



**Legislative & Regulatory Committee of the
Clean Power Alliance of Southern California
Regular Meeting
Wednesday, January 25, 2023
10:00 a.m.**

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CPA Office
801 S. Grand Ave., Suite 400
Los Angeles, CA 90017

Members of the public may also participate in this meeting remotely at the following locations:

Agoura Hills City Hall Planning Conference Room 30001 Ladyface Court Agoura Hills, CA 91301	Manhattan Beach City Hall City Manager Conference Room 1400 Highland Avenue Manhattan Beach, CA 90266
Carson City Hall Executive Conference Room 701 East Carson Street Carson, CA 90745	Los Angeles County Hall of Administration Sybil Brand Conference Room, Room 372 500 West Temple Street Los Angeles, CA 90012

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 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:** 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. Members of the public who wish to address the Committee at CPA’s Office are requested to complete a comment card and provide it to staff. If you are attending from a remote location, please identify yourself to a CPA representative when your item is called. Each speaker is 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 [Policy No. 8 – Public Comment](#) for additional information.

ACCESSIBILITY: 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 least two (2) working days before the meeting at 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.

CALL TO ORDER AND ROLL CALL

GENERAL PUBLIC COMMENT

CONSENT AGENDA

1. Approve Minutes from November 16, 2022, Legislative & Regulatory Committee Special Meeting

REGULAR AGENDA

2. Review and Recommend Approval of the Proposed 2023 Legislative & Regulatory Policy Platform and Revised Bill Position Protocol to the Board of Directors

COMMITTEE MEMBER COMMENTS

ADJOURN – NEXT MEETING ON FEBRUARY 22, 2023

Public Records: Public records that relate to any item on the open session agenda for a regular Board 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 Board. Those documents are available for inspection at CPA Offices or online at www.cleanpoweralliance.org/agendas

MINUTES

SPECIAL MEETING of the Legislative & Regulatory Committee of the
Clean Power Alliance of Southern California
Wednesday, November 16, 2022, 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 Deborah Klein Lopez called the meeting to order at 10:00 a.m. and Gabriela Monzon, Board Clerk, conducted roll call.

Roll Call			
Agoura Hills	Deborah Klein Lopez	Chair	Remote
Carson	Reata Kulcsar	Alternate Committee Member	Remote

All votes are unanimous unless otherwise stated.

GENERAL PUBLIC COMMENT

There was no public comment.

CONSENT AGENDA

1. Approve Minutes from October 26, 2022, Legislative & Regulatory Committee Meeting

Motion: Committee Member Kulcsar, Carson
Second: Committee Member Lopez, Agoura Hills
Vote: The consent agenda was approved by a roll call vote.

REGULAR AGENDA

2. 2023-2024 Legislative & Regulatory Policy Platform Discussion
Gina Goodhill, Director of Government Affairs, provided a brief review of the Legislative & Regulatory Platform adopted in 2018. Ms. Goodhill explained the normal approval process for bill positions and described the alternative protocol urgent bill positions. Ms. Goodhill advised that in 2023, staff would like to discuss revising the platform framework altogether to allow staff to regularly take bill positions using the platform as a guide. Ms. Goodhill also explained that a review of the platform over the past year revealed weaknesses in CPA’s ability to nimbly weigh in on topics later in the legislative session; not weighing in on these types of bills may impede CPA from building relationships with organizations pertaining to more ‘big picture’ bills, such as bills on electric vehicles that may not have a direct impact to Community Choice Aggregations (CCAs). Ms. Goodhill added that

another downside of the current platform is that it does not allow CPA to act on bill positions later in the legislative session when they tend to change quickly. Staff informally polled organizations similar to CPA and found that the vast majority use more detailed policy platforms proactively as a guide to take bill positions and report back to the Board. If the Committee is interested in exploring this option, the Committee would then be responsible for driving CPA's legislative priorities through a more prescriptive policy platform.

Responding to questions from the Committee relating to signatory power and an implementation timeframe, staff noted that Ms. Goodhill signs bill position letters; high-profile bills are often sent to Board members for signatures. Regarding a timeframe, staff could bring a proposed policy platform in January for Board consideration in February.

Chair Lopez expressed support for the idea, adding that Agoura Hills has its own legislative platform that has proven critically important; suggested that the new platform could be expansive. Committee Member Kulcsar echoed Chair Lopez's comments. Ted Bardacke, CEO, remarked that the current platform does not allow Ms. Goodhill to provide timely support to organizations or elected CPA members, hindering CPA from building trust and relationships. Chair Lopez opined that she appreciated the flexible nature of the platform, as it still allows a bill position to be taken to the Committee or the Board if needed.

COMMITTEE MEMBER COMMENTS

Chair Lopez expressed a desire to do outreach to recruit more members to the Committee. Committee Member Kulcsar noted that the City of Carson appointed Councilmember Cedric L. Hicks, Sr. as the Regular Director and Councilmember Jim Dear as the Alternate Director on the CPA Board. Chair Lopez commented that Agoura Hills currently does not have a council member alternate but will regroup next month and reminded the Committee there is no December meeting.

ADJOURN

Chair Lopez adjourned the meeting at 10:23 a.m.



Staff Report – Agenda Item 2

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

From: Gina Goodhill, Director, Government Affairs
CC Song, Director, Regulatory Affairs

Approved By: Ted Bardacke, Chief Executive Officer

Subject: Proposed 2023 Legislative & Regulatory Policy Platform

Date: January 25, 2023

RECOMMENDATION

Review and recommend approval of the proposed 2023 Legislative & Regulatory Policy Platform and revised bill position protocol to the Board of Directors.

BACKGROUND

In November 2018, CPA’s Board of Directors adopted its first Legislative & Regulatory Policy Platform to serve as a framework for CPA’s advocacy and policy efforts. Since that time, CPA staff have used the platform to pursue actions at the regulatory levels with the understanding that they are taking actions in the best interest of the organization, member agencies, and customers. Staff have also used the platform to guide legislative actions but have sought approval from the Board before taking any bill positions at the state or federal level.

At the same November 2018 meeting, the Board also approved a protocol on urgent matters that allows the Board Chair and Vice-Chairs, the Legislative & Regulatory Committee Chair, and the Chief Executive Officer to collectively and timely respond on CPA’s behalf when urgent legislative and regulatory matters arise, when there is not time for the full Board of Directors to provide timely direction. Under this protocol, the Legislative & Regulatory Committee members and the full Board are informed of any action taken by this group and are consulted as time allows.

The Board has approved updates to the platform every year to reflect the changing regulatory and legislative landscape and priorities. At the February 2021 Legislative & Regulatory Committee meeting, staff introduced the idea of revising the protocol for taking bill positions so that staff can more regularly take positions on bills using the Board approved platform, rather than seeking Board approval for each bill position. At the November 2022 Legislative & Regulatory Committee meeting, staff further explored the benefits and drawbacks of this approach, and provided a preliminary example of what a new platform could look like under this approach. The Legislative & Regulatory Committee directed staff to bring a fully revised 2023 Legislative & Regulatory Policy Platform to this committee at the January meeting, as well as a new bill position protocol for discussion.

DISCUSSION

For the past several years, CPA has used bill positions as one of several ways to influence the legislative process. Since 2018, CPA has recommended policy positions on fewer than 20 bills, and the Board has approved each one. CPA prioritizes bills that directly impact CPA and its ability to serve customers. Secondly, CPA considers bills that are authored by a legislator that represents CPA's service territory, or that come to CPA through a stakeholder group that CPA works with, usually in the form of a sign-on letter. CPA staff propose taking positions on bills almost exclusively in January-May, which is early enough for CPA to complete its internal Board approval process, while still being able to influence a bill's outcome.

Where CPA has been less nimble is taking positions on bills that come to CPA's attention later in the legislative process, when bills are amended at a much faster pace and can take on new ideas that were not in the original bills proposed early in the legislative session. Unless the bill is urgent enough to use CPA's alternate protocol, CPA staff has generally declined to take positions on bills that come to CPA after May, because by the time CPA's internal process has been completed, it will be too late for CPA's position to carry much weight. This limitation prevents CPA from being able to respond quickly to bills that are important but do not rise to the level of the alternate process, or for CPA to respond to commitments from legislators to address concerns previously expressed and

that would cause the organization to change its position (e.g. from oppose unless amended to watch or from support if amended to support).

Some examples of bills that have fallen into this category in the past have included bills that would promote electric vehicle adoption (but that did not directly tie into CPA's EV program) and bills that promoted extreme heat education but had no role for CCAs. Often, these bills come to staff's attention later in the process because they are not directly linked to CPA's work, and often come through a stakeholder group or coalition with whom CPA works. CPA's tendency to stay neutral on these bills may not have an immediate impact but reduces CPA's long-term ability to build relationships and form coalitions with stakeholders that should be allies for CPA.

While CPA is not the only organization with a bill-by-bill approval process, it is in the minority. Many large local government organizations in Southern California and some of CPA's member agencies, as well as many other large CCAs, rely on their Board-approved policy platforms to guide bill positions rather than seeking direction for every position, with some caveats and exceptions.

CPA took an informal poll of organizations like CPA to better understand the policy platform landscape throughout California. Of the organizations that responded, over 80% primarily rely on their Board-approved policy platforms to guide the bill positions that they take, rather than seeking directions for every bill. Most of these organizations also had clear exceptions in which they would still bring bills to their Board for guidance. They include bills where there is no existing direction in the policy platform; high-profile bills or bills that are likely to receive media attention; or bills that would raise taxes. The exceptions are examples of guardrails to ensure that the Board can weigh in on the types of larger bills that individual Board members or their cities may already be tracking. Most of the above organizations also had a process to inform their Board of the positions that the organization took, usually monthly.

Agency	Does staff bring every bill position to the Board?	What exceptions exist?
Los Angeles County	No	Some positions taken through a Board motion
Ventura County	No	Some positions taken through a Board motion (uncommon)
Metropolitan Water District	No	Some positions taken to a Board committee
Southern California Association of Governments	Yes	Rare exceptions if bill is part of former position taken
Los Angeles County Metro	No	Some positions taken through a Board motion
MCE (Marin Clean Energy)	No	None
East Bay Community Energy	Yes	Smaller, executive Board process for urgent bills
San Diego Community Power	No	None
Sonoma Clean Power	No	Some positions taken to full Board
Silicon Valley Clean Energy	No	None
Peninsula Clean Energy	No	Some positions taken to full Board

With this approach, the work of the Legislative & Regulatory Committee in the legislative arena is enhanced on the front end in the creation of the policy platform, and then in spending more time on advocating for positions taken rather than on the vetting of bills that would go to the full Board for a position request. The more detailed platform gives more explicit direction to staff on what positions they should adopt. They require Legislative & Regulatory Committee members to set the direction for the organization at the beginning of each legislative year, and then to convene less frequently throughout the year, when bills fall into the “exception” category detailed above or when Regulatory or other matters require committee advice and/or action.

Staff has drafted an expanded and detailed policy platform, as well as a new streamlined process for taking bill positions.

ATTACHMENT

1. Draft policy platform and bill position process.

2023 Proposed 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 provides direction to CPA staff on positions that should be taken on regulatory matters and legislative bill proposals. The Platform also provides guidance to the Chief Executive Officer on positions that should be taken on legislative and regulatory matters that come before the California Community Choice Association (CalCCA) Board of Directors.

CPA staff report to the Board monthly on all positions taken on legislative bills. For bills that fall outside the scope of this platform, bills that are likely to attract high-profile supporters and detractors, bills that would raise taxes, or bills that would knowingly put CPA at odds with positions that its member agencies have taken, CPA staff will present a proposed position to the CPA Board of Directors and its Legislative & Regulatory Committee before taking a position.

Policy Principles

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

1. Protecting CPA's local control and competitive position, especially as it relates to rates, finances, power procurement and expansion of its service territory.

2. Pursuing power resource planning and procurement that promote the growth in renewable energy capacity at the local level and reduce fossil fuel dependency, with the goal of combating climate change.
3. Developing and administering customer programs that encourage clean energy adoption by CPA customers.
4. Ensuring fair access to data, particularly as it relates to energy usage, billing, and information needed to develop and administer customer programs.
5. Supporting CPA's ability to set electric rates and offer programmatic services that are affordable and inclusive for all.

These principles are incorporated throughout the below platform.

Policy Platform

1) Competition and Local Control

- a. Fair rates and cost allocation: CPA will pursue administrative and legislative initiatives that will ensure that non-bypassable charges assessed for CPA customers are fair, and that CPA's customers are not unnecessarily burdened by non-bypassable charges.
- b. Finances: CPA will pursue administrative and legislative initiatives to ensure that CPA is eligible to apply and receive funding made available to the electricity sector for decarbonization, reliability, and affordability purposes, and that CPA's financial health are not disparately impacted by new regulations.
- c. CCA Expansion: CPA will pursue administrative and legislative initiatives to protect CPA's ability to expand its service to new member agencies.
- d. Local Control: CPA will pursue administrative and legislative initiatives to protect CPA Board's authority over CPA's procurement, rate-setting, and customer program development activities.

2) Power Resources Planning and Procurement

- a. Resource Adequacy and Reliability: CPA will pursue administrative and legislative initiatives that will enable CPA to secure capacity resources to meet its reliability obligations, such as initiatives that evaluate the supply of capacity resources available to load serving entities (LSEs), determine the appropriate market mechanisms for LSEs to procure capacity resources, and develop a durable policy framework that encourage LSEs to construct new capacity resources and retain existing capacity resources to maintain grid reliability while balancing CPA's and the State's decarbonization goals.

- b. Carbon-Free Resources: CPA will pursue administrative and legislative initiatives that will maximize CPA's ability to procure carbon-free resources to meet or exceed the needs of CPA's three product offerings and its long-term carbon-free procurement goal as required by SB 100 and other statutory or regulatory obligations.
- c. Renewable Resources: CPA will pursue administrative and legislative initiatives that will maximize CPA's ability to procure eligible Renewable Portfolio Standard (RPS) resources to meet the needs of CPA's three product offerings and its long-term RPS procurement goal as required by SB 100 and other statutory or regulatory obligations.
- d. Integrated Resource Plan: CPA will pursue administrative and legislative initiatives that will maximize CPA's ability to plan and procure resources to meet various environmental and reliability goals set by state laws and by its Board of Directors, while offering affordable products and programs to serve its customers, including disadvantaged communities.
- e. Transmission: CPA will pursue administrative and legislative initiatives that will provide CPA adequate access to transmission capacity to maximize its procurement of RPS-eligible or carbon-free resources that meet various statutory and regulatory requirements.
- f. Research & Development: CPA will pursue administrative and legislative initiatives that support the research and development of new energy resources that can be procured to meet the reliability and decarbonization goals set by the State and its Board of Directors.

3) Customer Programs

- a. Demand Response, Demand Flexibility and Energy Efficiency: CPA will pursue administrative and legislative initiatives that will enable CPA to pursue demand response programs and opportunities for its customers.
- b. Zero-emission vehicles: CPA will pursue administrative and legislative initiatives to promote electrification of the transportation sector in response to state and federal goals aimed at increasing the usage of zero emission vehicles.
- c. Building decarbonization: CPA will pursue administrative and legislative initiatives that supports the ability of CPA to promote electrification and the reduction of natural gas usage in the building sector.
- d. Local Grid Management and Resiliency: CPA will pursue administrative and legislative initiatives that supports the ability of CPA and its member agencies to offer local grid management and resiliency solutions to increase local reliability and adaptability that could protect against power outages and extreme heat.
- e. Distributed Energy Resources: CPA will pursue administrative and legislative initiatives that supports the ability of CPA to offer and utilize distributed

energy resources as part of its reliability, resiliency and community engagement strategies.

- f. Research and Development: CPA will pursue administrative and legislative initiatives that supports the ability of CPA to explore new opportunities related to behind the meter clean energy resources.

4) Data Access

- a. Timely and Accurate Access to Customer Data: CPA will pursue administrative and legislative initiatives that will enable CPA to obtain timely and accurate access to its customers' data to improve billing accuracy and inform the development and implementation of customer programs.
- b. Fair Fees for Data Management Services: CPA will pursue administrative and legislative initiatives to ensure that the fees due to Southern California Edison for data access and management are fairly assessed based on data needs and potential technological improvements.

5) Diversity, Equity, Inclusion

- a. Customer Protection: CPA will pursue administrative and legislative initiatives that supports the protection of all ratepayers, particularly environmental and social justice communities in CPA's service territory.
- b. Supplier Diversity: CPA will pursue administrative and legislative initiatives that 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. Workforce Development: CPA will pursue administrative and legislative initiatives that 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. Energy Equity: CPA will pursue administrative and legislative initiatives that supports increased access to clean energy technologies, clean energy and contracting jobs, and clean energy opportunities for environmental and social justice communities in CPA's service territory.