



Consent Item 9

To:	Ava Community Energy Authority
From:	Cody Vaughn, Customer Operations Analyst
Subject:	Amendment to Rate Setting Policy
Date:	October 21, 2026

Summary/Recommendation

Staff recommends adopting an amendment to the Rate Setting Policy to update the agency name, streamline the rate setting process, and establish accessibility standards.

Financial Impact

There is no direct fiscal impact associated with these administrative policy updates.

Analysis and Context

[Ava's Rate Setting Policy](#) was originally approved by Ava's Board of Directors on September 26, 2018, and subsequently amended on December 18, 2019, and May 18, 2022, to address changes in the billing engine configuration and to streamline the community workshops process.

Staff recommends updating the Rate Setting Policy to remove references to the agency's former name, East Bay Community Energy, eliminate certain prescriptive committee requirements, and establish formal accessibility standards.

Staff recommends updating the agency name from East Bay Community Energy to Ava Community Energy in the Rate Setting Policy. This administrative modification replaces all outdated references across the policy to ensure consistency and clarity across active policies.

Staff recommends removing the requirement to first present the value proposition analysis and preliminary recommendations specifically to the Executive Committee. The proposed policy allows staff to present its analysis of PG&E rates and preliminary recommendations for the value proposition at any of Ava's standard public meetings, including meetings of a subcommittee, the Executive Committee, or the Board of Directors. Staff has edited Section 5 "Board meeting." The Community Advisory Committee (CAC) presents their own discussion and findings to the Board, therefore staff does not have this responsibility and have removed it from the Policy. The proposed policy also removes the requirement that the process return to the Executive Committee if the Board requests further analysis. Instead, staff would bring a revised recommendation to a subsequent Board meeting, or first to the Executive Committee or a subcommittee if directed by the Board. These changes provide staff greater administrative flexibility to adapt to changing operational demands.

Finally, Staff recommends adding a new section to establish formal accessibility standards within the Rate Setting Policy. This section ensures that individuals who require special assistance, or disability-related modifications and accommodations, can fully participate in the rate-setting process. It also formalizes the procedure for requesting alternative formats for all distributed rate-setting materials and establishes a clear timeline for submitting accommodation requests.

Attachments

- A. Resolution to amend and restate the Rate Setting Policy to update the agency name, streamline the rate setting process, and establish accessibility standards
- B. Third Amended and Restated Rate Setting Policy

RESOLUTION NO.

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF AVA COMMUNITY ENERGY AUTHORITY
AMENDING AND RESTATING THE RATE SETTING POLICY TO UPDATE THE
AGENCY NAME, STREAMLINE THE RATE SETTING PROCESS, AND ESTABLISH
ACCESSIBILITY STANDARDS**

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; and

WHEREAS, on September 26, 2018, the Board approved by motion a Rate Setting Policy; and

WHEREAS, on December 18, 2019, the Board approved an amendment to the Rate Setting Policy to allow for rate setting by vintage; and

WHEREAS, on May 18, 2022, the Board approved an amendment to the Rate Setting Policy to streamline the community workshops process; and

WHEREAS, Ava legally adopted the name Ava Community Energy Authority, where it had previously used the name East Bay Community Energy Authority since its inception, necessitating an update of agency policies to maintain clarity and accuracy; and

WHEREAS, the Rate Setting Policy currently requires staff to first present its analysis and preliminary recommendations for Ava’s value proposition to the Executive Committee; and

WHEREAS, Ava desires to allow staff to first present the value proposition at any public meeting of the Board, Executive Committee or Subcommittee to allow for greater administrative flexibility during the rate setting process; and

WHEREAS, Ava is fully committed to ensuring accessibility to all members of the public, including individuals with disabilities; and

WHEREAS, Ava desires to formalize and incorporate accessibility accommodation standards within its Rate Setting Policy;

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 Third Amended and Restated Rate Setting Policy, which, among other things, replaces references to “East Bay Community Energy” with “Ava Community Energy”, expands the public meetings at which staff may first present its analysis and preliminary recommendations on Ava’s value proposition, and adds accessibility accommodation standards.

ADOPTED AND APPROVED this 21st day of October 2026.

Betsy Andersen, Chair

ATTEST:

Adrian Bankhead, Clerk of the Board



THIRD AMENDED AND RESTATED RATE SETTING POLICY

Policy Number:

Approval Date:

Agenda Item: {To be added by Clerk}

Approved by Resolution: {To be added by Clerk}

I. Purpose

This policy serves to provide direction to Ava staff on actions related to electric rates.

II. Rate Actions

a. Rate Setting

Ava Staff must receive Board approval to revise the service level value propositions (e.g. offering a greater or lesser discount on Bright Choice).

b. Rate Setting Process

Ava's Implementation Plan and Statement of Intent (August 2017) states that "Ava will review its rates at a minimum once a year".

The rate review and setting process is as follows:

1. **Board, Executive Committee, or Subcommittee meeting.** Staff will provide a staff report containing analysis of PG&E rates and preliminary recommendations for changes to Ava's value proposition, if any, at a public meeting of the Board, Executive Committee, or Subcommittee.
2. **Community workshops.** In a year when there is a proposed change to the value proposition, staff will conduct community workshops. Based on feedback received at a Board, Executive Committee, or Subcommittee meeting, staff will revise analysis if needed, and solicit comments from the community. This will be achieved through a minimum of two (2) community meetings in geographically diverse locations, or online in a webinar-style format. Staff will consolidate feedback from these meetings into a supporting document that will be presented to the Board.
3. **Written comments.** When there is a proposed change to the value proposition, written comments will be accepted in lieu of, or in addition to, verbal comments made during these community workshops. A period of time will be designated for written



comments. A specific email address will be provided to the public to submit comments, along with a clear deadline for submission.

4. **Community Advisory Committee meeting.** The CAC will receive a presentation from staff and discuss the staff recommendation.

5. **Board meeting.** Staff will present analysis, findings, and recommendations [including feedback from the public](#). The Board will have the opportunity to vote on staff recommendations. If the Board requests further analysis, staff will present a revised recommendation at a subsequent Board meeting, or at the Board's discretion, first to the Executive Committee or Subcommittee.

6. **Accessibility.** Ava will accommodate individuals who need special assistance or a disability-related modification or accommodation to participate in the rate setting process, or wish to request an alternative format for the rate setting process materials.

Accommodation requests should be made to staff at least 2 working days before the accommodation is needed.

c. **Rate Modification**

Ava Staff is authorized to adjust Ava's rates to maintain the approved value proposition for each service level. If there are changes to PG&E generation rates or fees that result in a more beneficial value proposition for customers, Ava Staff is authorized to not adjust the rates.