



## **Executive Committee Meeting**

Friday, September 28, 2018

12:00 pm

Alameda County District 1 Office

(Alameda County Fairgrounds)

4501 Pleasanton Ave.

Pleasanton CA

### **Teleconference location:**

City Council Large Conference Room

1 Frank H. Ogawa Plaza, Suite 242, Oakland CA

*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 2 working days before the meeting at (510) 736-4981 or [Scabrera@ebce.org](mailto:Scabrera@ebce.org).*

*If you have anything that you wish to be distributed to the Committee, please hand it to the clerk who will distribute the information to the Committee members and other staff*

### **1. Welcome & Roll Call**

### **2. Public Comment**

*This item is reserved for persons wishing to address the Board on any EBCE-related matters that are not otherwise on this meeting agenda. Public comments on matters listed on the agenda shall be heard at the time the matter is called. As with all public comment, members of the public who wish to address the Board are customarily limited to three minutes per speaker.*

### **3. Approval of the Minutes from July 20, 2018**

### **4. Power Procurement Update**

Receive an update from staff on current power procurement activities, including:

- A. Oakland Clean Energy Initiative; and
- B. 2018 Energy Request for Offers

### **5. Marketing and Outreach Update**

Receive an update from staff on major marketing and outreach activities, including review of current Phase 2 marketing activities.

**6. Legislative Program Discussion**

Discuss and provide feedback on current Board approved Legislative Program

**7. Community Advisory Committee Workplan Review**

Review the CAC workplan and either recommend its approval by the Board or return it to the CAC with the Executive Committees recommended revisions

**8. Committee Member and Staff Announcements**

**9. Adjournment - to Date: Friday, July 27, 2018**  
**Location: TBD**



## Staff Report Item 4

**TO:** East Bay Community Energy Executive Committee

**FROM:** Howard Chang, Chief Operations Executive Officer

**SUBJECT:** Power Procurement Update

**DATE:** September 28, 2018

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### **Background**

Receive an update from staff on current power procurement activities, including:

- A. Oakland Clean Energy Initiative; and
- B. 2018 Energy Request for Offers

### **Attachment:**

- A. Procurement Update



# Procurement Update

PRESENTED BY Howard Chang

DATE 09/28/18



# Procurement Updates

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- Oakland Clean Energy Initiative and CA Renewable Energy RFP are both in the process of shortlisting developers.
  - OCEI: Requesting redline of term sheets and will be meeting with developers and PG&E in October to discuss further
  - CA RE RFP: Requesting refreshed pricing and will be meeting with developers in October to discuss further
  - Outside counsel has been selected for both RFPs and we are in the process of preparing final forms agreements to share
- Final Resource Adequacy allocations were provided by the CPUC and we are in the process of finalizing our year ahead filing, which is due by October 31
- In early September we have hedged a portion of our 2019 energy needs and plan to issue follow-on solicitations in through the end of the year to layer on additional energy hedges

# Other Updates

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- Formation of Energy Risk Oversight Committee
  - Staff is proceeding with the formation of the EROC and kicking off with our first meeting in early October to begin review of our Energy Risk Policies and Regulations
  - EROC includes both EBCE staff members and outside advisers
- RPS filing was submitted in August to lay out procurement requirements. CPUC is requesting an update of our RPS filing in light of SB100
- Follow on work of the Integrated Resources Plan is being scoped and will include further engagement with the community and board. This process is being delayed in light of PCIA.



**Staff Report Item 5**

**TO:** East Bay Community Energy Executive Committee

**FROM:** Annie Henderson, VP of Marketing and Account Services

**SUBJECT:** Marketing and Outreach Update

**DATE:** September 28, 2018

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**Recommendation**

Receive an update from staff on major marketing and outreach activities, including review of current Phase 2 marketing activities.

**Attachments:**

- A. Marketing Update Presentation
- B. Notice #2: Standard and Cities Versions



## Marketing and Outreach Update

PRESENTED BY Annie Henderson

DATE 07/20/18





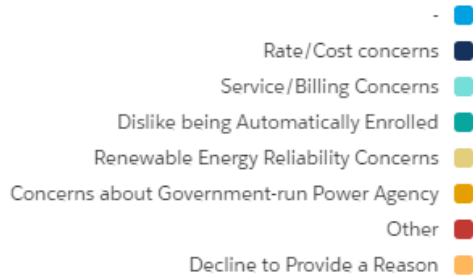
# Customer Retention Rates

- Phase 1 (Commercial)

- ~ 98.5% of eligible accounts receive service from EBCE

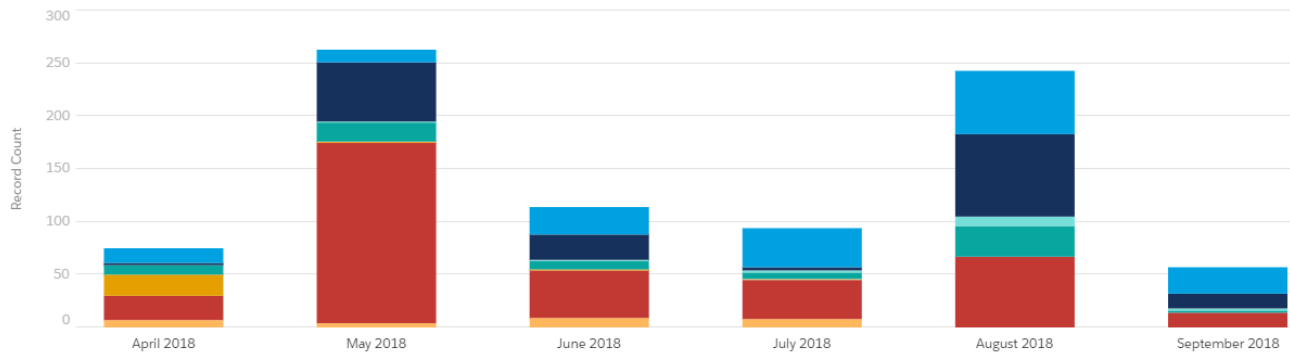
- Phase 2 (Residential)

- Very early in process
- ~99.88% retention
- Anticipate a bump in Oct and Dec



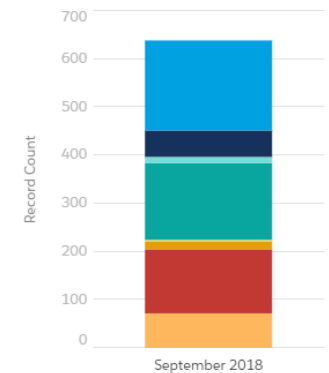
*Phase 1*

EBCE Monthly Opt Out Summary



*Phase 2*

EBCE Monthly Opt Out Summary



# Phase 1 By Jurisdiction

## Phase 1

COUNT	Opted Out		
	Eligible SA	Opt Out	% of SAs
<b>J04 - ALBANY INC</b>	654	n/a	
<b>J10 - BERKELEY INC</b>	5,502	73	1.33%
<b>J15 - DUBLIN INC</b>	2,239	35	1.56%
<b>J19 - EMERYVILLE INC</b>	1,108	n/a	
<b>J22 - FREMONT INC</b>	8,450	72	0.85%
<b>J25 - HAYWARD INC</b>	7,151	114	1.59%
<b>J34 - LIVERMORE INC</b>	4,267	68	1.59%
<b>J43 - OAKLAND INC</b>	15,941	270	1.69%
<b>J46 - PIEDMONT INC</b>	123	n/a	
<b>J61 - SAN LEANDRO IN</b>	4,305	56	1.30%
<b>J65 - UNION CITY INC</b>	1,959	26	1.33%
<b>J78 - UNINC ALAMEDA</b>	4,101	64	1.56%
<b>Total</b>	55,800	852	1.53%

kWh LOAD	Opted Out		
	Eligible SA	Opt Out	% of Load
<b>J04 - ALBANY INC</b>	25,365,401	n/a	
<b>J10 - BERKELEY INC</b>	274,937,194	9,923,633	3.61%
<b>J15 - DUBLIN INC</b>	132,419,729	2,404,164	1.82%
<b>J19 - EMERYVILLE INC</b>	132,888,913	n/a	
<b>J22 - FREMONT INC</b>	706,112,646	9,784,507	1.39%
<b>J25 - HAYWARD INC</b>	446,457,475	11,355,514	2.54%
<b>J34 - LIVERMORE INC</b>	235,352,057	7,775,354	3.30%
<b>J43 - OAKLAND INC</b>	934,455,204	38,398,992	4.11%
<b>J46 - PIEDMONT INC</b>	3,776,610	n/a	
<b>J61 - SAN LEANDRO IN</b>	267,066,156	8,793,636	3.29%
<b>J65 - UNION CITY INC</b>	163,379,976	9,696,078	5.93%
<b>J78 - UNINC ALAMEDA</b>	189,169,778	14,218,284	7.52%
<b>Total</b>	3,511,381,139	143,148,955	4.08%

# Phase 1 Opt Up

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of Phase 1 customers have  
opted up to Brilliant 100

- ~2,750 voluntary opt ups
- Does not include customers in Albany and Hayward that were enrolled in Brilliant 100 by default
- Voluntary opt ups > Opt outs

# Community Outreach

## July, August, Sept Events

- Hayward Street Parties
- Oakland Art + Soul
- Fremont Festival of the Arts
- Castro Valley Street Eats
- San Leandro Farmers' Markets
- Fremont Festival of India
- Oakland Chinatown Street Festival
- Berkeley Farmers' Markets
- Livermore Harvest Wine Celebration
- Solano Stroll
- Hayward Mariachi Festival
- Oakland Third Thursdays

## Future Events

- Piedmont Harvest Festival
- Livermore Farmers' Markets
- StopWaste event in Fremont
- Emeryville Art Exhibition
- San Leandro Sausage and Suds
- Union City Alvarado Fall Fest
- San Leandro Resilience Fair
- ***Pursuing additional events in Oakland, Fremont, Union City, Dublin***

>1,000 personal interactions

### Hot Topics:

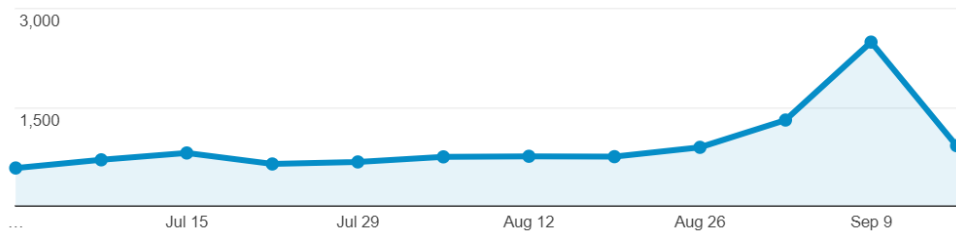
- Relationship to PG&E
- Service Options
- Rooftop Solar



# Customer Materials

- Website Updates

- Web forms support residential customer service selections
- Document Library
- What's New
- Bump in visits



- Customer Notifications

- Joint Rate Mailer sent on 8/31
- Notice #1 sent throughout Sept.
- Notice #2 process began 9/24

- Collateral Updates

- FAQ and CARE/FERA (All languages)
- Brochure (English, Spanish, Chinese)
- Solar Factsheet

**DISCOUNT PROGRAMS WITH EBCE**

East Bay Community Energy (EBCE) cares about offering our customers greener energy at lower rates and we understand that financial challenges can happen to anyone. That's one reason why customers with EBCE continue to be eligible for income-qualified support programs, such as CARE and FERA.

As an EBCE customer, if you are currently enrolled in any of the below programs, you will continue to receive your discounts with us. There's no need to re-apply all enrolled customers will maintain their discounts with EBCE. Renewals and new enrollment applications are handled by PG&E - visit [pge.com/financialassistance](http://pge.com/financialassistance) for more information.

**Family Electric Rate Assistance (FERA) Program**  
The Family Electric Rate Assistance (FERA) Program provides a monthly discount on your electric bills. The program is designed for income-qualified households of three or more persons. The monthly discount is 12% on electric rates.

**Medical Baseline**  
Medical Baseline is a financial assistance program for residential customers that have special energy needs due to qualifying medical conditions. Qualifying customers are allocated a larger quantity of energy within the Baseline tier of low cost power.

**California Alternates Rates for Energy (CARE) Program**  
Qualified households receive discounts on their energy bills through the California Alternates Rates for Energy (CARE) Program. CARE eligibility is based on public assistance program participation or based on the number of individuals in your household and total gross household income. This monthly discount is a maximum of 20% on electric rates.

To learn more about our services, visit the EBCE website at [ebce.org/residents](http://ebce.org/residents)

**Introducing Your New Local Provider for Clean Power**

East Bay Community Energy Will Provide Low Rates, Clean Energy, and Reliable Service.

East Bay Community Energy is your new local provider for clean power. EBCE will begin service to Alameda County residents in November in partnership with PG&E for the delivery of power. EBCE will provide more renewable energy at lower rates. EBCE will not meet earnings back into the community to make local power energy jobs, local programs, and clean power projects.

You don't need to do a thing to take advantage of our greener service and lower rates. You will automatically receive Bright Choice services with more renewable energy than PG&E and a discount to your current rate. You can choose to opt up to **Bright 100** (our 100% carbon-free service) or **Bright 50** (our 50% renewable energy service) for a slight premium. You can also opt out to stay with PG&E. Call 1-855-489-4892 (EBCE 12323) to view allowing.

**FAQ and CARE/FERA (All languages)**

**Brochure (English, Spanish, Chinese)**

**Solar Factsheet**

# Advertising

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- Social Media: banners and video on YouTube, Instagram, and Facebook
- Online Radio: banners, video, and audio on Pandora (English and Spanish)
- Cable: 30-second ads, 896 total spots over 4 networks (English and Spanish)
- Outdoor:
  - AC Transit Bus ads on routes out of Oakland, Emeryville, Hayward, and Tri-Valley garages;
  - Transit shelter ads in Albany, Piedmont, and Emeryville (locations without BART stations);
  - Posters at Alameda County BART stations including Union City, Hayward, San Leandro, Oakland 12th St, Downtown Berkeley, Castro Valley, and Dublin (English and Spanish depending on location) (Fremont station not available).
- Print: Fremont Argus, Oakland Tribune, Hayward Review, Oakland Post, The Independent, La Opinion de la Bahia, and Sing Tao
- Online Banner Ads: Univision.com, Bay Area News Group, ImpreMedia Network (part of La Opinion de la Bahia), and SingTao.com.

# Videos

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- Will be used on social media and cable advertising
- Currently posted to website and YouTube





1111 Broadway 3rd Floor  
Oakland, CA 94607



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You don't need to do a thing to take advantage of our great rates and greener service. The table below indicates the EBCE service you will start receiving in November:

City	Service	Customers
Albany	Brilliant 100	All residential
Hayward	Brilliant 100	All residential
	Bright Choice	Customers in CARE, FERA, or Medical Baseline programs
Piedmont	Renewable 100	All residential
	Brilliant 100	Customers in CARE, FERA, or Medical Baseline programs
All other participating cities	Bright Choice	All residential



**Brilliant 100** is our 100% carbon-free service, offered at the same rate you pay now, and **Renewable 100** is our 100% renewable energy service, offered for a slight premium. You can also opt down to **Bright Choice** service with more renewable energy than PG&E at a discount to your current PG&E rate, or opt out to stay with PG&E. Call to notify us at **1-833-699-EBCE (3223)** or visit [ebce.org](http://ebce.org).

EBCE 2/4 Cities

### Abbreviated Terms and Conditions of Service

**ENROLLMENT AND SERVICE OPTIONS** As of November 2018, East Bay Community Energy (EBCE) is the default electricity provider serving Alameda County, except the cities of Alameda, Pleasanton, and Newark. Accounts within the participating 11 cities will be automatically enrolled. Customers may also request to opt up, opt down, or opt out and stay with PG&E bundled service at any time subject to the opt-out guidelines.

**RATES AND FEES** EBCE's generation rates are managed to provide clean, green electricity to our community at competitive rates. Any future rate changes will be adopted at public meetings of the EBCE Board. As an EBCE customer, PG&E charges you a monthly Power Charge Indifference Adjustment (PCIA) and Franchise Fee Surcharge. Please contact PG&E for more information about these charges.

**BILLING** As an EBCE customer, you will continue to receive a single monthly bill from PG&E that includes all electricity-related charges, including EBCE's generation charges. PG&E will continue to charge for gas services, transmission, distribution, public goods programs, and other non-generation charges at the same rates it charges customers who do not receive EBCE service.

**OPT OUT** You may opt out of EBCE service at any time by calling 1-833-699-EBCE (3223) or by completing the opt-out form at [www.ebce.org/opt-out](http://www.ebce.org/opt-out). There is no fee to opt out before enrollment or in the first 60 days of receiving EBCE service.

**CUSTOMER CONFIDENTIALITY** EBCE is committed to protecting customer privacy. EBCE's customer confidentiality policy can be found at [www.ebce.org/confidentiality](http://www.ebce.org/confidentiality).

Full details of the EBCE Terms and Conditions can be found at [www.ebce.org/terms](http://www.ebce.org/terms).

Customers participating in the CARE, FERA, and/or Medical Baseline Allowance programs continue to receive these discounts while on EBCE service.

#### SPECIAL NOTE:

As an EBCE customer, you are no longer eligible for PG&E's Smart Rate and Solar Choice programs or the first year Bill Protection benefit for customers that have opted into the Time of Use (Peak Pricing 4 - 9 PM Every Day) rate tariff.

#### FIND YOUR LANGUAGE ONLINE

Español: [es.ebce.org](http://es.ebce.org)

中文: [ch.ebce.org](http://ch.ebce.org)

Tiếng Việt: [vn.ebce.org](http://vn.ebce.org)

हिन्दी: [hn.ebce.org](http://hn.ebce.org)



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EBCE 2/4

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**OPT OUT** You may opt out of EBCE service at any time by calling 1-833-699-EBCE (3223) or by completing the opt-out form at [www.ebce.org/opt-out](http://www.ebce.org/opt-out). There is no fee to opt out before enrollment or in the first 60 days of receiving EBCE service.

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As an EBCE customer, you are no longer eligible for PG&E's Smart Rate and Solar Choice programs or the first year Bill Protection benefit for customers that have opted into the Time of Use (Peak Pricing 4 - 9 PM Every Day) rate tariff.

#### FIND YOUR LANGUAGE ONLINE

Español: [es.ebce.org](http://es.ebce.org)中文: [ch.ebce.org](http://ch.ebce.org)Tiếng Việt: [vn.ebce.org](http://vn.ebce.org)हिन्दी: [hn.ebce.org](http://hn.ebce.org)



## Staff Report Item 6

**TO:** East Bay Community Energy Executive Committee  
**FROM:** Melissa Brandt, Senior Director of Public Affairs and Deputy General Counsel  
**SUBJECT:** Legislative Program  
**DATE:** September 28, 2018

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### **Recommendation:**

Discuss and provide feedback on current Board approved Legislative Program.

### **Background and Discussion**

On July 18, 2018, EBCE staff brought forth and the Board discussed and approved with minor modifications a proposed Legislative Program for EBCE. The purpose of the Legislative Program was to outline the legislative priorities and stances of EBCE with the intent to inform customers, representatives, and policymakers of EBCE's stances on the myriad of public policies that intersect with EBCE's priorities, programs, and services. Due to the time sensitive nature of the legislative session ending in August 2018, the Board approved the Legislative Program, but requested that staff return to the Board in the fall with the Legislative Program for further review and refinement.

Now that the legislative session has concluded and the EBCE Board has reconvened, further discussion is warranted to ensure that the Legislative Program adequately captures the priorities of the EBCE Board. After discussion with and feedback from the Executive Board, EBCE staff intends to bring an amended version of the Legislative Program to the full Board at its October meeting for approval.

### **Fiscal Impact**

No known fiscal impact

### **Attachments**

- A. Current Board-approved Legislative Program

# Legislative Program

State Policy Priorities

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## Introduction

The East Bay Community Energy Legislative Program outlines the legislative priorities and stances of East Bay Community Energy (“EBCE”) with the intent to inform customers, representatives, and policymakers of EBCE’s stances on the myriad of public policies that intersect with EBCE’s priorities, programs, and services. These priorities are applicable to legislation, state-wide referenda, grant funding opportunities, and local ballot initiatives.

The EBCE Priorities of Decarbonization, Affordability, Community Benefit, and Reliability serve as the guiding principles for EBCE’s legislative priorities.

Moreover, EBCE supports any and all policies that will preserve or enhance the ability of EBCE to promote these guiding principles at the local level.

EBCE has three major legislative priorities: Accelerating Decarbonization, Promoting Local Development, and Maintaining Community Choice Autonomy. EBCE support of legislation will be contingent upon that legislation adhering to these priorities as well as EBCE’s priorities.

This document provides direction to EBCE’s legislative advocates in Sacramento. Additionally, this document serves as the foundation for any EBCE Board action regarding Federal or State legislation or funding opportunity. Staff may draft letters, direct our legislative advocates, or speak on behalf of EBCE regarding the legislative priorities this document outlines.

Any correspondence signifying EBCE’s support or opposition of a given bill must be approved or delegated by the EBCE Board of Directors.

Any questions regarding this Legislative Program can be directed to Melissa Brandt, Senior Director of Public Affairs and Deputy General Counsel, at 510-570-5110 or [mbrandt@ebce.org](mailto:mbrandt@ebce.org).

Sincerely,  
Nick Chaset



Chief Executive Officer, EBCE



## EBCE Board of Directors

### Alameda County

Supervisor Scott Haggerty, Chair

### Albany

Council Member Nick Pilch

### Berkeley

Mayor Jesse Arreguin

### Dublin

Vice-Mayor Melissa Hernandez

### Emeryville

Council Member Dianne Martinez

### Fremont

Vice-Mayor Vinnie Bacon

### Hayward

Council Member Al Mendall

### Livermore

Council Member Steven Spedowski

### Oakland

Council Member Dan Kalb, Vice Chair

### Piedmont

Council Member Tim Rood

### San Leandro

Council Member Lee Thomas

### Union City

Mayor Carol Dutra-Vernaci

### Community Advisory Committee (ex officio)

Anne Olivia Eldred





## Contact Information

### Mailing Address

1111 Broadway, 3<sup>rd</sup> Floor  
Oakland, CA 94607

### Program Staff

#### **Chief Executive Officer**

Nick Chaset  
510-809-7440  
[nchaset@ebce.org](mailto:nchaset@ebce.org)

#### **Senior Director of Public Affairs and Deputy General Counsel**

Melissa Brandt  
510-570-5110  
[mbrandt@ebce.org](mailto:mbrandt@ebce.org)

#### **Director of Government and Community Affairs**

Deidre Sanders  
510-696-0896  
[dsanders@ebce.org](mailto:dsanders@ebce.org)



## Legislative Advocates

State Legislative Advocate

### **Weideman Group**

Mark Weideman

1215 K Street, Suite 2290  
Sacramento, CA 95814

(916) 600-2288

[mark@weidemangroup.com](mailto:mark@weidemangroup.com)

## General Legislative Principles

EBCE has four general guiding priorities: Decarbonization, Affordability, Community Benefit, and Reliability. These priorities serve as the foundation for all actions EBCE will take, including the lobbying for policies that promote those same guiding priorities.

Public policy encompasses a myriad of subject and topic areas. However, as these policies intersect at the local level, they have the ability to impact EBCE revenues, programs, and/or administrative discretion and control. In addition to the aforementioned Priorities, EBCE will support policies that accelerate decarbonization, promote local development, maintain community choice autonomy, or any combination thereof. If a given policy does not meet these criteria, EBCE will oppose, support with amendments, or in some cases take no stance on that policy or legislation.

The General Legislative Principles for EBCE are:

### Accelerating Decarbonization

- Support the creation or expansion of federal, state, and local policies and programs that enable EBCE to contribute to the State's efforts to reduce greenhouse gas emissions.
- Oppose any legislation, policies, programs, referenda, unfunded mandates and budgets that would have an adverse impact on EBCE's ability to advance decarbonization through its procurement, programs, projects, and services.

### Promoting Local Development

- Support any legislation, policy, referenda, and budgets that enhance community choice energy providers' ability to invest in local clean energy, distributed energy resources, and zero-emission transportation in the communities that it serves.
- Oppose any legislation, policy, referenda, and budgets that limit or undermine EBCE's ability to invest in local clean energy, distributed energy resources, and zero-emission transportation in the communities that it serves.

### Maintaining Community Choice Autonomy

- Support any legislation, policies, referenda, and budgets that maintain or improve community choice energy providers' regulatory control and authority.
- Oppose any legislation, policies, referenda, and budgets that undermine or circumvent community choice energy.

## EBCE Public Policy Positions

The General Legislative Priorities help identify which public policy positions EBCE will take.

The list of policy positions below is by no means exhaustive. In addition to the general legislative priorities, EBCE takes the following more specific public policy positions:

### 1.1 Nonbypassable Charges

- A. Oppose legislation that restricts or limits EBCE's ability to procure its own energy products to meet state policy goals.
- B. Oppose legislation that increases or is likely to lead to an increase in nonbypassable charges.
- C. Support legislation that promotes a level playing field between community choice aggregators and other market participants.
- D. Support legislation that enhances the flexibility of community choice energy providers to support statewide procurement policy and develop and expand programs, local options, and rate design to support EBCE's community and customers.

### 1.2 Disadvantaged Communities

- A. Support legislation and initiatives that boost funding for new energy projects that support disadvantaged communities and low-income customers within EBCE's service territory.
- B. Support legislation and initiatives that increase access and funding for energy-related programs serving disadvantaged communities.
- C. Support legislation and initiatives that would reduce local air pollution, reduce other negative local impacts associated with energy production, and boost adoption of distributed energy resources within disadvantaged communities.
- D. Oppose legislation and initiatives that have the potential to disproportionately and negatively impact EBCE's disadvantaged communities and/or low-income customers.

### 1.3 Environmental Sustainability

- A. Support legislation and initiatives that increase funding for the creation of sustainable and stable energy supply infrastructure.
- B. Support legislation and initiatives that encourage the conservation of energy resources as well as the development of dynamic load-shifting capabilities.
- C. Support legislation and funding for renewable and advanced energy technology that increase efficient consumption.
- D. Support legislation and funding for pilot energy and resource efficiency programs.
- E. Support legislation and initiatives with the goal of reducing and mitigating the effects of climate change and building local resiliency.

#### 1.4 Finance/Human Resources

- A. Support legislation that enhances the financial standing of community choice aggregators and their ability to receive a positive credit rating.
- B. Oppose legislation that reduces or removes the tax-exempt status of municipal bonds.
- C. Oppose any legislation that would divert community choice energy revenues to the State or other governmental entities.

#### 1.5 Educational, Neighborhood and Social Services

- A. Support legislation that aids or helps to fund EBCE to provide energy support services, education, and opportunities for reducing energy costs to people who are low-income, seniors, veterans, and/or people with disabilities.
- B. Support legislation and initiatives that increase funding for energy efficiency, demand response, solar plus storage, and transportation electrification programs, and energy literacy services.

## Legislative Program Coordination

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

- State and Federal Legislative Advocates
- Elected Representatives
- CalCCA
- EBCE Board Members
- EBCE Staff
- EBCE Community Advisory Committee
- EBCE Customers and Community Members
- Other Governmental Associations

All legislative requests for support or opposition will be directed toward EBCE's Public Affairs department. EBCE staff will then review the legislation in coordination with any relevant departments to analyze whether or not the legislation aligns with EBCE's general legislative priorities. Staff will then monitor and track the legislation, providing updates when necessary.

Concurrent with this evaluation, EBCE's Public Affairs department will recommend a position and course of action. There are six main levels of action, which may be taken independently or in combination, but all of which are coordinated by the Senior Director of Public Affairs or his/her designee:

- 1. Direction to lobbyists to advocate in support, support with changes, or opposition to legislation**
  - EBCE staff will notify lobbyists of EBCE's stance and direct them to take appropriate action with legislators.
  - EBCE reserves the right to remain neutral on a given piece of legislation
- 2. EBCE correspondence with relevant legislators**
  - EBCE staff will send a support or opposition letter pursuant to direction from the EBCE Board of Directors. This letter will be distributed to the appropriate legislators.
- 3. EBCE Board-approved resolution**
  - EBCE staff will draft a staff report and resolution for consideration by the full EBCE 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. EBCE Board outreach**
  - EBCE staff will draft talking points and other relevant information for individual Board Members to personally contact appropriate legislators to advocate on behalf of EBCE.
- 5. Travel to Sacramento or Washington, D.C**
  - EBCE staff and/or Board Members may decide to advocate in person. Staff will coordinate with the appropriate lobbyists to organize meetings or attendance at other lobbying events.
- 6. Draft or Sponsor Specific Legislation**
  - EBCE staff and legislative advocates will work with EBCE's legislative representatives to articulate EBCE's stance on a policy and to ensure said stance is codified in statute.



**Staff Report Item 7**

**TO:** East Bay Community Energy Board of Directors, Executive Committee  
**FROM:** Deidre Sanders, Director of Government and Community Affairs  
**SUBJECT:** CAC Work Plan  
**DATE:** September 28, 2018

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**Recommendation**

Review the CAC workplan and either recommend its approval by the Board or return it to the CAC with the Executive Committees recommended revisions.

**Background and Discussion**

The CAC has proposed an update to its Work Plan as requested by the Board. The Work Plan is to help shape CAC priorities and set Board expectations of areas of focus for the CAC that will guide its advice to the Board on issues of interest to EBCE's communities.

**Fiscal Impact**

None.

**Attachments**

- A. CAC Draft Work Plan



Community Advisory Committee  
Work Plan

Draft:

August 21, 2018



## EBCE COMMUNITY ADVISORY COMMITTEE WORK PLAN

Adopted April 12, 2017

The purpose of the East Bay Community Energy Authority ("EBCE") Community Advisory Committee ("CAC") is to advise the EBCE Board of Directors ("Board") on all subjects related to the operation of the Community Choice Aggregation program pursuant to California Public Utilities Code Section 366.2 ("CCA Program") as provided in Section 4.9 of the EBCE Joint Powers Agreement and set forth in a work plan adopted by the Board of Directors from time to time<sup>1</sup>. The Work Plan of the CAC includes but is not limited to the following<sup>2</sup>:

1. Work on defined objectives as directed by the Board, to produce materials that will assist the Board in decision-making.
2. Review and comment on EBCE budget and rates, policy and programs.
3. Help the Board to identify issues of concern and opportunities to educate community members about the EBCE.
4. Draft reports, in coordination with EBCE staff, to the Board with its findings and recommendations.
5. Serve as an information-channel back to their colleagues and communities.
6. Represent the views of their constituencies in their comments and recommendations.

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<sup>1</sup> JPA language specific to the CAC included as Attachment 1.

<sup>2</sup> On April 12, 2017, the EBCE Board of Directors considered a CAC workplan created by EBCE staff. The video recording of their discussion and community input to the work plan is here: [Video of April 12, 2017 Board meeting](#) with the relevant CAC workplan discussion from 1:23 - 1:57 on the video.

Subsequent to the discussion and in Resolution EBCE R-2017-5, the EBCE Board of Directors approved the Community Advisory Committee Workplan above.

## PROPOSED AMENDMENT TO CAC WORKPLAN

The CAC proposes to add to the existing workplan and specify three broad areas of focus for CAC actions: 1) Beneficial Pillars: Social, Economic, and Environmental, 2) Local Opportunities, and 3) Legislation and Public Policy. These areas of focus do not limit the existing workplan or the advice provided by the CAC, including those areas proactively identified by the CAC to bring to the Board's attention. This amendment to the work plan enables EBCE staff to understand when the CAC should be brought in early to discussions, acts as a guide to assist the CAC chair and members to focus CAC meetings, and informs the Board on some of the specific areas in which they may receive advice from the CAC.

The CAC will view efforts through the lens of the three beneficial pillars--social, economic, and environmental--described in the Local Development Business Plan (LDBP) to ensure that the Board receive community input in the areas that drive EBCE. Specifically, the CAC will provide advice that touches on maintaining positive economic, environmental, and social benefits for EBCE customers and our communities, calling out areas of potential threats and bringing forward areas where these benefits could be increased.

The CAC will seek to be timely in providing advice to the Board on issues being brought to the Board by staff and proactively bring issues forward as they arise in the community.

### AREA 1: BENEFICIAL PILLARS

The CAC will provide advice on policy, programs, and projects touching on the three beneficial pillars in the LDBP (i.e., social, economic, and environmental benefits). The CAC expects to provide advice on the budgets, timing, and content of projects and programs, for example, net energy metering, that impact these beneficial pillars and to monitor their outcomes based on agreed metrics.

#### Social

EBCE seeks to promote social benefits and equity within the county. The CAC will advise on EBCE choices that affect lives within the community, especially regarding:

- **Jobs and job development, workforce training, Just Transition**
- **Community resiliency**
- **Social equity issues**

The CAC understands that improving the local workforce can have significant and long-lasting benefit for the communities within Alameda County. Further, EBCE committed to ensuring it will minimize adverse impacts to workers in existing jobs supporting our energy infrastructure to ensure a Just Transition to a clean energy economy.<sup>3</sup> The CAC expects to pay close attention to the impacts of projects and programs on community resilience and social equity, particularly in low-income communities and communities of color. The CAC will delve into areas that touch on the bulleted points to provide the Board with advice directly from the community.

#### Economic

EBCE must be economically sound and make prudent choices to be a good steward of their ratepayer funds. The CAC will weigh in on areas to provide EBCE staff and the Board with information to ensure the long-term health of EBCE while being mindful of any adverse community impacts.

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<sup>3</sup> Reference Joint Powers Agreement, section 6 (j).

The areas where the CAC expects to spend a significant level of effort include:

- **Rates**
- **Budgets**

Rates for low income households will be of special interest to the CAC because of the impacts that energy rates can have on those already struggling to live in Alameda County. Budgets are generally set once per year; the CAC will work with staff to create a draft budget incorporating community input. In its analysis of the budget, the CAC shall focus on investment in local clean energy projects, as described further in the Environmental section below, and the resulting economic, social, and environmental benefits.

### Environmental

EBCE strives to improve environmental and public health and address environmental and health justice impacts in the community. The CAC will advise on EBCE choices touching on the air, land, and water impacts and environmental resiliency.

The CAC believes that many of the environmental benefits discussed in the LDBP will derive from projects located within Alameda county. As described in the LDBP, these projects will include:

- **Distributed generation projects**
- **Energy Efficiency programs**
- **Demand Response programs**
- **Building Electrification projects / programs**
- **Electric Vehicle efforts**

As stated, the CAC expects to provide advice on the budgets, timing, and content of projects and programs, including those outlined in the LDBP, such as those described above (e.g., Social, Economic, and Environmental) and to monitor their outcomes based on agreed metrics.

## AREA 2: LOCAL OPPORTUNITIES

The CAC has a broad and deep set of constituents who are involved in many different areas and are aware of opportunities for local development and positive local impacts related to EBCE as well as possible threats to these areas. This area is different from Area 1 because here, the CAC is focused **outward and forward looking**.

For example, the Bay Area Air Quality Management District may have an opportunity for new funding for clean air projects or a local organization may be receiving state or federal funds and seeking partners to provide workforce training. On the other side of the coin, the CAC or their constituents may hear of a local clean energy business development that provides substandard jobs or employs no local community members.

As part of the CAC efforts, we will continuously scan for opportunities and threats related to EBCE and bring them to the Board for consideration.

## AREA 3: LEGISLATIVE / PUBLIC POLICY

The CAC expects to advise the Board around legislative and policy issues that affect CCAs.

Community members may be aware of legislation that could affect the EBCE (positively or negatively) in areas not fully considered by staff. As such, the CAC is a positive and useful avenue to bring this legislation to the attention of the Board consideration. Additionally, the CAC is ready to support EBCE Directors and staff as needed as they interact with the state and federal legislators and legislative staff.

## ATTACHMENT 1: EXCERPTS FROM JPA

The JPA in its entirety is located here: <https://ebce.org/resources/>

Below are the two excerpts relating directly to the CAC.

**4.2.2** The Board shall also include one non-voting ex officio member as defined in Section 1.1.13 ("Ex Officio Board Member"). The Chair of the Community Advisory Committee, as described in Section 4.9 below, shall serve as the Ex Officio Board Member. The Vice Chair of the Community Advisory Committee shall serve as an alternate Ex Officio Board Member when the regular Ex Officio Board Member is absent from a Board meeting.

**4.9 Community Advisory Committee.** The Board shall establish a Community Advisory Committee consisting of nine members, none of whom may be voting members of the Board. The function of the Community Advisory Committee shall be to advise the Board of Directors on all subjects related to the operation of the CCA Program as set forth in a work plan adopted by the Board of Directors from time to time, with the exception of personnel and to litigation decisions. The Community Advisory Committee is advisory only, and shall not have decision-making authority, or receive any delegation of authority from the Board of Directors. The Board shall publicize the opportunity to serve on the Community Advisory Committee, and shall appoint members of the Community Advisory Committee from those individuals expressing interest in serving, and who represent a diverse cross-section of interests, skill sets and geographic regions. Members of the Community Advisory Committee shall serve staggered four-year terms (the first term of three of the members shall be two years, four years thereafter), which may be renewed. A member of the Community Advisory Committee may be removed by the Board of Directors by majority vote. The Board of Directors shall determine whether the Community Advisory Committee members will receive a stipend and/or be entitled to reimbursement for expense.