



Consent Item 8

To:	Ava Community Energy Authority
From:	Sam Sadle, Principal Legislative Manager
Subject:	2026 Legislative Program Administrative Update
Date:	April 15, 2026

Recommendation

Approve resolution updating the Legislative Program to ensure it accurately reflects the Agency's 2026 staffing and priorities.

Analysis and Context

Ava staff has worked to implement the Board approved Legislative Program since its initial adoption in July of 2019. The Legislative Program provides a framework for the Ava legislative team to identify, assess, track, and (with Board approval) take advocacy-related action regarding proposed legislation. Furthermore, the Legislative Program guides staff in identifying which of the more than 2,000 bills per year that are introduced in Sacramento are important to Ava and relevant to our services.

As part of the Ava legislative team's efforts to ensure coordination, clarity, and timeliness of our legislative work, we undertake an annual administrative review of the Legislative Program and present updates for the Board's review. This annual review helps us ensure that the Agency's priorities are properly reflected, and the current state of our staffing and third-party partners are correctly documented. This year, we have proposed to the Board several non-substantive changes:

1. Clarified and simplified descriptive language in the Legislative Program;

2. Added *Autonomy* as a standalone entry in the list of Ava Public Policy Positions. In previous iterations, *Autonomy* was embedded within the other positions listed; and
3. Retitled the *Legislative Program* to the *Legislative Platform* to more appropriately reflect its role in our internal deliberative process and better matches industry standards.

Committee Recommendation

This matter was discussed at the April 10 Marketing, Regulatory, and Legislative Subcommittee meeting.

Attachments

- A. Legislative Program Updated April 2026 Resolution
- B. Legislative Program Updated April 2026

RESOLUTION NO. R-2026-XX
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE AVA COMMUNITY ENERGY AUTHORITY ADOPTING THE AVA
LEGISLATIVE PROGRAM – APRIL 2026 UPDATE

WHEREAS Ava Community Energy Authority (“Ava”) was formed as a community choice aggregation agency (“CCA”) on December 1, 2016, under the Joint Exercise of Powers 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 Ava and parties to the Joint Powers Agreement (“JPA”) in March of 2020. The city of Stockton was added as a member to Ava in September of 2022. The city of Lathrop was added as a member to Ava in October of 2023. San Joaquin County was added as a member to Ava in July 2024. On October 24, 2023, Ava legally adopted the name Ava Community Energy Authority, where it had previously used the name East Bay Community Energy Authority since its inception;

WHEREAS the federal and state governments consider numerous legislative proposals throughout the year that can have a beneficial or negative impact Ava and its customers;

WHEREAS Ava’s Legislative Program was first adopted in 2019 and has been updated frequently since then;

WHEREAS Ava must from time to time update its Legislative Program to include new staff and advocates, simplify language, and address changes in Sacramento and Washington, DC; and

WHEREAS Ava seeks to advance policy positions on a variety of issues including nonbypassable charges; disadvantaged communities; environmental sustainability; finance; education, neighborhood and social services; distributed energy resources; clean energy tax credits; streamlining energy permitting and regulatory compliance; and Community Choice Aggregator autonomy.

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

Section 1. The Board of Directors hereby adopts the Ava Legislative Platform – April 2026, attached hereto.

Section 2. The Board of Directors authorizes Ava staff to advocate on behalf of the principles and objectives outlined in the Ava Legislative Platform – April 2026 before relevant governmental bodies.

ADOPTED AND APPROVED this 15th day of April, 2026.

Betsy Andersen, Chair

ATTEST:

Adrian Bankhead, Clerk of the Board

Legislative Platform

State and Federal Policy Legislative Priorities

Updated April 2026



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Introduction

The Ava Community Energy (“Ava”) Legislative Policy Platform outlines the priorities and positions that guide Ava’s engagement and advocacy with leaders and key decisionmakers across the legislative policy landscape. These priorities are intended to support our Agency’s core purpose of providing clean, reliable, and affordable electricity to the communities we serve.

Ava has five major policy priorities: Making Electricity More Affordable, Protecting Community Choice, Accelerating Decarbonization, Promoting Local Development, and Increasing Bill Transparency and Understanding. Ava’s decision to support legislation is contingent upon the legislation supporting one or more of these priorities.

This document provides direction to Ava leadership, staff, and legislative advocates in Sacramento and Washington, DC, and serves as the foundation for any action taken by the Ava Board of Directors regarding State or Federal legislation. It empowers Ava staff to draft letters, direct our legislative advocates, propose legislation or legislative language, or otherwise speak on behalf of the Agency regarding the priorities this document outlines.

Any correspondence signifying Ava’s support for or opposition to 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 Policy Platform should be directed to Sam Sadle, Principal Legislative Manager, at 510.753.5248 or ssadle@AvaEnergy.org.

Sincerely,

Howard Chang

Chief Executive Officer, Ava



Ava Board of Directors

Alameda County

Supervisor Elisa Márquez

Albany

Mayor Robin López

Berkeley

Councilmember Igor Tregub

Dublin

Councilmember John Morada

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Vice Mayor Sukhdeep Kaur

Fremont

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San Joaquin County

Supervisor Robert Rickman

San Leandro

Mayor Juan González III (Vice Chair)

Stockton

Mayor Christina Fugazi

Tracy

Councilmember Dotty Nygard

Union City

Vice Mayor Scott Sakakihara

Community Advisory Committee (non-voting)

Lorraine "Micky" Souza, Chair



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Guiding Policy Principles

Ava has five guiding policy principles that serve as the foundation for the legislative platform and all legislative actions Ava will take, including advocating for legislation, initiatives, or regulatory proposals that promote those same guiding priorities.

Public policy encompasses a myriad of subject and topic areas. As these policies intersect at the local level, they have the potential to impact Ava's finances, customers, local programs, and/or administrative discretion and control. Ava will support policies that make electricity more affordable, protect community choice, accelerate decarbonization, promote local development, increase bill transparency and understanding, or that accomplish any combination thereof. If a given policy does not meet these criteria, Ava will oppose, support if amended, or in some cases take no stance on that policy or legislation.

The General Legislative Principles for Ava are:

Making Electricity More Affordable

- Ava supports policies that put downward pressure on electricity rates, reducing the financial burden on ratepayers and lowering barriers to electrification.

Protecting Community Choice

- Ava supports policies that bolster the stability and competitiveness of the Community Choice model and opposes policies that undermine Ava's ability to achieve our mission.

Accelerating Decarbonization

- Ava supports policies that incentivize and accelerate decarbonization, including those that improve energy efficiency, reduce barriers to clean energy and storage development, and increase the adoption of impactful behind-the-meter distributed energy resources.

Promoting Local Development

- Ava supports policies that enhance local environmental and economic resilience, empower disadvantaged communities, invest in workforce training programs, and create a cleaner, more robust, and more equitable economy for everyone.

Increasing Bill Transparency and Understanding

- Ava supports policies that make it easier for customers to understand what they're paying for and why. Ava also supports increased transparency in the utility ratemaking process so that customers can meaningfully participate in decisions affecting their daily lives.



Ava Public Policy Positions

Based on the above Guiding Policy Principles, Ava has identified the following specific policy positions to more clearly articulate the Agency's stance on several priority issues. The list of policy positions below is by no means exhaustive, and Ava reserves the right to add to or amend this list at any time, subject to approval by the Board of Directors.

1.1 Nonbypassable Charges

- A. Support policies that promote a level playing field between Community Choice Aggregators and other market participants, including those that ensure a fair and just calculation of the Power Charge Indifference Adjustment.
- B. Oppose policies that increase or are likely to lead to an increase in nonbypassable charges.

1.2 Disadvantaged Communities

- A. Support policies and initiatives that increase funding for and access to bill credits, energy projects, and electrification programs that serve disadvantaged communities and low-income customers within Ava's service territory.
- B. Support policies and initiatives that reduce local air pollution, health outcome disparities, and other negative impacts associated with energy production and consumption.
- C. Support policies that enhance the stability and impact of programs that reduce energy bills for low-income customers and assist them with paying their energy bills.
- D. Oppose policies that have the potential to disproportionately and negatively impact disadvantaged communities and/or low-income customers, especially those within Ava's service territory.

1.3 Environmental Sustainability

- A. Support policies and initiatives that increase and/or stabilize funding for the creation of sustainable energy infrastructure, innovative renewable energy sources, and energy efficiency programs.
- B. Support policies and initiatives that encourage efficient energy consumption and the overall conservation of energy resources.
- C. Support policies and initiatives that reduce and mitigate the effects of climate change and enhance local resiliency.

1.4 Finance

- A. Support policies that enhance the financial standing of Community Choice Aggregators (CCAs) and their ability to receive a positive credit rating.
- B. Oppose policies that remove the tax-exempt status of municipal bonds or otherwise interfere with CCAs' ability to leverage bond markets to secure customer savings.
- C. Oppose any policies that would divert Community Choice energy revenues to the State or other governmental entities.



1.5 Educational, Neighborhood, and Social Services

- A. Support policies that aid or help Ava’s mission to provide energy support services, electric bill and home electrification education, and opportunities for reducing energy costs to people who are low-income, seniors, veterans, and/or people with disabilities.
- B. Support policies that enhance ratemaking transparency and customer energy bill transparency and understanding.

1.6 Distributed Energy Resources

- A. Support policies that increase funding for and facilitate the adoption and deployment of distributed energy resources (DERs), including batteries, electric heat pump water heaters, thermostats, and electric vehicle charging infrastructure.
- B. Support policies and initiatives that encourage the effective development and deployment of dynamic load-shifting capabilities and technology, including managed charging.
- C. Oppose policies that threaten CCA autonomy over DER program implementation and virtual power plant (VPP) configuration and cost-recovery.

1.7 Clean Energy Tax Credits

- A. Support policies that maintain and/or expand financial incentives for investing in and developing clean energy projects, including renewable energy component manufacturing and electricity generation.
- B. Support policies that maintain and/or expand financial incentives for households and property owners to install effective clean energy technologies and invest in energy efficiency home upgrades.
- C. Support policies that maintain and/or expand financial incentives for consumers, businesses, and local governments to purchase new or used zero emission vehicles and charging infrastructure.
- D. Oppose policies that reduce, repeal, or create barriers to accessing clean energy tax incentives.

1.8 Streamlining Energy Permitting and Regulatory Compliance

- A. Support policies that reduce administrative and regulatory barriers to developing renewable energy generation and transmission projects, including through implementing more efficient permitting processes, without jeopardizing environmental standards and local community and stakeholder input.
- B. Support policies that reduce and/or streamline certification requirements and permitting processes necessary to install energy efficient electric appliances and home battery systems, making it easier and more affordable for Ava customers to electrify their homes.
- C. Support policies that eliminate outdated and duplicative compliance reporting requirements that save administrative overhead costs and increase customer savings.
- D. Oppose policies that unjustifiably increase burdensome regulatory requirements, including for energy project development and load serving entity compliance.

1.9 Autonomy

- A. Support policies that enhance the autonomy and flexibility of CCAs to meet procurement goals and targets, develop local programs, and set rates that best serve our communities and customers.
- B. Oppose policies that restrict, limit, or otherwise interfere with Ava’s ability to procure energy products to meet policy goals, budget for local programs and initiatives, or set rates to serve any customer class.



Legislative Program Coordination

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

- State and federal legislative advocates
- Elected representatives
- CalCCA
- LEAN Energy US
- Ava Board members
- Ava Staff
- Ava Community Advisory Committee members
- Ava customers and community members
- Other associations and partners

All legislative position requests will be directed to Ava’s Public Policy department. Ava staff will then review the legislation in coordination with relevant departments to analyze whether the legislation aligns with Ava’s guiding 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.

Legislative Review Process and Timeline

The California state legislature routinely introduces thousands of bills during each legislative session, approximately half of which are passed by both chambers and sent to the Governor’s desk. Although the exact number fluctuates year to year, typically one hundred bills or so each session are related to energy, utilities, or local governance – the policy areas in which Ava takes a particular interest.

Bringing every energy or local government-related bill to the Board of Directors for a position vote each year would be unfeasible and inefficient. Ava’s Public Policy department, in partnership with Ava’s legislative advocates and trade associations, is therefore responsible for tracking this full suite of legislative activity, identifying bills that have or could have an impact on Ava’s operations, and ultimately selecting a smaller subset of bills to prioritize and bring to the Board of Directors for a position vote, based on the following general criteria:

1. Taking action (for, against, or neutral) on this legislation will align with Ava’s legislative principles;
2. Ava has a unique interest in this legislation;
3. Should Ava take no action, it is unlikely that other relevant stakeholders will lead the push for or against this legislation; and/or
4. The impacts of this legislation on Ava are substantial/existential.

Ava staff typically spends the first few months of the legislative session (January-March) monitoring bill introductions and tracking all relevant legislation. As bills are amended in March and April, staff will conduct deeper bill analyses and determine the final slate of bills that is brought to subcommittees and the full Board of Directors for input and feedback. Starting in April, staff will recommend the Board take a specific position on each bill included in the previously identified slate. (Support, Support if Amended, Oppose, Oppose Unless Amended, Neutral)

Ava staff will follow a similar set of criteria when evaluating federal legislation. However, because the Congressional legislative cycle is generally less predictable than California’s and the volume of bills passed each



year by Congress is typically much smaller, federal bill position recommendations will be brought to the Board on an ad-hoc basis.

Legislative Action

There are six primary actions, which may be taken independently or in combination, all of which are coordinated by the Principal Legislative Manager or their designee:

- 1. Direction to lobbyists to advocate in support, support if amended, 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 advocates of Ava's stance on legislation and direct them to take appropriate action with legislators.
- 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 correspond with appropriate policymakers.
- 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 advocates to organize meetings or attend other advocacy 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 and work to ensure said stance is codified in statute.