the Member's approved Default Rate Product Change.
5. **Member Requirements:** The Member requesting a Default Rate Product Change must commit to the following conditions for the change to be implemented:
  - a. Collaboration. The Member shall work with EBCE staff to develop and implement a customer communication plan;
  - b. Co-Branding. The Member must agree to co-brand customer notifications with the Member's seal; and,
  - c. Cost Coverage. EBCE will cover the cost of any operational adjustments and the required customer notices, as detailed in Section 6.a, for the Member's first approved Default Rate Product Change. Costs associated with any subsequent Default Rate Product Changes will be charged to the Member.
6. **Customer Communication:** EBCE will notify customers subject to a Member's approved Default Rate Product Change. EBCE will lead, with support from the Member, the development and dissemination of customer notices.
  - a. Required Notifications. Any customer accounts subject to a Member's approved Default Rate Product Change shall be sent a minimum of two

(2) notifications. A minimum of one (1) notice shall be sent prior to the change going into effect.

- b. Optional Additional Notifications. In addition to the two (2) required notices referenced in Section 6.a., above, EBCE staff will coordinate with a Member who wishes to develop and distribute additional customer notices and/or conduct additional communications such as social media campaigns, jurisdictional newsletters, Member press release, etc. The Member shall be responsible for the costs of such additional communications.
7. A customer may take an enrollment action to change their EBCE rate product, to opt in to EBCE service, or to opt out of EBCE service at any time by notifying EBCE through the standard channels of phone, interactive voice recording, or online form.

Formatted: Highlight

**EAST BAYAva COMMUNITY ENERGY**  
**DEFAULT RATE PRODUCT CHANGE POLICY**

Formatted: Font: (Default) Arial

Formatted: Font: (Default) Georgia

Formatted: Font: (Default) Georgia

Formatted: Font: (Default) Arial

The purpose of this Default Rate Product Change Policy is to specify a process for a Joint Powers Authority (JPA) member agency (“Member”) to change its Default Rate Product<sup>1</sup> and to ensure that East BayAva Community Energy (EBCEAVAva) is provided with sufficient notice and time to prepare for the change.

Formatted: Font: (Default) Arial

Formatted: Font: (Default) Arial

When approving a request from a Member to change the Default Rate Product (“Default Rate Product Change”) after the Member’s initial service enrollment, the EBCEAva Board (“Board”) and Member shall adhere to this Policy, which requires specific cooperation from the Member. This Policy shall not apply to a change in the Default Rate Product which is the result of a rate product closure.

**Commented [AD1]:** Staff is seeking Executive Committee/Board guidance on which of these two implementation deadlines to adopt. There are pros and cons to each.

Formatted: Font: (Default) Arial

Formatted: Font: (Default) Arial

Under this Policy, the Default Rate Product Change request from a Member and subsequent implementation must comply with the following requirements:

**Commented [AD2]:** Based on my conversations with Annie, it sounds like Nick would like to have these decisions made and implemented on an annual basis (i.e., within the same calendar year). So the simplest approach would be to limit the consideration of default rate requests to the April/Oct schedule (and no longer offer the Sept/March schedule).

1. **Timeline for Board Approval and Implementation:** Any request for a Default Rate Product Change must be approved by the Board. The Board will consider Members’ requests for Default Rate Product changes in the spring ~~and the fall~~, based on the following schedule:
  - a. If the Board approves a Member’s request for a Default Rate Product Change by ~~April 30~~ May 31 the Default Rate Change will be implemented ~~in October of the same~~ by [January 31 OR March 31] of the following year.
  - ~~b. If the Board approves a Member’s request for a Default Rate Change by September 30, the Default Rate Change will be implemented in March of the following year.~~
  - ~~c. b.~~ Notwithstanding the foregoing, the EBCEAva Chief Executive Officer (“CEO”) and the Member may mutually agree upon a different implementation schedule, provided that the CEO provides the Board with notification of the agreed-upon schedule.

**Commented [KB3R2]:** I interpreted annual basis as a January start - so we’d need to know about the change by June for a January start? @Annie Henderson ?

**Commented [AD4]:** Based on feedback from the 2/7 Monthly MAS meeting, staff is proposing to recommend Board approval by the May Board meeting; and leave it to the Board to decide whether implementation/R100 default enrollments should occur in January vs March of the following year. January makes better financial sense (and is intuitive bc on calendar year), while March likely makes for a better customer experience (e.g., seasonally lower bills, avoids mailers during Nov elections, etc.)

| Board Approval By                           | Implementation By   |
|---|---|
| <del>April 30</del> <u>May 31</u> of Year A | <del>October 31</del> <u>January 31 or March 31</u> of Year A+1 |
| <del>September 30 of Year A</del>           | <del>March 31 of Year A+1</del>                                 |

Formatted: Font: (Default) Arial

**Commented [AD5]:** Based on conversations with members of the PR team (Izzy & Scott, primarily), it sounds like the six month runway (i.e., the timeframe from when the Board approves a citywide default rate change and when it is implemented/customers are enrolled) is sufficient. The more pressing issue they’ve expressed is how this may correspond to large C&I customers requesting to opt up late in the calendar year. This latter concern could be addressed in a separate Board policy, or integrated into this one if it is repurposed to apply to R100 enrollments specifically

2. **Exceptions to Implementation of Default Rate Product Change:** Notwithstanding anything contained in this Policy, in no event shall a Member’s Board-approved Default Rate Product Change affect the following:

Formatted: Font: (Default) Arial

Formatted: Font: (Default) Arial

Formatted: Font: Arial

<sup>1</sup> For purposes of this Policy, the “Default Rate Product” is the EBCEAVA rate product option that each Member selected as the default for EBCEAVA customers within the Member’s jurisdiction.

Attachment Staff Report Item 138XX6B

Formatted: Highlight

- a. Prior customer enrollment actions. Any customer account that has affirmatively taken action to change its rate product will remain on the selected product.
  - b. Prior customer opt-out actions. Any customer account that has affirmatively taken action to opt out of EBCEAva service will remain opted out.
3. **Frequency of Default Rate Product Change by a Member:** A Member may not change its Default Rate Product more than one (1) time every two (2) years.
4. **EBCEAva Agency Requirements:** Upon the Board's approval of a Member's request for a Default Rate Product Change, EBCEAva staff may engage in any of the following activities:
- a. Purchase or prepare to purchase the appropriate amount of resources to meet the expected change in demand associated with the Default Rate Product Change;
  - b. Complete or prepare to complete additional regulatory compliance and reporting requirements, if any;
  - c. Coordinate with EBCEAva's data and call center services manager to make necessary operational adjustments;
  - d. Evaluate fiscal impacts of the Default Rate Product Change;
  - e. Examine EBCEAva rates and any rate impacts;
  - f. Coordinate and work with PG&E on billing considerations, if any;
  - g. Prepare for and deploy customer communication efforts;
  - h. Identify and address any other operational impacts or issues and take steps to mitigate those impacts/issues; or,
  - i. Take any other action necessary to effectuate the Member's approved Default Rate Product Change.
5. **Member Requirements:** The Member requesting a Default Rate Product Change must commit to the following conditions for the change to be implemented:
- a. Collaboration. The Member shall work with EBCEAva staff to develop and implement a customer communication plan;
  - b. Co-Branding. The Member must agree to co-brand customer notifications with the Member's seal; and,
  - c. Cost Coverage. EBCEAva will cover the cost of any operational adjustments and the required customer notices, as detailed in Section 6.a, for the Member's first approved Default Rate Product Change. Costs associated with any subsequent Default Rate Product Changes will be charged to the Member.
6. **Customer Communication:** EBCEAva will notify customers subject to a Member's approved Default Rate Product Change. EBCEAva will lead, with support from the Member, the development and dissemination of customer notices.

Formatted: Font: Arial

Formatted: Font: Arial

Formatted: Font: Arial

Formatted: Font: Arial

Commented [AD6]: Confirm w/PR team/Nick to keep this as is

Formatted: Font: Arial

Formatted: Font: (Default) Arial

Formatted: Font: (Default) Arial

Formatted: Font: (Default) Arial

Formatted: Font: (Default) Arial

Formatted: Font: Arial

Formatted: Font: Arial



Attachment Staff Report Item 13BXX6B

Formatted: Highlight

- a. Required Notifications. Any customer accounts subject to a Member's approved Default Rate Product Change shall be sent a minimum of two (2) notifications. A minimum of one (1) notice shall be sent prior to the change going into effect.
  - b. Optional Additional Notifications. In addition to the two (2) required notices referenced in Section 6.a., above, EBCEAva staff will coordinate with a Member who wishes to develop and distribute additional customer notices and/or conduct additional communications such as social media campaigns, jurisdictional newsletters, Member press release, etc. The Member shall be responsible for the costs of such additional communications.
7. A customer may take an enrollment action to change their EBCEAva rate product, to opt in to EBCEAva service, or to opt out of EBCEAva service at any time by notifying EBCEAva through the standard channels of phone, interactive voice recording, or online form.

Formatted: Font: Arial

Formatted: Font: Arial

Formatted: Font: Arial

Formatted: Font: Arial

# Ava Resilience Hubs and Solar+Storage Incentive Program

March 6, 2024

Ava Executive Committee



# Program to deliver Community Resilience Hubs

## Community Grant (\$300k)

3-year grant term with CBO

- Case Studies
- Resilience Hub definition
- Community Engagement
- Site Identification
- Feedback on value of Technical Assistance

## Technical Assistance (\$2M)

5-year term, multiple parties

- Resilience hub site constraints
- Site Review
- Preliminary System designs
- Bid Reviews
- Grant writing assistance

## Solar + Storage Incentive

- Budget from 2023 surplus + savings from transition from NEM2.0 to Net Billing Tariff.
- Incentive levels TBC
  - Upfront incentive
  - Ongoing incentive for batteries w/ ongoing monitoring through DERMS platform
- Residential & Non-Residential
- Higher incentives for CARE/Resilience Hubs

Issue RFPs in March, Initiate work in June/July

April BOD Approval



# Community Feedback

Reviewed Resilience Hub Program outline with City Sustainability Staff and Community Advisory Committee at February meeting

Issued Survey for additional feedback on definition, use cases and potential sites for Resilience Hubs to City Sustainability Staff, CAC, Local Community Based Organizations for further discussion at March CAC. Feedback will be incorporated into Resilience Grant and Technical Assistance RFP.

Working with Solar Industry, California Solar and Storage Association, individual installers and Ava Independent Engineers to evaluate incentive levels and customer impacts of proposed solar and storage upfront and ongoing incentive levels.



# Solar and Storage Incentive Program design

## Upfront Incentive

Allocated from 2023 40% of Budget Surplus  
\$40M dollars based on current surplus forecast

Upfront Incentive paid on storage \$/kWh:

- 50% (\$20M / ~4MWh) for CARE/Resilience Hubs
- 50% (\$20M / ~20MWh) for Market Rate
- Higher incentive level for CARE/Resilience Hubs
- Ava will revisit upfront incentive levels each year and adjust based on run rate

## Ongoing Incentives

Ongoing incentives paid for Solar paired storage systems that are connected to Ava DERMS (Distributed Energy Resource Management System)

Incentives will be paid over 5 years and will require energy to be dispatched during higher cost evening hours with opportunity to dispatch during peak events



# Next Steps

## Ongoing Feedback:

- ExCom feedback on proposed use of Surplus Funds
- Community feedback on Resilience Hub definition and requirements
- Follow-up with solar community to determine appropriate solar incentives

## Additional Resources to manage program:

- Selecting a DERMS provider to monitor system connectivity and enable dispatch
- Currently interviewing for a new staff person to manage program

## April Board Meeting:

- Action item on NEM 2.0 – Solar Billing Tariff Policy
- Action item on Solar + Storage Incentive Program
- Action item to approve DERMS provider selection





**Jessica Guadalupe Tovar**  
**339 15th Street Suite 208**  
**Oakland, CA 94612**  
**415-766-7766**

**Subject: Need for Community Driven Resilience Hubs for Environmental Justice Communities**

March 6, 2024

Dear Ava Community Energy Board Members, Alternates and Community Advisory Committee,

We, the undersigned community-based organizations, members and supporters of the East Bay Clean Power Alliance, call for the Board of Directors of Ava Community Energy **to invest \$15 million of any 2023-2024 budget surplus into community resilience hubs and prioritize environmental justice, low income and BIPOC communities in site selection, as this is where the need for energy resilience is highest.**

The need for access to emergency energy services during climate-related and other crises, particularly in communities long neglected due to systemic injustice, has increased dramatically and is expected to become more frequent as accelerating climate chaos brings wildfires, smoke, hurricane-force storms, life-threatening heat, and increased utility power shutoffs (Public Safety Power Shut offs - PSPS). While there is certainly value to any distributed and aggregated solar and storage, we call on Ava/EBCE to fulfill its responsibility to maximize the community benefits of its programs by placing these distributed energy resources in community trusted locations that support environmental justice community needs.

In light of massive budget surpluses and the current focus on municipal buildings, the \$2 Million that has been allocated to a Community Resilience Hub program is not nearly sufficient. The draft budget for 2023-2024 included an estimated surplus of \$260.7million. Understanding this to be an estimate, **we call on Ava Community Energy to commit at least \$15 million of any budget surplus to a *Community Resilience Hub* program independent of their municipal ownership status.** Examples include: health clinics, senior centers, day cares, shelters, affordable housing complexes, food banks, places of worship and community centers.

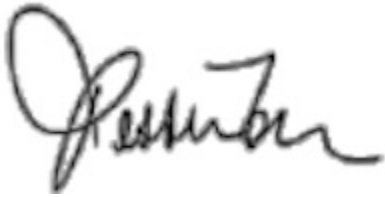
While we were pleased to hear that schools as well as senior and community centers were included as eligible sites for the *Resilient Critical Municipal Facilities* program in May 2023, nowhere is it guaranteed that these sites are being included in the program. Additionally, the program has not explicitly solicited any community feedback on priorities for site selection. **We call on Ava Community Energy to develop a community feedback process for site selection in the *Resilient Municipal Critical Facilities* program that works with local community-based organizations to prioritize sites in environmental justice, low income and BIPOC communities** similar to the proposed Community Innovation Grant to facilitate site selection of the Community Resilience Hub program. **At least 60% of facilities in both programs must be in census tract disadvantaged communities:**

**We urge the EBCE Board of Directors to prioritize energy equity by:**

1. Committing at least \$15 Million of any budget surplus from 2023-2024 into the Community Resilience Hub program to target accessible and trusted community spaces independent of their municipal ownership status.

2. Developing a community feedback process for site selection in the *Resilient Municipal Critical Facilities* program that works with local community-based organizations and prioritizes sites in low income BIPOC communities.

Jessica Guadalupe Tovar, East Bay Clean Power Alliance



**Signatory Organizations:**

1. Communities for a Better Environment (CBE)
2. Asian Pacific Environmental Network (APEN)
3. Rose Foundation for Communities and the Environment
4. New Voices are Rising
5. Kehilla Community Synagogue
6. California Trade Justice Coalition
7. SF Bay Chapter Sierra Club
8. East Bay Asian Local Development Corporation (EBALDC)
9. East Oakland Collective
10. Reimagine Power
11. Reclaim Our Power Utility Justice Campaign (ROP)
12. East Oakland Collective
13. California Interfaith Power & Light
14. Emerald Cities Collaborative
15. SolidarityINFOService
16. Collective Resilience
17. Sunflower Alliance
18. Facilitating Power
19. San Francisco Bay Physicians for Social Responsibility
20. Oakland Rising
21. Movement Generation
22. People's Climate Innovation Center
23. People Powered Solar
24. Ecology Center
25. National Association of Climate Resilient Planners
26. The Greenlining Institute



To: Executive Committee, Ava Community Energy

From: Audrey Ichinose  
East Bay Clean Power Alliance  
California Alliance for Community Energy

Re: Public Comment to Item # 6, ExCom Meeting, March 6, 2024

I failed to note the new 9am start time for the meeting, but hope that you will still accept this public comment to Item #6.

I appreciate very much all the hard work that goes into the effective operation of this public agency.

I want to raise two points:

1. In Staff's estimation, do these Resilience Hubs fall into the category of "community solar" or "medium-size Utility-scale projects?" If they do, I want to call Staff's attention to today's article in Canary Media (formerly Green Tech Media) by Jeff St. John. It warns that a CPUC Proposed Decision. issued just a few days ago, threatens "midsized solar projects that provide shares of their power to households, businesses and organizations that subscribe to them." The Proposed Decision threatens a three-year effort to "revamp CA's moribund community solar market," an effort "backed by solar industry groups, consumer advocates, environmental-justice organizations, labor unions and the state's homebuilding industry."

[https://www.canarymedia.com/articles/solar/new-policy-proposal-dims-hopes-of-reviving-community-solar-in-california?utm\\_campaign=canary&utm\\_medium=email&hsmi=296995128&hsenc=p2ANqtz-9-eoh-dPz1sPqA03-JrbL5ASQFVYf950K7n5BY3JYcGYxaRLma2Ooa0BTXS3DwpS4sUP2Hbln5ZjlqozSXTPAOh2QMsA](https://www.canarymedia.com/articles/solar/new-policy-proposal-dims-hopes-of-reviving-community-solar-in-california?utm_campaign=canary&utm_medium=email&hsmi=296995128&hsenc=p2ANqtz-9-eoh-dPz1sPqA03-JrbL5ASQFVYf950K7n5BY3JYcGYxaRLma2Ooa0BTXS3DwpS4sUP2Hbln5ZjlqozSXTPAOh2QMsA)

2. Secondly, may I ask: Can Staff somehow—whether by newsletter, public workshops or other public forums—list and describe the various forms of community solar projects that have been proposed or tried—locally as well as nationally. It would be extremely helpful to everyone, especially potential applicants, to fully describe such projects, conceptually as well as technically. In the latter I include software like DERMS programs as well as hardware like inverters and related technology. The Powerpoint presentation cites some of these points—e.g. “case studies”, “Resilience Hub definition”. But I think we need a much more robust discussion about where these facilities would fit in our local clean energy infrastructure. I think one of the first questions to answer is this: Should we regard **Resilience Hubs** as long-lived community solar infrastructure? If we do, we then need to ask “are Community Grants enough?”

Thank you for the opportunity to speak.