



# MEETING of the Legislative & Regulatory Committee of the Clean Power Alliance of Southern California

Wednesday, April 28, 2021

10:00 a.m.

**SPECIAL NOTICE:** Pursuant to Paragraph 11 of Executive Order N-29-20, executed by the Governor of California on March 17, 2020, and as a response to mitigating the spread of COVID-19, the Legislative & Regulatory Committee will conduct this meeting remotely.

[Click here to view a Live Stream of the Meeting on YouTube](#)

\*There may be a streaming delay of up to 60 seconds. This is a view-only live stream.

**To Listen to the Meeting:**

<https://zoom.us/j/96160010460>

or

Dial: (669) 900-9128 Meeting ID: 961 6001 0460

**PUBLIC COMMENT:** Members of the public may submit their comments by one of the following options:

- **Email Public Comment:** Members of the public are encouraged to submit written comments on any agenda item to [clerk@cleanpoweralliance.org](mailto:clerk@cleanpoweralliance.org) up to four hours before the meeting. Written public comments will be announced at the meeting and become part of the meeting record. Public comments received in writing will not be read aloud at the meeting.
- **Provide Public Comment During the Meeting:** Please notify staff via email to [clerk@cleanpoweralliance.org](mailto:clerk@cleanpoweralliance.org) at the beginning of the meeting but no later than immediately before the agenda item is called.
  - You will be asked for your name and phone number (or other identifying information) similar to filling out a speaker card so that you can be called on when it is your turn to speak.
  - You will be called upon during the comment section for the agenda item on which you wish to speak on. When it is your turn to speak, a staff member will unmute your phone or computer audio.
  - You will be able to speak to the Committee for the allotted amount of time. Please be advised that all public comments must otherwise comply with our Public Comment Policy.
  - Once you have spoken, or the allotted time has run out, you will be muted during the meeting.

If unable to connect by Zoom or phone and you wish to make a comment, you may submit written comments via email to: [clerk@cleanpoweralliance.org](mailto:clerk@cleanpoweralliance.org).

\*While downloading the Zoom application may provide a better meeting experience, Zoom does not need to be installed on your computer to participate. After clicking the webinar link above, click "start from your browser."

Clean Power Alliance Legislative & Regulatory Committee  
April 28, 2021

*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 [clerk@cleanpoweralliance.org](mailto:clerk@cleanpoweralliance.org) or (213) 713-5995. Notification in advance of the meeting will enable us to make reasonable arrangements to ensure accessibility to this meeting and the materials related to it.*

**PUBLIC COMMENT POLICY:** *The General Public Comment item is reserved for persons wishing to address the Committee on any Clean Power Alliance-related matters not on today's agenda. Public comments on matters on today's Consent Agenda and Regular Agenda shall be heard at the time the matter is called. Comments on items on the Consent Agenda are consolidated into one public comment period. As with all public comment, members of the public who wish to address the Committee are requested to complete a speaker's slip and provide it to Clean Power Alliance staff at the beginning of the meeting but no later than immediately prior to the time an agenda item is called.*

*Each speaker is customarily limited to two (2) minutes (in whole minute increments) per agenda item with a cumulative total of five (5) minutes to be allocated between the General Public Comment, the entire Consent Agenda, or individual items in the Regular Agenda. Please refer to Clean Power Alliance [Policy No. 8 – Public Comments](#) for more information.*

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## **CALL TO ORDER & ROLL CALL**

## **GENERAL PUBLIC COMMENT**

## **CONSENT AGENDA**

1. [Approve Minutes from March 24, 2021 Legislative & Regulatory Committee Meeting](#)

## **REGULAR AGENDA**

2. [Oral Update on CPA Legislative & Regulatory Activities](#)
3. [Recommend that the Board of Directors Approve Positions on Three Bills in the 2021/2022 Legislative Session](#)

## **COMMITTEE MEMBER COMMENTS**

## **ADJOURN – NEXT MEETING MAY 26, 2021**

**Public Records:** *Public records that relate to any item on the open session agenda for a Committee Meeting are available for public inspection. Those records that are distributed less than 72 hours prior to the meeting are available for public inspection at the same time they are distributed to all, or a majority of, the members of the Committee. Those documents are available for inspection online at [www.cleanpoweralliance.org/agendas](http://www.cleanpoweralliance.org/agendas).*

**MINUTES**

MEETING of the Legislative & Regulatory Committee of the

Clean Power Alliance of Southern California

Wednesday, March 24, 2021, 10:00 a.m.

*The Legislative & Regulatory Committee conducted this meeting in accordance with California Governor Newsom's Executive Order N-29-20 and COVID-19 pandemic protocols.*

**CALL TO ORDER & ROLL CALL**

Committee Chair Lindsey Horvath called the meeting to order at 10:02 a.m. and Clerk of the Board, Gabriela Monzon, conducted roll call.

<b>Roll Call</b>			
<b>Agoura Hills</b>	Deborah Klein Lopez	Committee Member	Remote
<b>Carson</b>	Reata Kulcsar	Alternate	Remote
<b>Redondo Beach</b>	Christian Horvath	Committee Member	Remote
<b>West Hollywood</b>	Lindsey Horvath	Chair	Remote

All votes are unanimous unless otherwise stated.

**GENERAL PUBLIC COMMENT**

There was no public comment.

**CONSENT AGENDA**

1. Approve Minutes from February 24, 2021 Legislative & Regulatory Committee Meeting

**Motion:** Committee Member Lopez, Agoura Hills

**Second:** Committee Member Horvath, Redondo Beach

**Vote:** Item 1 was approved by a roll call vote.

**REGULAR AGENDA**

2. Oral Update from the Policy Director on CPA Legislative Activities

Gina Goodhill, Policy Director, discussed CPA's virtual lobby day, particularly that it was successful in introducing the organization to a

broader set of legislators and raising awareness about SB 612, which was recently referred to the Senate Committee on Energy, Utilities and Communication. Staff is conducting outreach to five senators on the committee who represent jurisdictions within CPA's service territory. Although there is some rising opposition from the Independent Energy Association, the trade association for developers and operators of energy facilities, staff is looking at possible amendments to address their concerns. Ms. Goodhill summarized the opposition as having to do with language in the bill which would require Investor-Owned Utilities (IOUs) on an annual basis to release a Request for Proposals (RFP) to renegotiate their contracts, which worries some contract holders. Matt Langer, Chief Operating Officer, added that a similar concern arose in the California Public Utilities Commission (CPUC) Working Group 3 discussions, which were addressed in its consensus proposal.

Chair Horvath thanked staff for a well-planned lobby day that allowed CPA to provide an introduction of its' mission and goals.

3. Recommend that the Board of Directors Approve a Support Position on SB 45 in the 2021/2022 Legislative Session

Ms. Goodhill provided an oral update of the item. SB 45 would enact the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2022. If approved by voters in 2022, it would authorize the issuance of bonds in the amount of \$5.5 billion, with \$2.2 billion of that amount going to wildfire prevention and community resilience, aligning with CPA's work. CPA previously supported the bill in the 2019/2020 legislative session but suggested amending the bill to create a specific carve out for microgrids, rather than include microgrids as one of several fundable projects.

CPA staff is also tracking federal legislation; House of Representatives Bills (HR) 1684 and HR 848, which are in early stages, would both create an ITC for standalone storage. Ms. Goodhill explained that both bills would extend the ITC for commercial energy storage projects, whether they are paired with a generating resource or not. Ms. Goodhill noted that CPA is not planning on taking an individual position on either bill, but is coordinating through the CalCCA, California Energy Storage Association (CESA) and with other CCAs to advocate for an ITC for standalone storage.

In response to Committee Member Lopez's question regarding Assembly Bill 1500, Ms. Goodhill indicated that the bill is still in the early ages and will likely be merged with SB 45.

**Motion:** Committee Member Horvath, Redondo Beach  
**Second:** Committee Member Lopez, Agoura Hills  
**Vote:** Item 3 was approved by a roll call vote.

4. Update on the CPUC Proposed Procurement Requirements for 2024-2026

CC Song, Director of Regulatory Affairs, provided an update on the CPUC's recent analysis on the overall electricity supply needs of California and their proposed procurement requirements. On February 22, 2021, the CPUC issued a ruling to address the upcoming retirement of Diablo Canyon Nuclear Power Plant and several other natural gas units. Similar to the procurement track in 2019, the CPUC proposed additional procurement of 7,500 megawatts (MW) to come online by 2025, with 1,000 MW coming from geothermal, and 1,000 MW from long-duration storage. The CPUC's proposal would require all load serving entities (LSEs) to procure without the ability to opt-out, while designating the investor-owned utilities (IOUs) as the backstop procurement entities should an LSE fail to procure for its allocated need. The CPUC also proposes to allocate procurement requirements based on each LSEs' contracted position instead of overall need. Because of the methodology, Ms. Song clarified that it is expected that Community Choice Aggregators (CCAs) and electric service providers (ESPs) will procure a greater share of the 7,500 MW of resources and should any LSE's fail to comply with the allocated procurement requirements, the CPUC proposes to impose penalties.

Ms. Song also noted that CPA supports additional procurement requirements to maintain grid reliability and is willing to procure renewable, carbon-free, and energy storage resources to meet this objective. However, after review of the CPUC analysis, CPA questions the need for requiring 2,000 MW to come from geothermal and long-duration resources, and instead advocates for a technology-neutral approach to prevent carveouts for specific industries or projects. Lastly, Ms. Song noted that the allocation of the procurement requirements should consider the resources that unbundled customers are paying through the Power Charge Indifference Adjustment (PCIA) to avoid a significant burden on LSEs. If the CPUC does want to allocate resources based on contracted positions, it should consider a methodology that would allocate shares of PCIA resources to LSEs when assigning specific procurement targets.

Committee Member Kulcsar expressed support for CPA's push towards a technology-neutral approach; asked for further details regarding the 7,500 MW procurement and for possible recourse if the CPUC disagreed that the allocation of procurement requirements consider the allocation of shares of PCIA resources to LSEs. Staff clarified that the CPUC has not assigned a share of the load to CPA, but estimates place it at 400-1000 MW by 2026; the CPUC conducted a stock analysis of the resources online that resulted in the 7500 MW requirement. CPA is providing some critique of the analysis in the comments submitted by CalCCA, questioning the forecasting of

electricity demand as well as modeling. Additionally, staff noted that there are trade-offs when dealing with regulatory proceedings, but most importantly, CPA wants to demonstrate its willingness to procure reliable electricity.

**COMMITTEE MEMBER COMMENTS**

None.

**ADJOURN**

Chair Horvath adjourned the meeting at 10:35 a.m.

DRAFT

## Staff Report – Agenda Item 2

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**To:** Clean Power Alliance (CPA) Legislative & Regulatory Committee

**From:** Gina Goodhill, Policy Director  
C.C. Song, Director of Regulatory Affairs

**Subject:** Oral Update on CPA Legislative & Regulatory Activities

**Date:** April 28, 2021

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Staff will provide an oral update on legislative and regulatory activities.

### Staff Report – Agenda Item 3

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**To:** Clean Power Alliance (CPA) Legislative & Regulatory Committee  
**From:** Gina Goodhill, Policy Director  
**Approved By:** Ted Bardacke, Executive Director  
**Subject:** Positions on Three Bills in the 2021/2022 Legislative Session  
**Date:** April 28, 2021

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#### **RECOMMENDATION**

Recommend that the Board of Directors approve positions on three bills in the 2021/2022 legislative session.

#### **DISCUSSION**

[SB 757 \(Limon\)](#): Recommended Position: Support

This bill would provide additional protections for consumers installing home solar system by including solar in the definition of home improvements, thereby requiring customers to receive the same protections that they would from a home improvement contractor.

Rooftop solar is a key part of California’s energy goals, and another form of choice for CPA customers. Unfortunately, according to the author, some Californians have been misled by solar installers who misrepresent their services; the Contractors State License Board reports that it received 1,067 complaints about solar installations between July 2019-June 2020. These instances of fraud most commonly impact low-income consumers, non-native English speakers, and seniors.

SB 757 increases consumer protections for solar customers by allowing them to receive the same protections that they would under a home improvement contract, including the right to have contract cancellation, down payment security, the name of the company that employs the salesperson, and other protections. This bill is supported by a diverse set of

stakeholders, including the California Solar and Storage Association. This bill is aligned with CPA's 2021 Legislative & Regulatory Platform, specifically sections 3a, 3e, and 4b.

[AB 585 \(L. Rivas\)](#): Recommended Position: Support

This bill would establish the Extreme Heat and Community Resilience Program within the Office of Planning and Research (OPR), to coordinate the state's efforts to address extreme heat and facilitate the implementation of local, regional, and state planning efforts.

Previous legislation authorized the state to create climate response plans that would help local governments predict, anticipate, and prepare for extreme heat storms. This bill establishes the Extreme Heat and Community Resilience Fund in the State Treasury and would require OPR to manage a competitive grant program for extreme heat and community resilience projects. Qualifying projects include the construction or retrofit of facilities that will serve as community resiliency centers, similar to the work CPA is already doing to provide back-up power to critical facilities through its PowerReady program. Local and regional public agencies and joint powers authorities would both be eligible to receive these grants. The program would be funded through bonds or other special funds. This bill is aligned with CPA's 2021 Legislative & Regulatory Platform, specifically sections 1e, 3a, and 4b.

[SB 533 \(Stern\)](#): Recommended Position: Support if Amended

This bill proposes several measures to minimize public safety power shutoffs (PSPS), including requiring an electrical corporation to ensure its electrical transmission and distribution system achieves the highest level of safety, reliability, and resiliency by modernizing, upgrading, and hardening its electrical lines and equipment through a number of different possible methods, including the installation of one or more microgrids. The bill also requires the state to create a database of critical circuits and infrastructure to help prioritize locations for microgrid development in Tier 2 and 3 high fire threat districts. The bill directs an electrical corporation to coordinate with the local government

or CCA within its service territory to identify critical circuits and microgrid projects, but only if requested by the local government or CCA.

CPA supports the goals outlined in this bill and suggests amending the bill to require coordination with an applicable CCA, rather than to suggest coordination. Further, CPA suggests amendments to clarify that if an electrical corporation decides that one or more microgrids are required, in the service territory of a CCA, the CCA shall be given the option to provide the generation portion of the microgrid system. The bill should also clarify that the CCA will continue to be the only load serving entity to charge a generation rate for the customers within its service territory, even if an IOU operates a microgrid in a CCA territory. This bill and the amendments that CPA is suggesting are aligned with CPA's 2021 Legislative & Regulatory Platform, specifically sections 1b and 1f.

### **ATTACHMENT**

- 1) [2021 Legislative & Regulatory Platform](#)



## 2021 Legislative and Regulatory Policy Platform

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### Overview and Purpose

The Clean Power Alliance (CPA) Legislative and Regulatory Policy Platform (Platform) serves as a guide to the CPA Board of Directors and CPA staff in their advocacy efforts and engagement on policy matters of interest to CPA. The Platform allows both Board members and staff to pursue actions at the local, regional, state and federal legislative and regulatory levels in a consistent manner and with the understanding that they are pursuing actions in the best interest of the organization and its mission, its member agencies, and its customers. The Platform also enables the organization to move swiftly to respond to events in Sacramento (Legislative / Executive) and San Francisco (California Public Utilities Commission) and provides guidance to the Executive Director on the support or oppose positions that should be taken on legislative and regulatory matters that come before the California Community Choice Association (CalCCA) Board of Directors.

All CPA positions on individual bills are presented to the Board for approval, except during times of urgency as provided under the protocols approved by the CPA Board of Directors on June 7, 2018, that allow the Chair, Vice-Chairs, Legislative & Regulatory Committee Chair, and Executive Director to act on behalf of the organization in urgent advocacy matters.

### Policy Principles

The Legislative and Regulatory Policy Platform is centered around four basic principles:

1. Protecting CPA's local control and autonomy by its members, especially with regards to finances, power procurement, reliability, and local customer programs.
2. Ensuring equal treatment of unbundled and bundled customers by the CPUC and other state agencies.

3. Supporting recognition that electricity is an essential service, and that CPA should have the ability to set electric rates and offer programmatic services that are affordable and inclusive for all.
4. Pursuing environmental initiatives that exceed prescriptive State mandates, promote the growth in renewable energy capacity at the local level, encourage clean energy adoption by CPA customers, and reduce fossil fuel dependency.

## **Policy Platform**

### 1) Local Control, Finance, and Power Procurement

CPA will pursue legislative and regulatory activity that:

- a. Supports the authority of CPA and its Board to retain local control over its activities;
- b. Supports the protection of CPA's procurement autonomy;
- c. Supports the ability of CPA to maintain control over its financial decisions;
- d. Supports the ability of CPA to expand its service offerings and activities in response to a changing energy landscape;
- e. Supports the ability of CPA to access state incentives for its customers and member agencies; and
- f. Supports the ability of CPA to enhance reliability through accelerating the deployment of energy storage resources, fully valuing behind the meter energy resources, and expanding the use of demand response.

### 2) Equitable Treatment of CPA Customers

CPA will pursue legislative and regulatory activity that:

- a. Supports the equal treatment of unbundled and bundled customers by the CPUC and the legislature; and
- b. Supports the development of a State regulatory environment that is empowering for community energy providers.

### 3) Ratepayer Advocacy and Social Justice

CPA will pursue legislative and regulatory activity that:

- a. Supports the protection of all ratepayers, particularly low-income customers, disadvantaged communities, and other vulnerable populations in CPA service territory;
- b. Supports supplier diversity in CPA’s contracting activities and through women-owned, minority-owned, disabled-veteran-owned, and lesbian, gay, bisexual, and/or transgender owned business enterprises;
- c. Supports workforce development with a focus on new stable, well-paying local jobs, and participation in a just transition to a low-carbon economy;
- d. Supports the ability for CPA to set appropriate benchmarks for performance measurement using accepted industry standards; and
- e. Supports increased access to clean energy technologies, clean energy and contracting jobs, and clean energy opportunities for low-income people and communities of color in CPA service territory.

#### 4) Environmental Leadership

CPA will pursue legislative and regulatory activity that:

- a. Supports the ability of CPA and its members to meet and exceed State goals for greenhouse gas emissions reductions (e.g. encouraging movement towards 100% renewable energy), climate action planning, and fossil fuel independence;
- b. Supports the ability for CPA to promote growth in renewable energy capacity, resiliency and electrification at the local level, in a way that is equitable for all customers;
- c. Supports the ability for CPA to promote electrification of the transportation sector, and to help implement Executive Order N-79-20 that bans the sale of new internal combustion engines in light duty vehicles by 2035; and
- d. Supports the ability for CPA to promote electrification and the reduction of natural gas usage in the building sector.

**End of Document**