



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

Wednesday, October 27, 2021

10:00 a.m.

**SPECIAL NOTICE:** Pursuant to the Proclamation of the State of Emergency by Governor Newsom on March 4, 2020, AB 361, and enacting Resolutions, and as a response to mitigating the spread of COVID19, the Legislative & Regulatory Committee will conduct this meeting remotely.

**To Listen to the Meeting:**

<https://us06web.zoom.us/j/98674928558>

or

Dial: (346) 248-7799 Meeting ID: 986 7492 8558

[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.

**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  
October 27, 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 (323) 640-7664. 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 July 28, 2021 Legislative & Regulatory Committee Meeting

## **REGULAR AGENDA**

2. Review and Recommend Approval of the Proposed 2022 Legislative and Regulatory Policy Platform to the Board of Directors

## **COMMITTEE MEMBER COMMENTS**

## **ADJOURN – NEXT MEETING NOVEMBER 24, 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, July 28, 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 10:00 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 Committee Member	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 May 26, 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. Update on Legislative Action on Energy and Procurement

Gina Goodhill, Policy Director, provided a presentation of the item. Ms. Goodhill discussed the legislature's priorities on energy and procurement in the 2021-2022 legislation session, which focused on four categories: reliability, resiliency, electrification and climate change. There have been several efforts in reliability, including modifications to the resource adequacy program, as it relates to central procurement and to require state agencies to incorporate long duration storage into greenhouse gas emission reduction goals. One bill relating to firm energy resources has moved forward this year and examines how the CEC will complete

an assessment of energy needs. The state budget also includes funding for reliability activities, with some funding impacting the affordability of long-duration storage projects that might bid into CPA's future RFOs. The Governor has also taken several emergency actions to increase energy capacity in order to avoid blackouts and brownouts; and there is an effort to revamp the Flex Alert program. Ms. Goodhill reviewed several bills that did not move forward in this legislative session, however, state funding would continue to address similar issues that the bills would have addressed, such as funding for communities affected by climate change to address extreme heat; infrastructure investments in DACs; fairground and community resilience centers, and grants for climate adaptation planning. Electrification has seen more movement in the legislative area, with bills that are addressing state goals relating to climate change, such as guidance and rules for building owners around permitting and EV charging stations. Several bills relating to building electrification did not move forward. In contrast, vehicle electrification has received billions in funding through the state budget; CPA will track funding opportunities, particularly in the funding of vehicle electrification programs, and for electrifying medium/heavy duty, zero emission vehicles and buses. There are some remaining active climate change bills focused on new energy technologies, specifically offshore wind and hydrogen. Ms. Goodhill noted that the state budget includes funding for offshore wind planning and analysis as well as \$400 million to support green hydrogen production and long-duration storage projects.

Committee Member Lopez asked if CPA will be involved in the rebranding of the Flex Alert program; Ms. Goodhill will follow up to determine how CPA can play a role in the discussion and revamp.

3. Oral Update on SB 612

Ms. Goodhill provided a brief oral report on SB 612, noting that the bill was designated as a two-year bill, meaning no action can be taken on it until at least, January 2022. The bill previously passed the Senate Energy, Utilities and Communications Committee with an 11-1 vote, and passed the Senate floor with a 33-6 vote. The bill had strong support by the time it reached the Assembly, including member agencies, environmental groups, clean energy groups, and private companies. The bill had little, but notable, opposition from PG&E, SCE, TURN, and the California Coalition for Utility Employees, whose membership predominantly includes is the union representing PG&E workers. The author of the bill, Senator Portantino, was asked to make additional amendments to the bill which would have aligned with the CPUC's adopted proposal to make RA allocations voluntary, rather than establishing a proportional share of the resources legacy customers already pay for. The author refused the amendments and the bill did not get a hearing. Ms. Goodhill emphasized that although there is no clear motive for why the bill did not get a hearing, the bill author and CPA's Board members were extremely vital in gaining momentum for the bill. CPA will continue to work with CalCCA and the bill author on next steps.

Committee Member Horvath noted that more lobbying and educational outreach will be important to build a larger coalition of support, including outreach to residents and Assembly members; education should address why the bill will be beneficial to rate-paying customers in general, not just CCA, but also IOU

customers; encouraged CPA begin strategizing prior to the start of the legislative session; and noted that elected officials will be in their communities in the off-season which can be a great opportunity for CPA to do outreach. Chair Horvath echoed interest in grassroots outreach; noted that CPA can leverage the power of constituents in its mobilization; and inquired as to the possibilities of a media pressure campaign to address the unfair treatment towards CCAs at the CPUC and the legislature. Additionally, the California Contract Cities Association now considers CCA's a local control issue and can be a partner in outreach.

Ms. Goodhill thanked the Committee for their feedback and noted that there will be several outreach efforts through CalCCA that staff will share with Board members in preparation for outreach.

**COMMITTEE MEMBER COMMENTS**

None.

**ADJOURN**

Chair Horvath adjourned the meeting at 10:31 a.m.

## Staff Report – Agenda Item 2

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

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

**Approved by:** Ted Bardacke, Executive Director

**Subject:** Proposed 2022 Legislative and Regulatory Policy Platform

**Date:** October 27, 2021

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### **RECOMMENDATION**

Review and recommend approval of the proposed 2022 Legislative and Regulatory Policy Platform to the Board of Directors.

### **BACKGROUND**

In 2018, CPA Board approved a Legislative and Regulatory Policy Platform to serve as a framework for CPA's advocacy and policy efforts. Having a Board-approved platform has allowed both Board members and staff to pursue actions at the 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. Since its' approval in 2018, the Policy Platform has been updated as needed, typically annually.

In 2021, the Legislative and Regulatory Committee proposed a series of changes to better align with shifting energy and overall public policy priorities in California. Those proposed changes reflected a new emphasis on electrification for both vehicles and buildings; the inclusion of specific constituencies that must be part of a just and equitable transition to cleaner energy resources; and policies that promote grid reliability with clean energy resources and phase out the use of fossil fuels.

These changes, along with the rest of CPA's Policy Platform, proved useful in guiding CPA's legislative and regulatory positions in 2021, and in anticipating key energy themes in the 2021-2022 state budget. CPA was able to successfully advocate for and support a number of key items. These included:

Electrification: The 2021-2022 approved budget included over \$3.9 billion for zero emission vehicles (ZEV), charging, and infrastructure. Of this, \$500 million is allotted for ZEV Fueling Infrastructure Grants, including grants for electric vehicle charging through the CALeVIP program, a California Energy Commission program for which CPA is already a partner. CPA advocated in favor of this funding and continues to be in communication with the agencies implementing the programs. CPA also supported a bill that would have created a centralized agency to coordinate ZEV work across the state.

Resiliency: The 2021-2022 approved budget included \$3.7 billion for climate resilience, including \$300 million for extreme heat. Of this amount, \$100 million over three years is earmarked for the establishment of a grant program for community resilience centers. This can include the retrofit of existing facilities that serve as cooling centers, emergency response centers, or similar in the event of emergency situations exacerbated by climate change, such as a wildfire or power outage. CPA advocated in favor of funding for climate resilience, with a particular emphasis on funding for resiliency centers, which could overlap with and/or serve to expand our Power Ready program. Staff continues to be in communication with the agencies that are developing and implementing the programs. CPA also supported several bills aimed at creating programs to protect communities from extreme heat through the creation of cooling centers, and bills that would have made it easier to install solar + storage on a critical facility to provide continuity of power during an outage.

Reliability: CPA's priority bill, SB 612, would have allowed CCAs to utilize the benefits of the legacy resources for which customers already pay for as part of the power charge indifference adjustment. These benefits include resource adequacy, a central component of creating a reliable grid. While the bill stalled at the close of 2021 legislative year, CPA – along with the bill author and sponsor – is assessing if and how the bill could move

forward in 2022. The goals around reliability will continue to be a central theme. CPA also advocated federally for an extension and expansion of the Investment Tax Credit (ITC) for solar and stand-alone storage. Expanding the ITC to stand-alone storage would bring down the cost of storage and provide long-term stability for investors. This would make it easier and more affordable to deploy storage, a crucial component of increasing reliability from intermittent resources like solar.

## **DISCUSSION**

As we move into the second year of a two-year legislative cycle, staff is conscious to suggest minimal changes that will refine our goals without shifting our priorities. The most significant proposed change is to begin using the term “environmental and social justice communities,” in place of other terms that are currently used in the document. This is to reflect the outcome of a multi-year process at the CPUC that identified environmental and social justice communities as those where residents are:

- Predominantly communities of color or low-income;
- Underrepresented in the policy setting or decision-making process;
- Subject to a disproportionate impact from one or more environmental hazards; and
- Likely to experience disparate implementation of environmental regulations and socioeconomic investments in their communities

On the ground, targeted communities typically include but are not limited to:

- Disadvantaged Communities, located in the most environmentally burdened California census tracts, as determined by the 25 percent highest scores (75th percentile) when using Cal EPA's CalEnviroScreen tool;
- All Tribal lands;
- Low-income households (household incomes below 80 percent of the area median income); and
- Low-income census tracts (census tracts where aggregated household incomes are less than 80 percent of area or state median income).

By using this new term, we can maintain consistency and clarity with various statewide initiatives and with the stakeholders that participate in them.



**ATTACHMENT**

- 1) Proposed 2022 Legislative and Regulatory Policy Platform

### 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 members of the CPA Board of Directors and CPA 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 enables the organization to move swiftly to respond to events in Sacramento (Legislative / Executive), ~~and~~ San Francisco (California Public Utilities Commission), and in Washington, D.C. (federal government). ~~and~~ It also 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 CPA Board of Directors 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. Promoting equal treatment of unbundled and bundled customers by the Legislature, ~~CPUC~~ and other state agencies.
3. Supporting recognition that electricity is an essential servicegood, and that CPA should have the ability to set electric rates that are affordable and offer programmatic services ~~that are affordable and~~ that are inclusive for all.
4. Pursuing environmental initiatives that exceed prescriptive ~~s~~State and federal mandates, promote the growth in renewable energy capacity at the local level,

encourage clean energy adoption by CPA customers, and reduce fossil fuel dependency, with the goal of combatting climate change.

## **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 of Directors 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 and federal incentives and funding 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 federal government; 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 environmental and social justice communities in CPA's service territory;
- b. Supports supplier diversity in CPA's contracting activities and from-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~~environmental and social justice communities in CPA's 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 of 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 of CPA to promote electrification of the transportation sector, in response to state and federal goals aimed at increasing the usage of zero emission vehicles; ~~and to prepare for the effects of Governor Newsom's Executive Order that bans the sale of new internal combustion engines in light duty vehicles by 2035.~~

d. Supports the ability of CPA to promote electrification and the reduction of natural gas usage in the building sector.