

Legislative Program

State and Federal Policy Priorities

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Introduction

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

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

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

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

Any correspondence signifying Ava’s support or opposition of a given bill must be approved by the Ava 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 Alec Ward, Principal Legislative Manager, at 510.250.3094 or award@AvaEnergy.org.

Sincerely,
Nick Chaset

Chief Executive Officer, Ava

Ava Board of Directors

Alameda County

Supervisor Elisa Márquez

Albany

Councilmember Aaron Tiedemann (Vice Chair)

Berkeley

Vice Mayor Ben Bartlett

Dublin

Vice Mayor Sherry Hu

Emeryville

Councilmember Sukhdeep Kaur

Fremont

Councilmember Teresa Cox

Hayward

Councilmember Julie Roche

Lathrop

Vice Mayor Minnie Diallo

Livermore

Councilmember Ben Barrientos

Newark

Councilmember Matthew Jorgens

Oakland

Councilmember Dan Kalb

Piedmont

Vice Mayor Betsy Anderson

Pleasanton

Councilmember Jack Balch (Chair)

San Leandro

Mayor Juan González III

Stockton

Councilmember Dan Wright

Tracy

Councilmember Mateo Bedolla

Union City

Councilmember Jaime Patiño

Community Advisory Committee (non-voting)

Ed Hernandez, Chair

Contact Information

Mailing Address

1999 Harrison Street, Suite 2300
Oakland, CA 94612

Program Staff

Chief Executive Officer

Nick Chaset
510.809.7440
nchaset@AvaEnergy.org

Principal Legislative Manager

Alec Ward
510.250.3094
award@AvaEnergy.org

Legislative Advocates

State Legislative Advocate

Omni Government Relations

Dan Chia

1121 L Street, Suite 408
Sacramento, CA 95814

916.425.8481
dan@omnigr.com

Federal Legislative Advocate

Townsend Public Affairs

Joseph Melo

600 Pennsylvania Avenue SE, Suite 207
Washington, DC, 20003

202.546.8696
jmelo@townsendpa.com

General Legislative Principles

Ava has three general legislative principles. These priorities serve as the foundation for all actions Ava 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 Ava revenues, programs, and/or administrative discretion and control. Ava 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, Ava will oppose, support with amendments, or in some cases take no stance on that policy or legislation.

The General Legislative Principles for Ava are:

Accelerating Decarbonization

- Support the creation or expansion of federal, state, and local policies and programs that enable Ava 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 Ava'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 Ava'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 Ava 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.

Ava Public Policy Positions

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

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

1.1 Nonbypassable Charges

- A. Oppose legislation that restricts or limits Ava’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 Ava’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 Ava’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 Ava’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 Ava 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 Ava through a variety of channels:

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

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

Concurrent with this evaluation, Ava’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 Principal Legislative Manager of Public Policy or their designee:

- 1. Direction to lobbyists to advocate in support, support with changes, oppose unless amended, or opposition to legislation**
 - a. Pursuant to direction from the Ava 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, Ava staff will notify lobbyists of Ava’s stance on legislation and direct them to take appropriate action with legislators. Ava may remain neutral on a given piece of legislation.
- 2. Ava correspondence with relevant legislators**
 - a. In conjunction with providing direction to lobbyists once Ava has determined its stance on legislation, Ava staff will send a support or opposition letter to the appropriate legislators.
- 3. Ava Board-approved resolution**
 - a. Ava staff will draft a staff report and resolution for consideration by the full Ava 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. Ava Board outreach**
 - a. Ava staff will draft talking points and other relevant information for individual Board Members to personally contact appropriate legislators to advocate on behalf of Ava.
- 5. Travel to Sacramento or Washington, D.C**
 - a. Ava 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**
 - a. Ava staff and legislative advocates will work with Ava’s legislative representatives to articulate Ava’s stance on a policy and to ensure said stance is codified in statute.