



Board of Directors Meeting

Wednesday, December 16, 2020

5:00 pm

<https://us02web.zoom.us/j/87023071843>

Join by phone:

Dial (for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or +1 346 248 7799 or +1 253 215 8782 or +1 929 205 6099 or
+1 301 715 8592 or +1 312 626 6799 or 888 475 4499 (Toll Free) or 877 853 5257 (Toll Free)

Webinar ID: 870 2307 1843

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 cob@ebce.org.

If you have anything that you wish to be distributed to the Board, please email it to the clerk by 5:00 pm the day prior to the meeting.

1. Welcome & Roll Call

2. Pledge of Allegiance

3. 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 and must complete an electronic [speaker slip](#). The Board Chair may increase or decrease the time allotted to each speaker.

CONSENT AGENDA

4. Approval of Minutes from November 18, 2020

5. Contracts entered into (Informational Item)

6. Extension of Agreement with the Weideman Group for Legislative Advocacy and Advisory Services

Adopt a Resolution authorizing the CEO to negotiate and execute a second amendment to an agreement with Weideman Group to provide government relations representation services for the term of January 1, 2021 to December 31, 2021, with an additional amount not to exceed \$125,000.

REGULAR AGENDA

7. CEO Report

- A. Executive Committee Meeting;
- B. Overview of Formation of Multi-CCA Joint Powers Authority;
- C. Marketing and Account Services update;
- D. PCIA Process Update;
- E. Update on Opt-out; and
- F. Community Advisory Committee Application Period

8. Departing Board Member Recognition

9. Community Advisory Committee Report

10. Covid-19 Relief Grants (Action Item)

Authorize the CEO to negotiate and execute grant agreements to support Covid-19 response and relief in Alameda County and the City of Tracy with the following community-based organizations:

Children's Hospital Oakland: \$50,000 to support their Covid 19 relief fund that is providing financial support to efforts ranging from vaccine deployment, to distributing PPE to employees, patients and low-income families.

Alameda County Health System: \$50,000 to support their procurement of PPE for their frontline staff and support their social work departments efforts to provide critical resources to patients and their families.

Meals on Wheels Alameda County: \$50,000 to support their distribution of meals to seniors across the Alameda County.

Alameda County Foodbank: \$50,000 to support their procurement and distribution of food to low-income residents across the East Bay.

Washington Hospital (Fremont): \$15,000 to support their procurement of PPE for their frontline staff and support their social work departments efforts to provide critical resources to patients and their families.

St Rose's Hospital (Hayward): \$15,000 to support their procurement of PPE for their frontline staff and support their social work departments efforts to provide critical resources to patients and their families.

Axis Community Health (Livermore): \$15,000 to support their procurement of PPE for their frontline staff and support their social work departments efforts to provide critical resources to patients and their families.

To be determined food bank in Tracy selected in consultation with city: \$5,000 to support their procurement and distribution of food to residents in need.

11. JPA Member Election on Default Product at Enrollment and Other Considerations for New Community Enrollment (Action Item)

Adopt a Resolution directing staff to:

- A. Make the necessary arrangements to allow the default service for the City of Pleasanton to be the product requested through an adopted resolution by the City Council or set the City default product to Bright Choice if no resolution is passed by 1/19/21,
- B. Approve amendments to the Service Terms and Conditions, and
- C. Approve amendments to the Net Energy Metered (NEM) tariff.

12. Integrated Resource Plan Results (Action Item)

Establish a clean energy goal (percentage of clean energy) for 2030 as supported by EBCE's Integrated Resource Plan (IRP) analysis; adopt a Resolution approving the Board's clean energy goal.

13. Carbon Free Allocation 2021 (Action Item)

To accept the large hydroelectric generation from the Pacific Gas and Electric carbon free allocation for 2021 and discuss options for monetizing the nuclear generation.

14. Executive Committee Appointments

15. Board Member and Staff Announcements including requests to place items on future Board Agendas

16. Adjournment - to Date: Wednesday, January 20, 2020

Time: 5:00pm



Draft Minutes

Board of Directors Meeting

Wednesday, November 18, 2020

5:00 pm

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1. Welcome & Roll Call

Present: Directors: Haggerty (Alameda County), Pilch (Albany), Arreguin (Berkeley) Hernandez (Dublin), Mei (Fremont), Mendall (Hayward), Munro (Livermore), Hannon (Newark), Rood (Piedmont), Hernandez (San Leandro), Arriola (Tracy), Director Patino (Union City), Sutter (Community Advisory), Vice-chair Martinez (Emeryville), and Chair Kalb (Oakland)

Excused: Director Pentin (Pleasanton)

2. Pledge of Allegiance

3. Public Comment

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Aleta Dupree shared several electrification and storage ideas that EBCE should consider.

Blair Beekman spoke regarding San Jose local energy plans for 2021, sustainability, and public engagement.

Kelly Abru spoke regarding environmental impact reports of rural areas.

Jill ZamEk spoke in opposition of including Nuclear energy in EBCE power mix.

Jessica Tovar spoke in support of EBCE remaining nuclear free and the unanimous decision of Hayward city council for rejecting nuclear in its B100 power mix. J Tovar also spoke against the PCIA calling it the root cause of the financial concerns with CCAs.

Manav Patel requested EBCE to endorse the Bay area's version of the "Clean New Deal."

Jeremiah Pinguelo spoke against including nuclear energy in EBCE's power mix.

Ceyda Durmaz Dogan requested that the Board create a policy prohibiting the inclusion of nuclear energy in EBCE's power mix.

Jane Swanson resides near the Diablo Canyon facility and supported previous comments opposing nuclear energy.

CONSENT AGENDA

4. Approval of Minutes from October 21, 2020

5. Contracts entered into (Informational Item)

6. Second Amendment to the Maher Accountancy CSA

Authorize the CEO to sign the Second Amendment to the Maher Accountancy Contract Service Agreement (CSA) to extend the term of service through December 31, 2021 and increase the not to exceed contract limit by \$210,000.

R-2020-36

Director Arreguin motioned to approve the consent calendar. Director Pilch second the motion which carried 14/0 Excused: Director Pentin (Pleasanton)

REGULAR AGENDA

7. CEO REPORT

- A. Executive Committee Meeting;
- B. Finance, Administration and Procurement Subcommittee Meeting;
- C. Marketing, Regulatory and Legislative Subcommittee Meeting;
- D. Marketing and Account Services Update

The Board Discussed

- Data points presented
- Grant recipients
- Online survey

Kelly Abru suggested EBCE focus on generation and legislation to help increase cleaner energy.

8. Community Advisory Committee Report

Advisory Committee Chair Sutter spoke regarding the CAC metric initiative review with staff to document results of EBCE's stage 1 of the Local Development Plan, track values of LDBP listed metrics and describe how plan principals are being met.

9. Reserve Fund Allocations from 2019-2020 Fiscal Year Net Revenues (Action Item)

Adopt a Resolution to approve the proposed contributions to the reserve funds.

R-2020-37

The Board Discussed Increasing

- Fiscal responsibility
- Credit rating methodology

Aleta Dupree spoke in support of a strong reserve policy.

10. 2019 Power Source Disclosure Annual Report and Power Content Label (Action Item)

Adopt a Resolution to accept the 2019 Power Source Disclosure Program Annual Report (PSDR) and the 2019 Power Content Label (PCL).

Presented

R-2020-38

The Board Discussed Increasing

- Energy sources
- PG&E power content
- Bundled purchases

Aleta Dupree spoke regarding the EBCE power portfolio.

Mike Fredrich spoke regarding Renewable 100 and how energy is used in off hours.

Blair Beekman thanked previous speakers on their comments and spoke regarding sustainable ideas.

Director Marquez motioned to accept the 2019 Power Source Disclosure Annual Report and Power Content Label. Director Hernandez (Dublin) seconded the motion which carried 13/0; Excused: Directors Pentin and Haggerty

11. East Bay Community Energy 2019 Emissions Factor (Informational Item)

Receive a staff report on East Bay Community Energy's 2019 Bright Choice emissions factor.

Presented

12. Power Procurement Project Update (Informational Item)

Update on three renewable energy projects:

- A. Clearway - Rosamond Central Solar Energy Project;
- B. Alameda Summit Wind Farm (Alameda County); and
- C. Mulqueeney Wind Project (Alameda County).

Presented

Vaugh Wolfe spoke regarding energy storage concerns.

13. Brilliant 100 Options (Action Item)

Decide to change the Brilliant 100 consumer electricity product in one of following way:

- A. Close Brilliant 100 effective February 1, 2021. All current Brilliant 100 customers would be defaulted onto Bright Choice unless the city council/Board of Supervisors have affirmatively voted to default these customers onto another product, or
- B. Set Brilliant 100 cost above PG&E - with specific premium brought to Board of Directors in December 2020. All current Brilliant 100 customers would see these new costs effective February 1, 2021. Under this option Brilliant 100 would continue to be available to all EBCE customers, or
- C. Maintain Brilliant 100 cost at parity with PG&E for 2021, but close Brilliant 100 effective January 1, 2022.

The Board Discussed

- Member city municipal account options
- Potential to create a muni only product
- Transition from product
- Increasing GHG free and renewable content

Barbara Stebbins spoke regarding previous critique of the B100 product due to current concerns with mix, subsidizing product to support city climate action plans.

Aleta Dupree spoke against subsidizing product and suggesting more renewables be added to the grid.

Glenn Kirby spoke regarding concerns with customer rate sensitivity, energy market and suggested ways to subsidize current product.

Jessica Tovar spoke in support of subsidizing municipal accounts what wanted to continue to use B100 products subsidy for cities that wanted to continue using B100

Cynthia Landry spoke regarding SEIU resolution to oppose nuclear energy in EBCE's portfolio, in support of option C, cities who want to choose option A, and subsidizing current muni customers.

Director Arreguin motioned to approve option C - Maintain Brilliant 100 cost at parity with PG&E for 2021, but close Brilliant 100 effective January 1, 2022. Director Hernandez (Dublin) seconded the motion.

Vice-Chair Martinez requested a friendly amendment to not enroll new customers with the exception of new communities Newark, Pleasanton and Tracy.

Motion maker and seconder accepted the amendment

Director Arreguin motioned to approve option C - Maintain Brilliant 100 cost at parity with PG&E for 2021, allow enrollment of new communities, Newark, Pleasanton, and Tracy, but close Brilliant 100 effective January 1, 2022. Director Hernandez (Dublin) seconded the motion which carried 12/0; Abstained: Chair Kalb; Excused: Directors Haggerty and Pentin

14. Aramis RA Solar & Storage Contract Approval (Action Item)

Adopt a Resolution authorizing the CEO to execute a 10-year local Resource Adequacy purchase from a 100MW Alameda County Solar and Storage Project (“Aramis Project”) with Intersect as the developer.

The Aramis project is expected to begin to provide local Greater Bay Area Resource Adequacy to EBCE starting in April 2024 through December 2033 for a period of 10 years. The quantity will range from 14MW to 23MW and average approximately 20MW.

R-2020-39

Director Haggerty recused himself from this item and dropped off the call.

Director Munro motioned to adopt a resolution authorizing the CEO to execute a 10-year local Resource Adequacy purchase from a 100MW Alameda County Solar and Storage Project (“Aramis Project”) with Intersect. Vice-Chair Martinez seconded the motion which carried 12/0; Abstained: Pilch; Excused: Directors Haggerty and Pentin.

30 members of the public spoke in support or opposition of the project citing the following benefits and concerns:

- Land use concerns
- Environmental Impact Report (EIR) results
- Union Labor support
- Local generation project
- Lack of engagement with consulting agencies
- Livestock concerns
- Increase in renewable content
- Local job creation
- Other projects by the developer and ownership changes
- Workforce training
- Decarbonization
- Environmental groups supporting project
- Project site design and enhancements

15. Board Member and Staff Announcements including requests to place items on future Board Agendas

Chair Kalb acknowledged upcoming Board changes.

Director Pilch spoke regarding his time as an EBCE Director, thanked the Board and Staff for the experience and requested an EBCE branded mask.

16. Adjourned



Consent Item 5

TO: East Bay Community Energy Board of Directors
FROM: Nick Chaset, Chief Executive Officer
SUBJECT: Contracts Entered Into
DATE: December 8, 2020

RECOMMENDATION

Accept the CEO's report on contracts that EBCE has entered, as required by the Administrative Procurement Policy.

Items executed between November 10, 2020 and December 8, 2020;

C-2020-200 Senior Support of the Tri Valley (Pleasanton) Grant awarded in the amount of \$10,000 to support the coordination and management of a food delivery programs, supporting mental health counseling, providing housing referrals to seniors transitioning to senior housing, in response to the COVID-19 pandemic.

C-2020-201 Braun Blasing Smith Wynne (San Francisco) adds \$10,000 to the not to exceed for a total of \$20,000 through June 30, 2021. Removes SGIP and Microgrids from the scope of services.

C-2020-202 Orrick, Herrington & Sutcliffe, SVCE (San Francisco) Consulting Services Agreement for providing bond and tax services to EBCE & SVCE in connection with a proposed issuance of tax exempt bonds to fund a long term supply of clean energy, not to exceed \$400,000 through November 12, 2023.

C-2020-203 Bay Area Air Quality Management District (San Francisco) Amendment No. 2 to Grant No. 2018.284 extends the term to February 28, 2022, and subsequently amends the payment schedule of grant funds to EBCE.

C-2020-204 City of Fremont Reach Code Assistance Grant Agreement, EBCE will pay \$10,000 as the City has adopted a Reach Code.

C-2020-205 Keyes and Fox (Oakland) First Amendment to CSA, updating hourly rates of compensation for 2021.

C-2020-206 Keyes and Fox (Oakland) Joint Representation Agreement between EBCE, MCE, Peninsula Clean Energy, Pioneer Community Energy, Silicon Valley Clean Energy, CleanPower SF, Sonoma Clean Power, San Jose Clean Energy, & Valley Clean Energy Alliance, for PG&E's 2021 ERRR Forecast Application

C-2020-207 Maher Accountancy (San Rafael) Second Amendment to the CSA adds \$210,000 to the NTE for accounting services the 2021 calendar year, for a total amount NTE \$509,000.



Consent Item 6

TO: East Bay Community Energy Board of Directors

FROM: Melissa Brandt, Senior Director of Public Policy and Deputy General Counsel

SUBJECT: Extension of Agreement with the Weideman Group for Legislative Advocacy and Advisory Services

DATE: December 16, 2020

Recommendation

Adopt a Resolution authorizing the CEO to negotiate and execute a second amendment to an agreement with Weideman Group to provide government relations representation services for the term of January 1, 2021 to December 31, 2021, with an additional amount not to exceed \$125,000.

Background and Discussion

On January 17, 2018, the Board approved selection of Weideman Group to provide legislative advocacy and advisory services to East Bay Community Energy (EBCE) throughout 2018. On January 16, 2019, the Board approved extending Weideman Group's services by entering into a new one-year agreement with Weideman Group. On January 22, 2020, the Board approved extending Weideman Group's services by one year by entering into an amendment to the agreement with Weideman Group. Weideman Group has represented EBCE with legislators and their staff in Sacramento, in close coordination with the Public Policy Department and in accordance with the Board's adopted positions on legislative bills.

Weideman Group has over 30 years of experience representing entities seeking to navigate California's complex policymaking landscape. Mark Weideman, Principal and Founder will continue to serve as EBCE's chief lobbyist and strategist. Weideman Group professionals have represented both public and private entities in energy and utility matters before the California Legislature, the Governor's Office, the California Energy Commission, the California Public Utilities Commission, the California Environmental Protection Agency, and the California Air Resources Board, among others. Weideman Group also has strong relationships with elected officials, especially the Bay Area delegation.

In 2020, Weideman Group facilitated countless meetings in Sacramento, in-district, and remotely, and supported EBCE in developing relationships with legislators and their staffs, as well as administration officials and other key strategic partners. Weideman Group lobbied on

behalf of EBCE on key bills such as AB 56 (E.Garcia), AB 1839 (Bonta), AB 3014 (Muratsuchi), SB 350 (Hertzberg), SB 774 (Stern), and SB 1240 (Skinner), among others.

EBCE seeks continued assistance from Weideman Group for legislative advocacy and advisory services in 2021, both to represent EBCE's views on bills in the new legislative cycle as well as to provide legislative advocacy and advice around any bills that EBCE may choose to sponsor.

As EBCE entered into a new Consulting Services Agreement with Weideman Group in 2019 as extended in 2020, staff recommends authorizing the CEO to further extend the previous agreement with Weideman Group with an additional \$125,000 for the duration of 2021.

Fiscal Impact

This contract will result in an additional not to exceed \$125,000 spend in calendar year 2021. Legislative Advocacy and Advisory Services are included in the current fiscal year budget at this level.

Attachments

- A. Resolution Authorizing the CEO to execute a consulting services agreement extension with Weideman Group
- B. Second Amendment to the Consulting Services Agreement

RESOLUTION NO. R-2020-X

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE EAST BAY COMMUNITY ENERGY AUTHORITY AUTHORIZING THE CEO TO EXECUTE A SECOND AMENDMENT TO THE CONSULTING SERVICES AGREEMENT WITH WEIDEMAN GROUP, INC.

THE BOARD OF DIRECTORS OF THE EAST BAY COMMUNITY ENERGY AUTHORITY DOES HEREBY FIND, RESOLVE AND ORDER AS FOLLOWS:

WHEREAS, The East Bay Community Energy Authority (“EBCE”) was formed on December 1, 2016, under the Joint Exercise of Power Act, California Government Code sections 6500 *et seq.*, among the County of Alameda, and the Cities of Albany, Berkeley, Castro Valley, Dublin, Emeryville, Fremont, Hayward, Livermore, Oakland, San Leandro, and Union City, to study, promote, develop, conduct, operate, and manage energy and energy-related climate change programs in all the member jurisdictions. The cities of Newark and Pleasanton, located in Alameda County, along with the City of Tracy, located in San Joaquin County, were added as members of EBCE and parties to the JPA in March of 2020.

WHEREAS, On January 17, 2018, the Board approved the selection of Weideman Group to provide legislative advocacy and advisory services to East Bay Community Energy through December 31, 2018.

WHEREAS, On January 16, 2019, the Board approved extending Weideman Group’s services by entering into a new one-year Consulting Services Agreement with Weideman Group. On January 22, 2020 the Board approved extending Weideman Group’s services through December 31, 2020.

WHEREAS, Legislative Advocacy and Advisory Services are included in the current fiscal year budget at \$125,000.

WHEREAS, In 2019 and 2020, Weideman Group facilitated countless meetings in Sacramento and in-district, and supported EBCE in developing relationships with legislators and their staffs, as well as administration officials and other key strategic partners. In 2021, EBCE would benefit from continued assistance from Weideman Group for legislative advocacy and advisory services, both to represent EBCE’s views on bills in the new legislative cycle as well as to provide legislative advocacy and advice around any bills that EBCE may choose to sponsor.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE EAST BAY COMMUNITY ENERGY AUTHORITY DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The Board of Directors hereby authorizes the CEO to negotiate and execute a Second Amendment to the Consulting Services Agreement with Weideman Group to increase the not-to-exceed amount by \$125,000 for a total amount not to exceed \$375,000 and to extend the term through December 31, 2021.

ADOPTED AND APPROVED this 16th day of December, 2020.

Dan Kalb, Chair

ATTEST:

Stephanie Cabrera, Clerk of the Board

**Second Amendment to the Consulting Services Agreement
for Services by and Between East Bay Community Energy Authority and
Weideman Group, Inc.**

This Second Amendment to the Agreement with Weideman Group, Inc. for Consulting Services (“Second Amendment”) is made this 1st day of January, 2021, by and between the East Bay Community Energy Authority, a Joint Powers Agency formed under the laws of the State of California (“EBCE”) and Weideman Group, Inc., a California corporation (“Weideman Group”), for the purposes of adding additional compensation and extending the termination date.

Recitals

- A. EBCE and Weideman Group entered into that certain Consulting Services Agreement dated January 1, 2019 (“Agreement”), wherein Weideman Group agreed to provide government relations representation services to EBCE, with compensation not to exceed \$125,000 through December 31, 2019.
- B. EBCE and Weideman Group entered into that certain First Amendment to the Agreement dated January 1, 2020 to extend the term through December 31, 2020 and to increase the not-to-exceed amount by \$125,000 for a total maximum compensation of \$250,000.
- C. EBCE and Weideman Group now desire to further amend the Agreement to add additional compensation and to extend the term.

Now therefore, for good and valuable consideration, the amount and sufficiency of which is hereby acknowledged, the Parties agree as follows:

- 1. Section 2 of the Agreement (“Term”) is amended to extend the term of the Agreement through December 31, 2021.
- 2. Section 6.1 of the Agreement is amended in part to increase the total compensation of the Agreement by \$125,000 for a total amount not to exceed three hundred seventy five thousand dollars (\$375,000).
- 3. All other terms and conditions in the Agreement not otherwise modified by this Amendment will remain in full force and effect.

In witness whereof, the Parties have entered into this Second Amendment on the date written above.

East Bay Community Energy Authority,
A Joint Powers Authority

Weideman Group, Inc.,
A California corporation

Nick Chaset
Chief Executive Officer

Mark Weideman
Chief Executive Officer and Secretary

Date: _____

Date: _____

Approved as to form:

EBCE General Counsel



Staff Report Item 7

TO: East Bay Community Energy Board of Directors
FROM: Nick Chaset, Chief Executive Officer
SUBJECT: CEO Report (Informational Item)
DATE: December 16, 2020

Recommendation

Accept Chief Executive Officer (CEO) report on update items below.

Executive Committee Meeting

A Special Executive Committee Meeting was held on Friday December 4, 2020 at 12 pm. Members received an update on the legislative program, as well as a presentation on EBCE's ability to sell the nuclear energy from the 2021 Pacific Gas and Electric carbon free allocation. The next meeting is scheduled for Friday January 22, 2021 at 12 pm.

Finance, Administration, and Procurement Subcommittee Meeting

The Finance, Administrative, and Procurement Subcommittee December meeting was canceled. Meetings will resume in 2021.

Marketing Regulatory and Legislative Subcommittee Meeting

The Marketing, Regulatory and Legislative Subcommittee did not meet in the month of December. Meetings will resume in 2021.

New Staff

Marilen Taylor, Senior HR Business Partner

Marilen Taylor joined EBCE as Sr HR Business Partner. She is assigned to develop, support and partner with different business units within EBCE in delivering organizational programs and initiatives to meet EBCE's strategic business objectives. In her 20+ years working in Human Resources, she has a demonstrated history of working in the renewables and environment industry.

She is a strong Human Resources professional skilled in Operations Management, Program Development, Change Management, Organizational Development, Management Advisor and Process Improvements. Before EBCE, she worked at companies that developed Public Safety Software, Solar Panel Manufacturing, Solar Tracking System and Consumer Loan for clean energy projects.

Noah Cordoba, Energy Efficiency and Electrification Fellow

Noah assists in the design and implementation of energy efficiency and building electrification programs for the EBCE community. His focus is on programs that reduce individual costs, conserve energy, and maximize the efficient use of renewable energy resources while providing benefit to the community.

Noah joins EBCE as a fellow through the Climate Corps program. Prior to being with EBCE, Noah interned with The Conservation Foundation, a small environmental non-profit outside of Chicago. Noah holds a B.S. in Psychology from North Central College.

Overview of Formation of Multi-CCA Joint Powers Authority

Over the course of the last months, a group of CCAs, including EBCE, have been working to develop a framework to support the creation of a new Joint Power Authority to support the ability of multiple CCAs to jointly procure energy products and services on a scale that individual members most likely will not be able to achieve on their own.

The proposed JPA Agreement creates a new public agency called California Community Power or CC Power for short. Its initial members will all be CCA's and if the agreement is approved by their Boards of Directors, the initial members will be SVCE, 3CE, MCE, EBCE, PCE, SCP, SFCleanPower, San Jose Clean Energy and Redwood Coast Energy Authority. The JPA Agreement provides that the CC Power Board of Directors may adopt a policy establishing the criteria for other public agencies that are not CCA's to become members with the approval of the Board.

The purpose of CC Power is to acquire energy, capacity, storage or other energy products on a scale that the individual members most likely will not be able to achieve individually. The first proposed project will pursue entering into one or more long-duration storage contracts, which is something that EBCE has not decided to participate in. This will be a procurement and project based public agency, rather than policy making agency. The agreement states that "CC Power is not intended to be a policy-maker or advocate, though it may, from time to time, advance or support public policies in support of its purpose that do not conflict with interests or policies advanced by any Member."

The liability firewall of the JPA structure will apply here. As a member, EBC will not be liable for the debts, liabilities or obligations of CC Power. However, EBCE will take on legal obligations with respect to each project it decides to join. These projects must be approved by the EBCE Board of Directors by way of a project agreement. The project agreement will define the legal obligations of the parties to it. Therefore, the EBC Board will have the opportunity to fully consider the benefits, obligations and risks of each project that EBCE may want to join.

The JPA Agreement provides that CC Power will be governed by a Board of Directors with each member having one director and one vote. The director will be the CEO or General Manager (or their designee) of the Member. The manner of selecting the director is a policy question. In the preparation of the proposed JPA Agreement, the CEO's and General Counsels decided to propose that the directors be administrative staff of the members due to the very technical nature of this JPA which is project rather than policy oriented. It is relevant to this choice that the CC Power Board will not be able to commit Members to any obligations other than the annual payment for administrative costs of the JPA. Also, it was felt that continuity on the Board is important due to the fact that the project agreements will be long-term obligations and having directors with a long-term knowledge base is important with respect to

decision-making on this Board. It is more likely that staff members on the Board will have greater tenure with their agency than elected officials.

The only costs imposed by the JPA Agreement on the members are the administrative costs of CC Power which do not include any project costs. All project related costs, including costs of consultants, will be allocated to the projects and the project participants. Administrative costs will be paid on an equal share basis by the members unless the Board decides by a two-thirds vote to provide for a different method of cost sharing. Project cost sharing will be determined by each project agreement and may take into account several factors such as the level of participation and credit strength of the project participants.

The JPA Agreement makes it easy for a member to withdraw from CC Power. The process simply involves notice of withdrawal by the member and the satisfaction of any outstanding obligations to CC Power by it. As long as there are no outstanding obligations, the CC Power Board is required to approve the withdrawal. For EBCE, there should be no outstanding obligations to CC Power itself as any such obligations would require EBCE Board approval. However, if EBCE enters into any project agreements, it will remain bound to the project agreement even if it withdraws from CC Power. The project agreement will define the manner in which project participants may withdraw from the project and at what cost.

By entering in the CC Power JPA Agreement, EBCE will have the opportunity but not the obligation to participate in energy projects that most likely will not be otherwise available to it as an individual CCA. The costs of entry are not substantial as the staffing of this JPA will be limited with most staffing and operating costs allocated to individual projects that will be paid by project participants. EBCE will only incur significant financial obligations if it later decides to join specific CC Power projects.

Marketing and Account Services Update

As noted in last month's report, the Power Content Label (PCL) mailer was sent in early November to any customer that received EBCE service in 2019. Nearly 135,000 PCL postcards were mailed. Below are the statistics on those sent via email:

- Sent = 315,868
- Delivered = 304,674
- Unique Opens (Rate) = 95,851 (31.5%)
- Unique Clicks (Rate) = 5,057 (1.7%)

PCIA Process Update

Presentation attached

Community Advisory Committee Application Period

EBCE is pleased to announce the opening of the 2020-2021 Community Advisory Committee application period. The application period will be open from 12/16/20 - 2/15/21. Applicants can find materials at <https://ebce.org/who-we-are>. Applicants who need special assistance or a disability-related modification or accommodation to participate and wish to request an alternative format for the application materials should contact Stephanie Cabrera at 510-736-4981 or by email at communityadvisory@ebce.org.

An email was sent to Board members requesting support for member outreach in your jurisdictions. Information on the interview process will be sent to Board members midway

through the application period. We are currently seeking to fill 5 vacant and 10 alternate service area seats, prioritizing the appointment of representatives from Tracy and underrepresented East and South county service areas. In addition to geographical diversity, we strongly encourage members of underrepresented communities to apply.



Regulatory - The PCIA Process

December 16 2020



The Power Charge Indifference Adjustment (PCIA)

Portfolio cost minus portfolio value equals a PCIA revenue requirement (the “indifference amount”).



The indifference amount is then converted to a \$/kwh rate. That’s the PCIA rate.

How the PCIA Rate Impacts EBCE's Generation Rates

- EBCE rates are keyed to PG&E retail rates.
- To maintain the value proposition, EBCE's generation rate + PCIA has to be less than the comparable PG&E generation rate
- All else equal, if PCIA goes up, EBCE generation rates have to go down to satisfy the value proposition

The CPUC Oversees PG&E's PCIA Rate

There are four key CPUC proceedings re PCIA:

- PCIA Rulemaking (R.17-06-026)
- 2019 PG&E Energy Resource Recovery Account (ERRA) compliance (A.20-02-009)
- 2021 PG&E ERRA forecast (A.20-07-002)
- 2020 PG&E PCIA Undercollection Balancing Account (PUBA) trigger(A.20-09-014)

PCIA Rulemaking

Establishes PCIA policy across all utilities

Active topics are:

- Allocation of the PG&E portfolio (“Working Group 3”)
- Changes to customer bills (“Working Group 1”)

2019 ERRA Compliance

Backwards look at 2019 ERRA costs

- Settlement provides for various accounting fixes; transparency (agreement to provide master data request responses with future applications); compliance with bundled procurement plan.
- Still in dispute are Unsold RPS (PG&E is collaterally attacking the last forecast case decision); vintaging of renegotiated contracts
- Awaiting PD on both settlement and disputed issues; likely Q1.

2021 ERRA Forecast

Sets PCIA and PG&E generation rates for next year

- Filed by PG&E in June
- Proposed PG&E/CCA settlement includes various accounting fixes and PG&E's agreement to provide master data request responses with future applications
- Still in dispute are GT-SR rate; DAC-GT CCA budgeting; 2019-20 ERRA refund mechanism

2020 PUBA Trigger

Mechanism for paying down the undercollection the cap causes

- The “cap” just defers full collection of 2020 PCIA, it does not actually reduce CCA customers’ PCIA obligations.
- Proposed settlement would eliminate the cap and pay off the 2020 undercollection balance over 3 years.
- The alternative to the settlement is to keep the cap, pay off the 2020 balance in 1 year, and have another undercollection balance build up, to be addressed later.

Upcoming Events

New rates may be in place 1/1/21

- A proposed decision on 2021 ERRRA Forecast and 2020 PUBA Trigger issued 12/4. It adopts a continuation of the cap and a one-year paydown of the 2020 PUBA balance.
- The CPUC is set to vote on 2021 PCIA rates at its 12/17 meeting.



Staff Report Item 10

TO: East Bay Community Energy Board of Directors
FROM: Nick Chaset, Chief Executive Officer
SUBJECT: Covid19 Relief Grants (Action Item)
DATE: December 16, 2020

Recommendation

Authorize the CEO to negotiate and execute grant agreements to support Covid19 response and relief in Alameda County and the City of Tracy with the following community based organizations:

Children's Hospital Oakland: \$50,000 to support their Covid 19 relief fund that is providing financial support to efforts ranging from vaccine deployment, to distributing PPE to employees, patients and low-income families.

Alameda County Health System: \$50,000 to support their procurement of PPE for their frontline staff and support their social work departments efforts to provide critical resources to patients and their families.

Meals on Wheels Alameda County: \$50,000 to support their distribution of meals to seniors across the Alameda County.

Alameda County Foodbank: \$50,000 to support their procurement and distribution of food to low-income residents across the East Bay.

Washington Hospital (Fremont): \$15,000 to support their procurement of PPE for their frontline staff and support their social work departments efforts to provide critical resources to patients and their families.

St Rose's Hospital (Hayward): \$15,000 to support their procurement of PPE for their frontline staff and support their social work departments efforts to provide critical resources to patients and their families.

Axis Community Health (Livermore): \$15,000 to support their procurement of PPE for their frontline staff and support their social work departments efforts to provide critical resources to patients and their families.

To be determined food bank in Tracy selected in consultation with city: \$5,000 to support their procurement and distribution of food to residents in need.

Background

Over the course of 2020, East Bay Community Energy has, with the help of our energy partners and customers, has raised over \$2,000,000 to support a wide variety of community-based organizations, local governments, and medical institutions in their Covid19 relief efforts - from buying PPE for frontline workers, to helping our food banks keep their shelves filled with food for those with the most need.

As the year comes to a close, staff has been evaluating what opportunities EBCE might have to allocate another tranche of funds to Covid19 relief. Through this process, a total of \$250,000 - split roughly equally - was identified within the marketing budget and the local development budget that staff does not expect to spend or earmark this fiscal year. The marketing funds come from lower than expected mailing costs associated with EBCE's transition to using email to send out the joint rate mailer and the power content label. The local development funds that EBCE does not expect to use are associated a commercial energy efficiency program where implementation is facing some delays associated with external partners.

With these funds identified as potentially available for another round of Covid19 grants, EBCE staff evaluated the organizations that EBCE has provided grants to throughout 2020. Based on this review EBCE staff developed the above list of recommended potential grantees that operate a broad scale across Alameda County and are directly focused on Covid19 response efforts. As part of this effort, EBCE staff is also working to secure matching grants from EBCE partners and customers in an effort to raise an additional \$250,000 for these critical organizations. To date, EBCE has received commitments for \$25,000 of matching grants.



Staff Report Item 11

TO: East Bay Community Energy Board of Directors

FROM: Annie Henderson, VP Marketing and Account Services

SUBJECT: JPA Member Election on Default Product at Enrollment and other considerations for new community enrollment (Action Item)

DATE: December 16, 2020

Recommendation

Adopt a Resolution directing staff to:

- A. Make the necessary arrangements to allow the default service for the City of Pleasanton to be the product requested through an adopted resolution by the City Council or set the City default product to Bright Choice if no resolution is passed by 1/19/21,
- B. Approve amendments to the Service Terms and Conditions, and
- C. Approve amendments to the Net Energy Metered (NEM) tariff.

Background

In 2018, the EBCE Board of Directors three product services for customers within EBCE territory: a default service called *Bright Choice* offered currently at a 1% discount to the PG&E generation rate, a second service called *Brilliant 100* that is 100% carbon-free and currently offered at the same cost as the PG&E generation rate, and the third service called *Renewable 100* that is 100% renewable energy and currently offered at a premium of an additional \$0.01/kWh.

At the time of the original mass enrollment of customers in June and November of 2018, three member jurisdictions selected products other than *Bright Choice* to be the default service. The Board approved these changes to the default enrollment product as part of its sole authority to set rates.

At this time, EBCE is expanding service to three new members: Newark, Pleasanton, and Tracy. The City of Pleasanton is considering passing a Resolution requesting the EBCE Board of Directors to enroll customers within its jurisdiction in a product other than *Bright Choice* as the default option.

Staff requests that the Board approve the following Resolution that grants staff authority to implement the default product for the City of Pleasanton pending the City Council decision on 1/19/21. If the City Council is unable to vote on their default product by the 1/19/21 council

meeting, EBCE staff will need to set their default product to *Bright Choice* in order to meet all required compliance and operational deadline for an April 1, 2021 launch of service.

Below are key milestones in the lead up to new customer enrollment in Newark, Pleasanton, and Tracy:

Month	Activity
December	EBCE Board approves products for new communities' default service
January	<ul style="list-style-type: none"> • Notice design and customer mailing lists finalized • Outreach to customers begins • Operational systems set up to support new customer service options (opt up/down/out)
February	<ul style="list-style-type: none"> • First notice mailed to new customers in compliance with 60-day notification requirement • Operational systems open to new customers to make changes to service
March	Second notice mailed to new customers
April	<ul style="list-style-type: none"> • Third notice mailed to new customers • Service launched
May	<ul style="list-style-type: none"> • Fourth notice mailed to new customers • First customer bill with EBCE charges

Analysis & Discussion

Enrolling customers directly into a product other than *Bright Choice* requires the following changes to the standard process. EBCE staff is prepared to execute on these items in order to implement the decision of the City Council and EBCE Board of Directors.

- The Service Terms and Conditions must be updated to reflect the product differences in certain jurisdictions.
- Customer notifications will be revised to reflect the default product at enrollment for their specific jurisdiction.
- The EBCE website and select marketing collateral will include information about the default product specific to each jurisdiction.
- The SMUD call center will be trained on the specific default product for each jurisdiction.
- EBCE staff will follow-up with any strategic commercial accounts within the identified jurisdictions to update the customer on the enrollment process and facilitate opt down to *Bright Choice* if cost savings is critical to that business.
- The Interactive Voice Response (IVR) system, web forms, and Customer Relationship Management (CRM) system implemented by SMUD will reflect the specific default product by jurisdiction, verify if a customer is enrolled on specific default service, and provide an option for the customer to opt down, up, or out through the automated system.

EBCE is working closely with SMUD to make certain operational systems reflect the requested default product for each jurisdiction. It requires approximately four (4) weeks to implement and test all systems. In order to accommodate a 1/19/21 Pleasanton city council decision, staff has directed SMUD to preemptively begin work in early January. The systems must be functional on 2/1/21, which is the start of the 60-day period prior to the beginning of

enrollment on 4/1/21, during which customers must be able to opt out or change their service.

As part of new customer enrollment, any Net Energy Metered (NEM) customers, such as a rooftop solar customer, must be set up in accordance with our NEM tariff. The tariff applies differently to “existing” NEM customers (system installed at time of enrollment) versus “new” NEM customers (system installed after enrollment). In order to support the proper enrollment of customers within the new member jurisdictions, EBCE staff has revised and updated the NEM tariff to reflect that “existing” NEM customers in the new member jurisdictions are defined as customers with systems installed prior to April 1, 2021.

Financial Impact

SMUD will charge EBCE approximately \$20,000 to facilitate these deviations in the default product from *Bright Choice* and to reinstate Brilliant 100 as an available product option in the new communities. This amount will come from the budget for Data Manager in the approved budget for Fiscal Year 2020/2021, originally \$300,000. There remains sufficient budget to cover this cost.

Attachments

- A. Resolution
- B. Amended Service Terms and Conditions
- C. Amended NEM Tariff

RESOLUTION NO. ____

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE EAST BAY COMMUNITY ENERGY
AUTHORITY
DIRECTING STAFF TO MAKE NECESSARY ARRANGEMENTS TO SET THE DEFAULT SERVICE
FOR ENROLLMENT IN PLEASANTON TO THE PRODUCT
SELECTED BY THE PLEASANTON CITY COUNCIL AT ITS 1/19/21 CITY COUNCIL MEETING,
AND APPROVING AMENDMENTS TO THE SERVICE TERMS AND CONDITIONS AND NEM TARIFF**

WHEREAS, the East Bay Community Energy Authority (“EBCE”) was formed on December 1, 2016, under the Joint Exercise of Power Act, California Government Code sections 6500 *et seq.*, among the County of Alameda, and the Cities of Albany, Berkeley, Castro Valley, Dublin, Emeryville, Fremont, Hayward, Livermore, Oakland, San Leandro, and Union City, to study, promote, develop, conduct, operate, and manage energy and energy-related climate change programs in all the member jurisdictions. The cities of Newark and Pleasanton, located in Alameda County, along with the City of Tracy, located in San Joaquin County, were added as members of EBCE and parties to the JPA in March of 2020.

WHEREAS, in 2018, the Board of Directors approved three product offerings—a default product called Bright Choice offered at a discounted price, a product called Brilliant 100 that is 100% carbon-free at price parity with PG&E rates, and a 100% renewable energy product called Renewable 100 offered at a premium cost.

WHEREAS, the City Council of the City of Pleasanton plans to consider adopting a Resolution requesting that the EBCE Board of Directors set the default service for the City to a product other than Bright Choice at its January 19, 2021 City Council meeting.

WHEREAS, the Board of Directors desires to accommodate the City of Pleasanton and its choice of a default product.

WHEREAS, changing the default product service requires a number of adjustments to, among other things, the Service Terms and Conditions, NEM Tariff, customer notification, marketing materials, call center preparations and training, and enrollment forms.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE EAST BAY COMMUNITY ENERGY AUTHORITY DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The Board of Directors hereby directs the EBCE Chief Executive Officer or his designee to take any and all necessary actions to allow for the default product in the City of Pleasanton to be whichever product is requested in the local Resolution that will be adopted by the City Council on January 19, 2021, with an option for customers in the City to opt down to Bright Choice.

Section 2. The Board of Directors hereby directs staff to set the default product for the City of Pleasanton as Bright Choice if the City Council does not adopt a Resolution requesting a different default product by its January 19, 2021 meeting.

Section 3. The Board of Directors hereby approves the amended Service Terms and Conditions, attached hereto as Exhibit A, to replace the version approved on March 21, 2018 and subsequently revised to match policies adopted by the Board. The Board of Directors further authorizes the Chief Executive Officer or his designee to make such changes to the

Service Terms and Conditions as may be necessary to reflect the City of Pleasanton's selection of a default product.

Section 4. The Board of Directors hereby approves the amended NEM Tariff, attached hereto as Exhibit B, to replace the version approved on June 19, 2019.

ADOPTED AND APPROVED this 16th_day of December, 2020.

Dan Kalb, Chair

ATTEST:

Stephanie Cabrera, Clerk of the Board

Service Terms and Conditions

Enrollment and Service Options

East Bay Community Energy (EBCE) is the default electric provider serving Alameda County (except the City of Alameda) and the city of Tracy.

Bright Choice

Most accounts within EBCE's coverage area are automatically enrolled in EBCE's Bright Choice service, which is powered by at least 5% more renewable energy than Pacific Gas and Electric's (PG&E) power content forecast each year and offered at a 1% discount to the corresponding PG&E rate. Customers may request to opt up or opt out and return to PG&E bundled service at any time, subject to the opt out guidelines described below. Bright Choice electric generation rates are set below PG&E electric generation rates, inclusive of utility exit fees. More information about rates can be found at ebce.org/rates.

Brilliant 100

Brilliant 100 is EBCE's 100% carbon-free service, offered at the same cost as the corresponding PG&E rate inclusive of utility exit fees. Brilliant 100 customers may choose to opt down to the standard Bright Choice service or opt up to Renewable 100 service. Changes in a service option are effective as of the customer's next billing cycle. As of June 2020, Brilliant 100 is no longer accepting new enrollments except in the cities of Newark, Pleasanton, and Tracy. Brilliant 100 service is scheduled to close to all customers in January 2022.

Renewable 100

Customers have the option to opt up to EBCE's 100% renewable energy service, Renewable 100, offered at \$0.01/kWh above the PG&E rate inclusive of utility exit fees. Renewable 100 customers may choose to opt down at no cost. Changes in a service option are effective as of the customer's next billing cycle.

Default Service by Jurisdiction, Customer Class, and Program Participation

In an effort to support sustainability goals, certain cities have chosen to enroll customers in their jurisdictions in different services based on customer class and program participation, as indicated in the table below. Customers are free to change their service option at any time, which will become effective as of the customer's next billing cycle.

Default Enrollment Service

Jurisdiction	Commercial Customers	Residential Customers	Customers on CARE, FERA, Medical Baseline
Albany	Brilliant 100*	Brilliant 100*	Brilliant 100*
Hayward	Brilliant 100*	Brilliant 100*	Bright Choice
Piedmont	Bright Choice	Renewable 100	Brilliant 100
Pleasanton	[per Council action]	[per Council action]	[per Council action]
All other jurisdictions**	Bright Choice	Bright Choice	Bright Choice

*Brilliant 100 product was the default until August 1, 2020, when the default was changed to Bright Choice

**Berkeley, Dublin, Emeryville, Fremont, Livermore, Newark, Oakland, San Leandro, Tracy, Union City, and County of Alameda

Rates, Fees and Programs

EBCE's electric generation rates are managed to provide greener electricity to our community at competitive rates. Any future rate changes will be adopted at duly noticed public meetings of the EBCE Board. You can view EBCE rates online at ebce.org/rates, or call 1-833-699-EBCE (1-833-699-3223) for more information. Rates and cost comparisons may change over time.

As an EBCE customer, PG&E charges you a monthly Power Charge Indifference Adjustment (PCIA) and Franchise Fee Surcharge. EBCE has accounted for these additional exit fees and charges in its rate setting process. Please contact PG&E for more information about these charges.

Financial assistance programs including CARE (California Alternate Rates for Energy), FERA (Family Electric Rate Assistance), and Medical Baseline Allowance remain the same with EBCE. If you are enrolled in any of these programs with PG&E, they continue to apply to you as an EBCE customer.

Billing

As an EBCE customer, you continue to receive a single monthly bill from PG&E that includes all electricity-related charges, including EBCE's electric generation charges. EBCE generation charges are not duplicate or extra fees. You make a single monthly payment to PG&E, and PG&E forwards your payments for electric generation to EBCE. PG&E continues 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 electric generation service at any time by calling 1-833-699-EBCE (1-833-699-3223) or by completing the opt-out form at ebce.org/optout. You will need your PG&E account information to begin the opt-out process.

There is no fee to opt out before enrollment or in the first 60 days of receiving EBCE service. If you opt out 60 or more days after EBCE service begins, you will be charged a one-time termination fee of \$5 per residential account or \$25 per commercial account. These fees are waived for customers in Newark, Pleasanton, and Tracy until April 2022. All customers are also subject to PG&E's terms and conditions of service, which prohibit you from returning to EBCE for a full year after your opt-out date.

If returning to PG&E generation service after receiving EBCE service for more than 60 days, PG&E requires that you choose one of the following options:

Option 1: Return to PG&E generation service at the end of the current billing cycle. You will be billed at PG&E's transitional rates for a six-month period, and PG&E's standard bundled electricity rates thereafter.

Option 2: Give six month's advance notice of your intent to return to PG&E generation service. At the end of the six-month notice period, you will be returned to PG&E service and billed PG&E's standard bundled electricity rates.

Accounts of customers who have requested to opt out will be transferred on the next day their electric meter is read. Accounts cannot be transferred in the middle of a billing cycle. Your opt out request must be received at least 5 business days prior to your meter read date in order to switch service to PG&E before your next billing cycle begins. All other opt out requests will be processed on the subsequent meter read date. If you opt out or otherwise stop receiving service from EBCE, you will be charged for all EBCE electricity used before ending EBCE electric service.

Failure to Pay

If you fail to pay your bill, EBCE may transfer your account to PG&E upon 30 days' written notice for commercial customers and 60 days' written notice for residential customers. If your account is transferred, you will be required to pay the opt out fees described above. This provision is suspended until at least January 20, 2021.

Customer Confidentiality

EBCE is committed to protecting customer privacy. EBCE's policy on customer confidentiality can be found at ebce.org/confidentiality or by calling 1-833-699-EBCE (1-833-699-3223).

ELECTRIC SCHEDULE NEM - NET ENERGY METERING SERVICE

APPLICABILITY: This net energy metering (NEM) schedule is applicable to a customer who uses an eligible Renewable Electrical Generation Facility, as defined in PG&E’s Electric Schedule NEM

(<http://www.pge.com/tariffs>), within the capacity limits described in PG&E’s Electric Schedule NEM that is located on the customer’s owned, leased, or rented premises, is interconnected and operates in parallel with PG&E’s transmission and distribution systems, and is intended primarily to offset part or all of the customer’s own electrical requirements (hereinafter “eligible customer generator” or customer”).

This rate schedule is available on a first-come, first-served basis to customers that provide PG&E with a completed PG&E NEM Application and comply with all PG&E NEM requirements as described in PG&E

Electric Schedule NEM. This includes customers served by NEMV (Virtual Net Energy Metering), NEMVMASH (Virtual Net Energy Metering for Multifamily Affordable Housing), NEMA (NEM Aggregation) and Multiple Tariff facilities as described by PG&E Electric Schedule NEM.

DEFINITIONS:

Original Jurisdictions: Cities of Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Oakland, Piedmont, San Leandro, Union City and the unincorporated area of Alameda County

2021 Expansion Jurisdictions: Cities of Newark, Pleasanton, and Tracy

Customer definition by date of NEM system installation and location:

	Original Jurisdictions	2021 Expansion Jurisdictions
Existing NEM Customer	Prior to 6/1/18	Prior to 4/1/21
New NEM Customer	After 6/1/18	After 4/1/21
New Low Income and Municipal Customers	After 6/1/18	After 4/1/21

TERRITORY: The entire EBCE service area.

RATES: All rates charged under this schedule will be in accordance with the eligible customer generator’s otherwise-applicable EBCE rate schedule (OAS), which includes their rate schedule and EBCE service level (i.e. Bright Choice, Brilliant 100, or Renewable 100). An eligible customer-generator served under this schedule is responsible for all charges from its OAS including monthly minimum charges, customer charges, meter charges, facilities charges, demand charges and surcharges, and all other charges owed to EBCE or PG&E. Charges for energy (kWh) supplied by EBCE, will be based on the net metered usage in accordance with this tariff.

BILLING: Customers with NEM service will be billed as follows:

- a) For a customer with Non-Time of Use (TOU) Rates:
Any net consumption or production shall be valued monthly as follows:

If the eligible customer-generator is a "Net Consumer," having overall positive usage over a billing cycle, the eligible customer-generator will be billed in accordance with the eligible customer-generator's OAS.

If the eligible customer-generator is a "Net Generator," having overall negative usage over a billing cycle, any net energy production shall be valued at the OAS plus any additional incentive payment as applicable (e.g. for new installations at low income or municipal accounts). The calculated value of any net energy production shall be credited to EBCE customers as described in Section (c).

b) For a customer with TOU Rates:

If the eligible customer-generator is a Net Consumer (as defined above) during any discrete TOU period, the net kWh consumed during such period shall be billed in accordance with applicable TOU period-specific rates/charges, as described in the eligible customer-generator's OAS.

If the eligible customer-generator is a Net Generator (as defined above) during any discrete TOU

period, the net kWh produced during such period shall be valued in consideration of the applicable TOU period-specific rates/charges, as described in the eligible customer-generator's OAS, plus any additional incentive payment as applicable (e.g. for new installations at low income or municipal accounts). The calculated value of any net energy production during a specific TOU period shall be credited to EBCE customers as described in Section (c).

c) Monthly Settlement of EBCE Charges/Credits:

NEM customers will receive a statement in their monthly PG&E bills indicating any accrued charges for their usage during the current billing cycle. Customers who have accrued credits during previous billing cycles will see these credits applied against current charges. Any remaining balance is due and must be paid during each monthly billing cycle.

When a customer's net energy production results in a net bill credit over a billing cycle, the value of any net energy production during the billing cycle shall be noted on the customer's bill and carried over as a bill credit for use in subsequent billing period(s).

Monthly settlements are valued as follows based on customer definition:

Customer Type	Bill Credit per kWh
Existing NEM Customer	Retail*
New NEM Customer	Retail
New Low Income and Municipal Customers	Retail + \$0.01

**Equivalent to the generation rate you are charged for power received from EBCE*

d) EBCE Annual Cash-Out:

During the April billing cycle of each year, all current EBCE NEM customers with a cash-out credit balance of more than \$100 will be offered a direct payment by check for this balance. Any cash-out credit balance will be determined as of the final date of the customer's March-April billing Cycle (i.e. the first bill period ending on or after April 1). Customers who participate in the EBCE Cash-Out or transfer process will have an equivalent credit removed from their NEM account balance at the time of check issuance or transfer. In the event that

customer’s credit balance is less than \$100, such credits will continue to be tracked by EBCE and will remain on the customer’s account for future use (i.e., reduction of future EBCE charges).

Customers who close their electric account through PG&E or move outside of the EBCE service area prior to the April billing cycle of each year are also eligible for the annual EBCE Cash-Out process.

Annually in May, EBCE will review the financial outcomes of Existing NEM Customers that have 1) made payment to EBCE in the prior 12 months and 2) held a positive balance in April. EBCE will assess whether these accounts would have had better financial outcomes on PG&E service, and if so, issue a credit or check for the difference. This applies to all rates schedules and service levels.

Annual cash-out credits are valued as follows:

Customer Type	Annual Payout Credit per kWh
Existing NEM Customers	PG&E Net Surplus Compensation (NSC)
New NEM Customers	The greater of retail capped at \$2,500 or the PG&E NSC
New Low Income and Municipal Customers	Retail + \$0.01

**Equivalent to the generation rate you are charged for power received from EBCE*

e) Return to PG&E Bundled Service:

EBCE customers with NEM service may opt out and return to PG&E bundled service at any time. Customers should be advised that PG&E will perform a true-up of their account at the time of return to PG&E bundled service, and that PG&E’s standard terms for transitional rates apply to customer returns with less than a six-month advance notice if they have been an EBCE customer for 60 days or more.

If an EBCE NEM customer opts out of the EBCE program and returns to PG&E bundled service, EBCE will cash-out any remaining generation credits on the account (using the approach detailed in section d above) and mail a check to the billing address.

f) PG&E NEM Services:

EBCE NEM customers are subject to the conditions and billing procedures of PG&E for their non-generation services, as described in PG&E’s Electric Schedule NEM and related PG&E tariff options addressing NEM service. Customers should be advised that while EBCE settles out balances for generation on a monthly basis, PG&E will continue to assess charges for delivery, transmission and other services. Most NEM customers will receive an annual true-up from PG&E (on their NEM anniversary with PG&E) for these non-generation services. Customers are encouraged to review PG&E’s most up-to-date NEM tariffs, which are available from PG&E.

g) Aggregated NEM

Per the California Public Utilities Code Section 2827(h)(4)(B), aggregated NEM customers are “permanently ineligible to receive net surplus electricity compensation.” Therefore, any excess accrued credits over the course of a year under an aggregated NEM account are ineligible for EBCE’s annual Cash-Out as described in section (d). All other NEM rules apply to aggregated NEM accounts.



Staff Report Item 12

TO: East Bay Community Energy Board of Directors

FROM: Stefanie Tanenhaus, Principal Regulatory Analyst, Public Policy

SUBJECT: Integrated Resource Plan Results (Action Item)

DATE: December 16, 2020

Recommendation

Establish a clean energy goal (percentage of clean energy) for 2030 as supported by EBCE's Integrated Resource Plan (IRP) analysis; adopt a Resolution approving the Board's clean energy goal.

Background and Discussion

The IRP is a long-term planning proceeding intending to evaluate all of the CPUC's electric procurement policies and programs and the reliability and cost-effectiveness of the CPUC-jurisdictional entities'¹ electric supply with the goal of reducing the cost of achieving GHG reductions and other CPUC policy goals. The IRP proceeding looks 10 years forward to determine the least-cost resource mix required to meet these goals while maintaining system reliability.

The IRP also evaluates the contribution of individual entities' resource portfolios to the State's greenhouse gas (GHG) emissions. This IRP cycle, the CPUC required each entity to submit distinct portfolios that achieve their proportional share of two different statewide electric sector GHG targets. On September 1, 2020, EBCE submitted IRPs that provide the desired portfolios of resources based on a statewide electric sector goal of 46 million metric tons (MMT) and a maximum of 38 MMT of GHG emissions by 2030. In July, these portfolios were shared with the Community Advisory Committee and the Board. At that time, the Board also authorized the CEO to approve the final IRP reports and file the two compliance portfolios with the CPUC.

The CPUC permitted entities to submit an alternative portfolio that used different assumptions, provided they were identified and justification for the discrepancies described. EBCE elected not to file an alternative portfolio and instead has focused its efforts on analysis

¹ In context of IRP requirements, includes Investor Owned Utilities (IOUs), Energy Service Providers (ESPs), and Community Choice Aggregators (CCAs).

to develop a portfolio of resources that will contribute to more aggressive GHG emission reductions and organizational goal-setting related to achieving those reductions.

This supplemental analysis includes evaluating a 30 MMT scenario, which corresponds to the lowest statewide electric sector goal that the CPUC has explored. In addition, EBCE quantified the costs of procuring additional GHG-free energy to offset the emissions associated with market purchases. Under this scenario, EBCE would be “net GHG-free”, that is over the course of the year the amount of clean energy generated from our portfolio and purchased through short-term transactions would equal EBCE’s load.

Discussion

EBCE evaluated a range of four different GHG targets for its complete IRP analysis. The GHG targets selected were informed by the three primary state-wide electric sector GHG targets that the CPUC explored in its system-wide IRP modeling- 46 MMT, 38 MMT and 30 MMT. 30 MMT corresponds to the low end of the GHG planning target range for the electric sector established by the California Air Resource Board (CARB). CARB, in coordination with the CPUC and CEC, determined a range of 30-53 MMT by 2030 was required by the electric sector for the state to meet its economy-wide GHG reduction goals of 40% below 1990 levels by 2030. The fourth scenario represents a net 0 MMT target.

Methodology

EBCE’s 46 MMT and 38 MMT compliance scenarios were based on the CPUC’s system-level resource portfolios. The 46 MMT and 38 MMT compliance portfolios submitted to the CPUC in September 2020 were updated to reflect current EBCE preferences and to allow for direct comparison with the lower GHG scenarios examined. For the development of the long-term resource portfolio, EBCE relied on its consultant Ascend Analytics’ modeling tools to provide an optimized build-out of resources over time. The portfolio selection was subject to a constraint on the over-all amount of energy provided by long-term contracts to align with EBCE’s procurement and risk management strategies. The remaining energy needed to meet EBCE’s load is filled with short-term transactions. EBCE’s short-term transactions are assumed to be made up of RPS and carbon-free purchases from existing resources. Short-term carbon-free transactions are assumed to provide up to 10% of load on an annual basis. Short-term RPS transactions are assumed to provide the remaining GHG-free energy required to meet GHG targets of 1.22, 0.98, 0.73 MMT, which correspond to EBCE’s load-weighted share of statewide electric sector targets of 46, 38 and 30 MMT, respectively. Any remaining energy need is assumed to be filled with short-term brown power purchases, which have emissions associated. As the annual GHG target decreases however, the amount of these purchases is reduced. By 2030, approximately 20% of EBCE’s load can be met with brown purchases in order to meet a 0.73 MMT GHG target.

After creating the portfolio, Ascend performed production cost modeling to simulate the hourly performance and evaluate the estimated range of incremental costs required to achieve the 46 MMT, 38 MMT, 30 MMT and a net 0 MMT portfolio by purchasing additional carbon-free energy.

Results of Analysis

Using the approach described herein, EBCE developed a resource portfolio to achieve a range of emissions targets. A summary of results follows; additional details and visual aids are included as Attachment 1, “IRP Results and Recommendation” PowerPoint.

- Resource Mix
 - Total long-term contracted nameplate capacity 3,488 MW by 2030, including 1,600 MW of energy storage (590 MW paired with solar). New renewable resources (primarily solar) make up 1,220 MW. Remaining need is met by short-term contracts with existing resources and market purchases.
- Risk Management associated with Portfolios
 - Long-term contracts provide 62% of EBCE's total energy need, or around 4,800 GWh in 2030.²
 - EBCE staff intends to enter into Short Term Contracts in the form of fixed-price energy transactions to fill a portion of its un-hedged position to ensure EBCE is not overly relying on the CAISO system, providing negative contribution to system reliability and as a means of insurance, to protect its customers from volatility in Spot Market prices. It is assumed short-term RPS and carbon-free purchases are used to meet EBCE's GHG target. Under a 30 MMT target, approximately 20% of EBCE's energy purchases come from the spot market by 2030. Under a net 0 MMT target, all short-term brown power purchases are offset by incremental short-term RPS and carbon-free purchases.
- Reliability of Portfolios
 - Resource Adequacy: The long-term contracts anticipated in this portfolio represent sufficient capacity to meet around 70% of EBCE's RA obligations. Additional RA procurement will be necessary for each year from 2021 to 2030 to fulfill the remaining need.
 - Market exposure: While forecasted market exposure decreases over time, EBCE's portfolio is designed such that there will be some amount of market power purchased to serve load in the majority of hours. By 2030, the number of market exposure hours are accounted for is 6,374 hours per year. However, the volume of market purchases provides a better measure of the degree of market exposure. In 2030 when short-term purchases are accounted for, the average position of EBCE's portfolio over all hours compared to load is around 8% (34% without short-term transactions). During the evening, when market prices tend to be highest, the average portfolio position over all hours compared to load is 1% (19% without short-term transactions).
- Costs³
 - The estimated total portfolio cost of providing 64% of EBCE's energy needs with clean⁴ generation, which corresponds to EBCE's share of the CPUC-adopted reference target of 46 MMT, for the period of 2021 through 2030 is approximately \$3.6 billion. The estimated total portfolio cost of achieving the 46 MMT scenario in 2030 is approximately \$608 million.
 - The estimated incremental cost of achieving 80% clean by 2030 (which corresponds to EBCE's share of a 30 MMT statewide target) relative to 64% clean is approximately \$34 million in 2030 (NPV of \$88 million from 2021-2030).

² Note that since the last Board presentation on this item on 10/21/20, staff has updated the load forecast used in the analysis to better align with current forecasts. The percent of EBCE's total energy need covered by long-term contracts and market exposure hours have therefore also been updated.

³ Costs are in real 2020\$.

⁴ "Clean" refers to carbon free energy from renewable, hydro or other non-emitting resources

- The estimated incremental cost of achieving 100% clean by 2030 relative to 64% clean is approximately \$85 million in 2030 (NPV of \$220 million from 2021-2030).

Staff presented a summary of these results at the December 4, 2020 Special Executive Committee Meeting. The Executive Committee unanimously supported the adoption of a net 0 MMT by 2030 goal. EBCE staff encourages maintaining optionality under any target and refreshing assumptions and revisiting the trade-offs related to EBCE's emissions trajectory on a regular basis in the coming years.

Financial Impacts

The financial impact depends on the GHG goal selected, the strategy to achieve it and a number of other factors. As described above, the estimated incremental cost of achieving 80% clean by 2030 relative to 64% clean (which corresponds to the CPUC-adopted reference target of 46 MMT) is approximately \$34 million in 2030 (NPV of \$88 million from 2021-2030) and the estimated incremental cost of achieving 100% clean by 2030 relative to 64% clean is approximately \$85 million in 2030 (NPV of \$220 million from 2021-2030). However, there is considerable uncertainty related to the assumptions around future resource costs, market prices, and the costs of incremental RECs and carbon free attributes. Actual procurement authorization will be brought forth to the Board in accordance with EBCE's risk management policies.

Next Steps

The analysis may inform procurement criteria and decisions in EBCE's current renewable solicitation and future solicitations. The clean energy goal will help guide EBCE's future procurement decisions.

Attachments

- A. Resolution
- B. IRP Results and Recommendation PPT

RESOLUTION NO. ____

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE EAST BAY COMMUNITY ENERGY AUTHORITY APPROVING A 2030 CLEAN ENERGY
GOAL

WHEREAS The East Bay Community Energy Authority (“EBCE”) was formed as a community choice aggregation agency (“CCA”) on December 1, 2016, Under the Joint Exercise of Power Act, California Government Code sections 6500 *et seq.*, among the County of Alameda, and the Cities of Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Piedmont, Oakland, San Leandro, and Union City to study, promote, develop, conduct, operate, and manage energy-related climate change programs in all of the member jurisdictions. The cities of Newark and Pleasanton, located in Alameda County, along with the City of Tracy, located in San Joaquin County, were added as members of EBCE and parties to the JPA in March of 2020.

WHEREAS EBCE filed its 2020 Integrated Resource Plan (IRP) with the California Public Utilities Commission (CPUC) on September 1, 2020, as required by Decisions 18-02-018, 19-11-016 and 20-03-028; and

WHEREAS EBCE staff worked with Ascend Analytics to perform analysis and develop IRP portfolios to meet the CPUC’s requirements; and

WHEREAS EBCE staff and Ascend Analytics further examined the costs and trade-offs of additional IRP portfolios to meet a range of greenhouse gas emissions targets; and

WHEREAS EBCE staff presented the results of the additional IRP analysis performed by Ascend Analytics and EBCE staff to the Executive Committee on December 4, 2020 and the Executive Committee unanimously supported a net 0 MMT by 2030 goal.

WHEREAS EBCE staff has presented the results of the additional IRP analysis and the trade-offs and limitations surrounding the different emissions scenarios to the Board.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE EAST BAY COMMUNITY ENERGY AUTHORITY DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The Board hereby approves a clean energy goal of XX% by the year 2030, as discussed and voted on at this Board meeting.

ADOPTED AND APPROVED this 16th day of December, 2020.

Dan Kalb, Chair

ATTEST:

Stephanie Cabrera, Clerk of the Board



Integrated Resource Plan Results

PRESENTED BY: Stefanie Tanenhaus

DATE: December 16, 2020



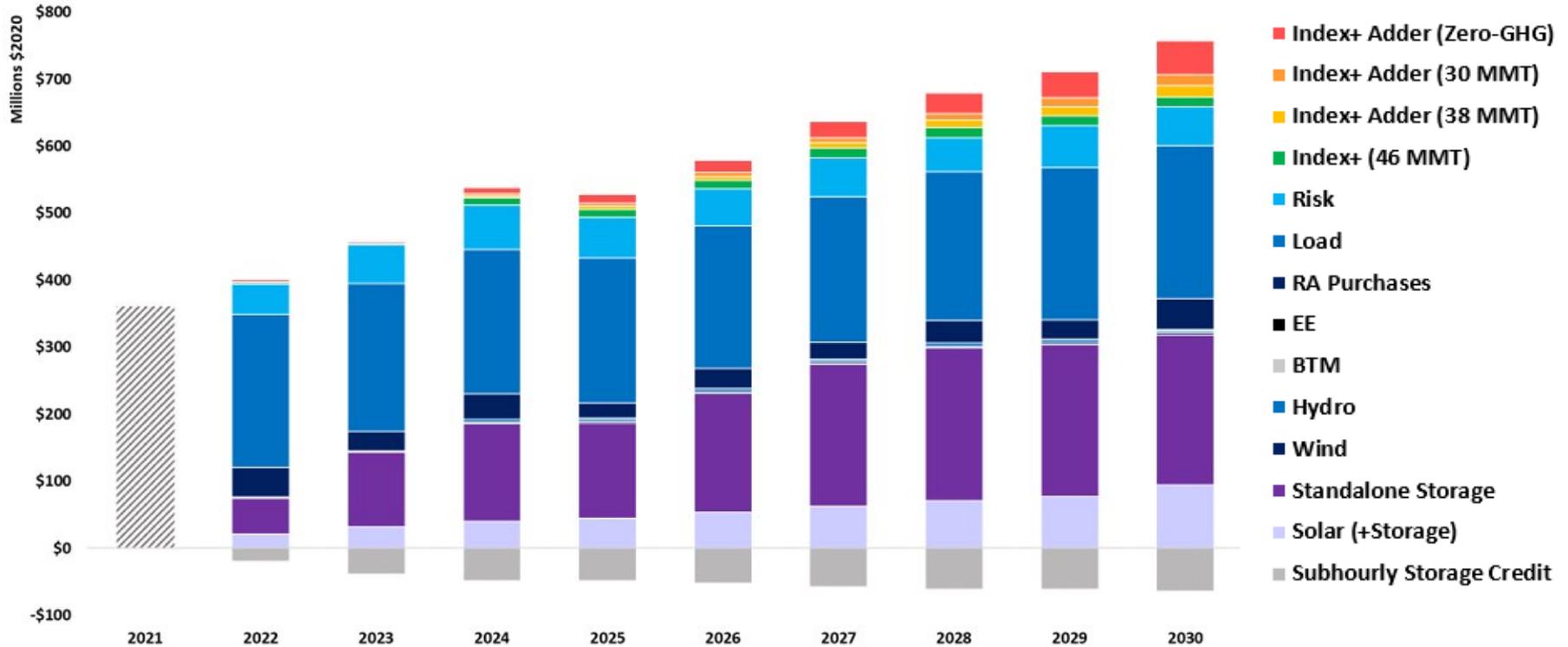
Agenda

- Summary of IRP Scenario Results
- Scenario Comparison
- Discussion of Clean Energy Goal

Summary of Scenario Results

Key Evaluation Metrics	Scenario 1: EBCE 46 MMT i.e. 1.22 MMT	Scenario 2: EBCE 38 MMT i.e. 0.98 MMT	Scenario 3: EBCE 30 MMT i.e. 0.73 MMT	Scenario 4: EBCE net 0 MMT
Carbon Free (by 2030)	64%	72%	80%	100%
Affordability (2030 cost in 2020\$)	\$608 MM (2020\$)	+3% (+\$17 MM)	+6% (+\$34 MM)	+14% (+\$85 MM)
Resource Mix (2030) (incl. New build vs existing)	1.2 GW new RE PPAs (includes 100 MW BTM S+S) 1.5 GW/ 6 GWh new energy storage 100 MW existing NW hydro			
Risk Mgmt: Short-term vs Long-term Contracts	62% long-term in 2030 (~50% by 2025; ~55% avg. 2021-2030), remaining short-term			
Reliability	~70% of RA need met by long-term portfolio			

Total Portfolio Costs



2030 Clean Energy Goal

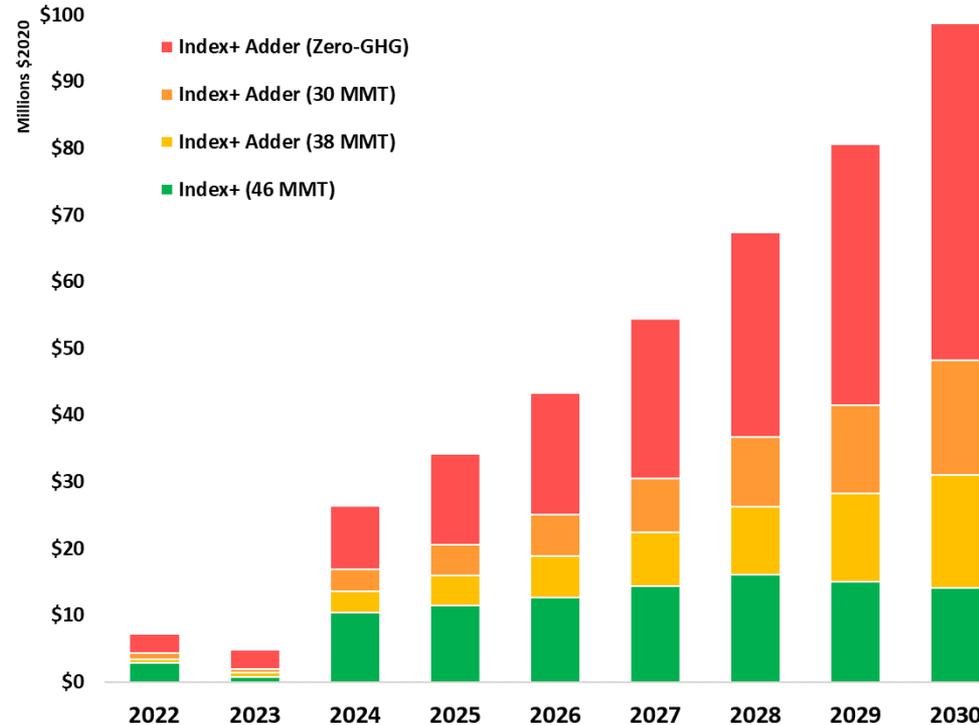
- Under all GHG scenarios evaluated, EBCE's long-term portfolio is the same
- Short-term transactions fill the remaining balance to meet load
 - The make-up of short-term transactions determines the emissions amounts associated with EBCE's portfolio
- At forecasted loads, achieving 80% clean energy is consistent with EBCE's proportional share of a 30 MMT statewide electric sector target
- Achieving 100% clean energy on a net annual basis requires incremental short-term purchases of carbon free energy, primarily in the late 2020s
- Trade-offs between achieving higher percent clean and other environmental, programmatic and community-oriented goals
- Goal will be revisited to maintain optionality and protect against EBCE's exposure to uncertainty around costs of achieving GHG reductions

APPENDIX



GHG Trajectory Cost Comparison

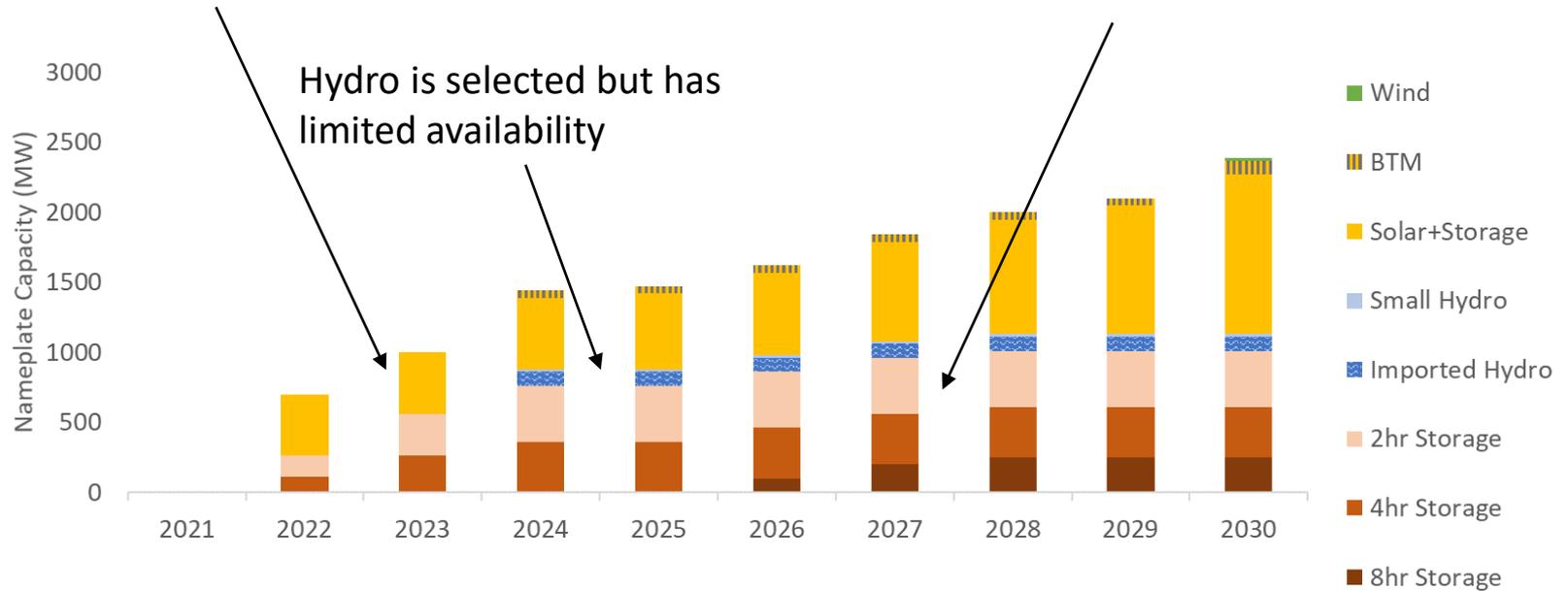
- Incremental short-term clean energy procurement costs increase as GHG target becomes more stringent
- Assumes maximum short-term carbon free purchases of 10% of load, remaining short-term RPS purchases



Resource Build (new)

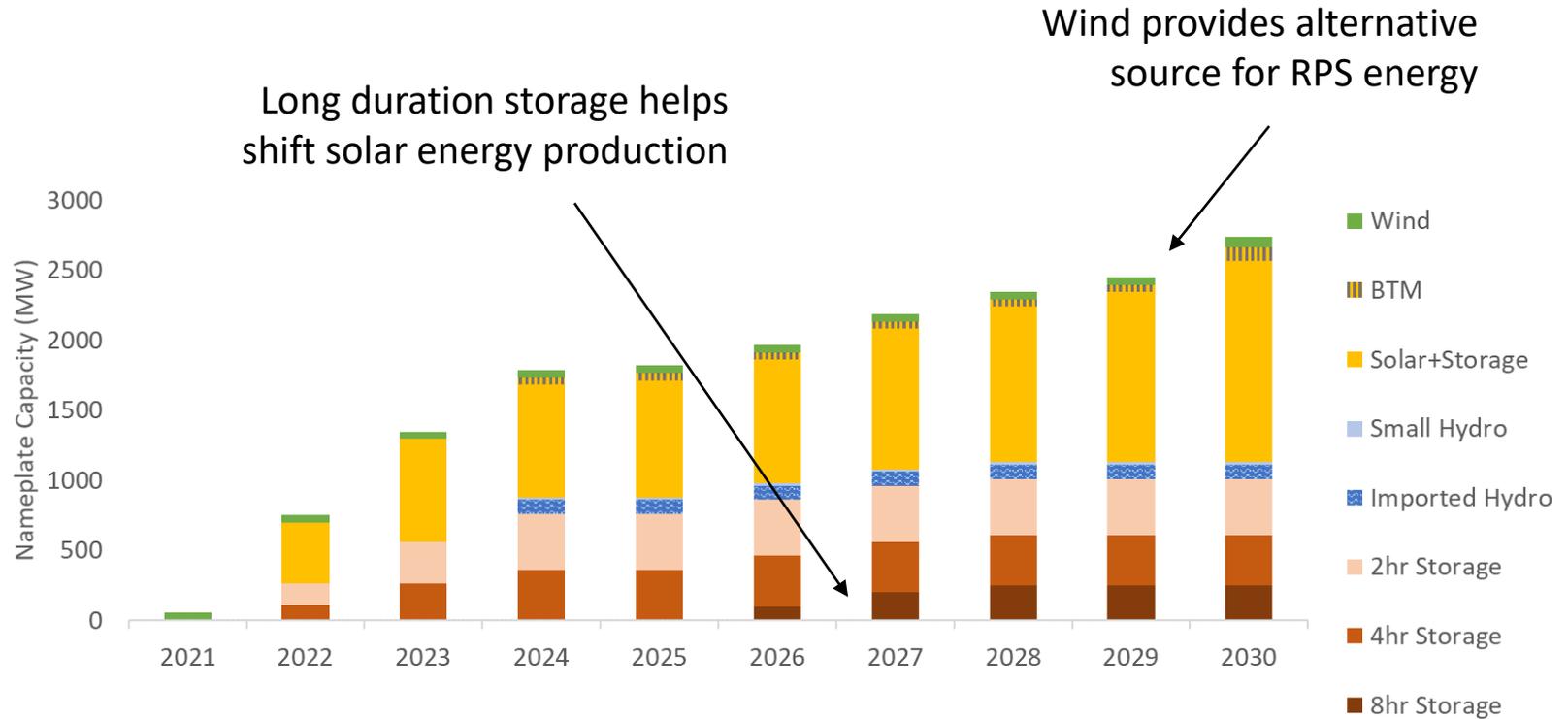
Solar + storage provides economical energy paired with RA value

Stand-alone storage provides RA and energy arbitrage value



Solar + storage shown as solar nameplate capacity. Storage assumed to be 40% of solar nameplate

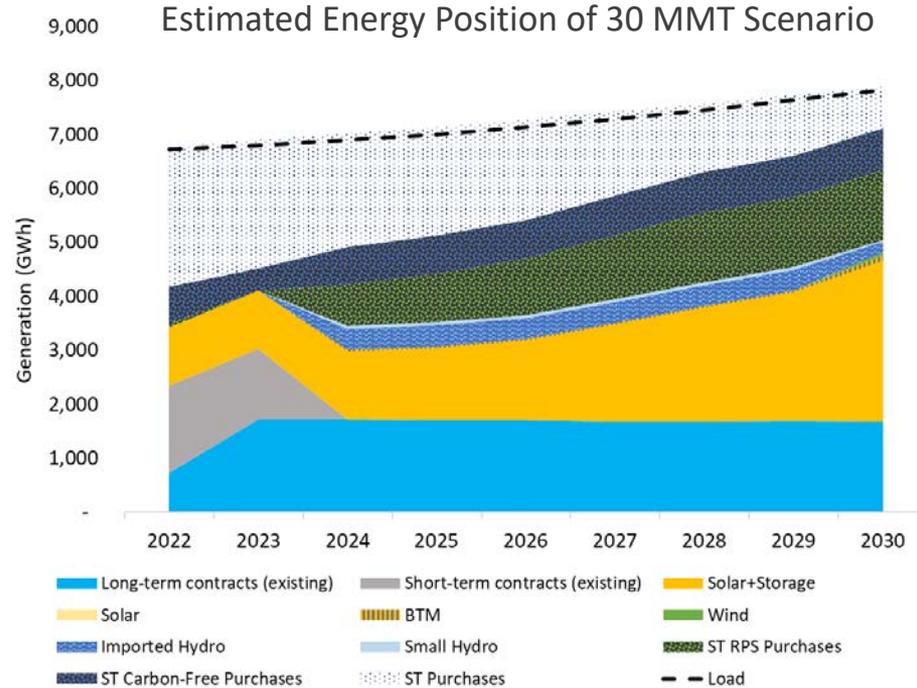
Resource Build (total)



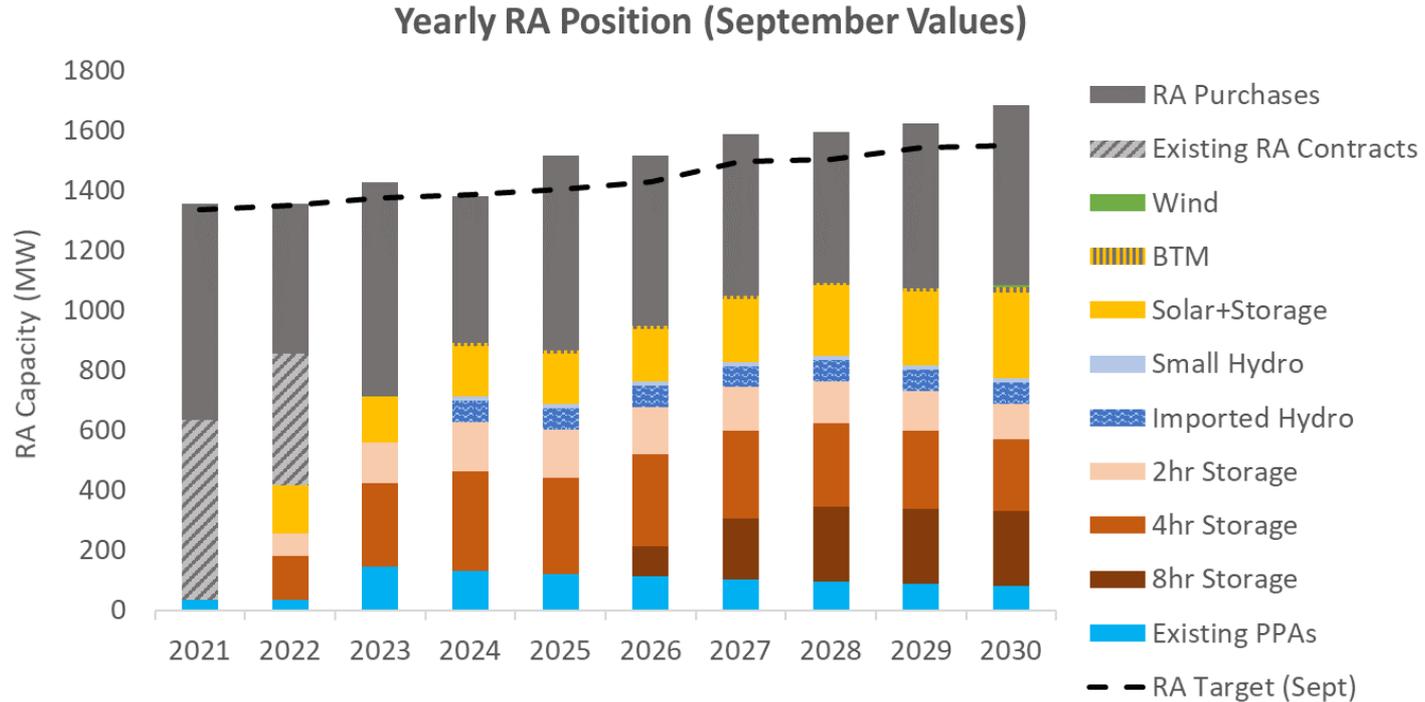
Solar + storage shown as solar nameplate capacity. Storage assumed to be 40% of solar nameplate

Energy Position

- Existing resources and solar + storage provide majority of long-term PPA energy
 - Long-term PPA energy sufficient to exceed RPS requirement in each year
- Short-term purchases are illustrative
 - Short-term carbon-free purchases assumed to fill remaining emissions requirements, up to 10% of load
 - Short-term RPS purchases assumed to fill remaining emissions requirements
 - Short-term brown purchases assumed to fill remaining need



RA Position





Staff Report Item 13

TO: East Bay Community Energy Board of Directors
FROM: Jim Dorrance, Power Resources Manager
SUBJECT: 2021 Carbon Free Allocation (Action Item)
DATE: December 16, 2020

Recommendation

EBCE staff is seeking Board approval to accept the large hydroelectric generation from the Pacific Gas and Electric carbon free allocation for 2021.

Additionally, staff is presenting a method for monetizing the nuclear generation from the carbon free allocation and is seeking board approval of one of the following choices:

- 1) Reject the PG&E nuclear allocation, or
- 2) Accept the PG&E nuclear allocation and re-sell the content to a third party. Proceeds from the resale of the nuclear allocation will be budgeted towards Local Development Programs.

Background and Discussion

In December 2019, Pacific Gas and Electric (PG&E) filed an Advice Letter (5705-E) that describes a process for PG&E to sell carbon free energy as a part of the Power Charge Indifference Adjustment (PCIA) proceedings. The energy sale is available to East Bay Community Energy (EBCE) and other eligible load serving entities (LSE) that serve customers who pay the PCIA load charges for these resources. The carbon free energy is from two types of PG&E facilities, large hydroelectric and nuclear. LSE's can select to purchase energy from either the large hydroelectric or the nuclear facilities or both at no additional cost than what is covered through the PCIA.

At the April 2020 EBCE Board of Directors (Board) meeting, the Board chose to purchase only the large hydroelectric generation for delivery during 2020, the generation was purchased from PG&E for zero dollars and delivered during calendar year 2020. Through the carbon free allocation process, the selection of the generation type, large hydroelectric and nuclear generation, from the facility pool is decided annually. Staff is asking the Board to accept the large hydroelectric generation for delivery year 2021 and to discuss the following proposal for monetizing the nuclear generation from the allocation.

Staff is presenting a method to monetize the nuclear generation for 2021 and at the same time reduce the carbon free content on PG&E Power Content Label (PCL). EBCE would purchase the nuclear energy from PG&E for zero dollars and enter into a sale agreement with an energy supplier that would purchase all the nuclear energy from EBCE and either sell the energy to a third party or retain the energy themselves. EBCE would receive fifty percent of the net profits from any portion that the energy supplier sells.

Based on feedback from the energy supplier, staff estimates that EBCE's share of the revenue could range from \$500,000 to \$1,000,000, but actual proceeds from the sale may be higher or lower based on actual sales. The range illustrates the uncertainty around the revenue projection that EBCE can expect which would be contingent on sold volume, market participants, and sale price. There are indications that there is market interest for this product which continues to be explored by the marketer. Any portion of the nuclear energy that the energy supplier is not able to sell, they would retain, and the nuclear energy would not be a part of EBCE's power content nor appear on EBCE's PCL. Proceeds from the resale may be earmarked and budgeted towards other activities, such as Local Development, increased renewable generation procurement, or the general operating budget.

The Power Source Disclosure Report (PSDR) regulations that set the rules for how power content is disclosed on the PCL allows California reporting entities the ability to only report generation that is equal to the amount of retail sales during a calendar year. Since typically PG&E has more generation than retail sales, they are not required to report generation from natural gas resources if there is sufficient carbon free generation in their portfolio to match their retail sales. On PG&E's 2019 PSDR there was approximately 13 tera-watt-hours of natural gas generation that was not disclosed on their PCL due to the surplus of generation greater than their retail sales. PG&E did disclose other power content, which included their nuclear generation. If EBCE were to accept and sell the nuclear generation, the amount of carbon free content that PG&E discloses could be reduced and more natural gas would be shown on their 2021 PCL. Based on the 2019 PSDR this could have been as high as two percent more natural gas if the nuclear generation from the carbon free allocation was available and accepted by EBCE in 2019.

The following presentation will provide details to the Board of Directors on EBCE's ability to sell the nuclear energy from the carbon free allocation for 2021 if the EBCE Board of Directors chooses to accept that energy. The presentation material only relates to the sale of the nuclear energy and does not impact the large hydroelectric energy purchased from the allocation which would be retained for EBCE customer's content.

Fiscal Impact

Staff estimates that EBCE's revenue could be \$500,000 to \$1,000,000 from profit sharing on any re-sold volumes.

Attachments

- A. Presentation on the 2021 Carbon Free Allocation



2021 Carbon Free Allocation

PRESENTED BY: Jim Dorrance

DATE: December 16, 2020

Background - Carbon Free Allocation

- EBCE as an eligible LSE can purchase carbon free energy from PG&E as part of the PCIA for a 1-year term
- The energy can be from either large hydroelectric or nuclear facilities
- For 2020, the EBCE Board directed staff to only accept the large hydroelectric energy which was purchased from PG&E for zero dollars
- Through the carbon free allocation, the selection of generation type is selected annually

2021 Carbon Free Allocation

- EBCE staff is seeking Board approval to accept the large hydroelectric generation from the Pacific Gas and Electric carbon free allocation for 2021
- Additionally, staff is presenting a method for monetizing the nuclear generation from the carbon free allocation and is seeking board approval on one of the following choices:
 1. Reject the PG&E nuclear allocation, or
 2. Accept the PG&E nuclear allocation and re-sell the content to a third party. Proceeds from the resale of the nuclear allocation will be budgeted towards Local Development Programs

Nuclear Energy Sale

- With Board approval, EBCE can accept the nuclear energy for 2021 and enter into an agreement to sell the energy + attribute to a third party
- EBCE can structure an arrangement with an energy supplier that would purchase all the energy from EBCE for zero dollars and take title to the energy
- The marketer would then resell the energy to a third party and EBCE would receive half of the net revenue from any sale. If the energy supplier is not able to resell the product, they would retain the energy
- All the nuclear energy would transfer to the marketer and EBCE would not have any reporting obligation for the energy on the Power Content Label (PCL)

Potential Revenue

- EBCE would receive 50% of the net profit and estimates profits from sold volumes to be between \$500,000 and \$1,000,000. Proceeds would be based on actual resale value
- There are indications that there is market interest for this product which continues to be explored by the marketer
- Proceeds from the resale may be earmarked and budgeted towards other activities, such as Local Development, increased renewable procurement, or the general operating budget

*Profit projections based on different illustrative sales volume and price scenarios

Sold Energy (MWh)	Sale Price (\$/MWh)	EBCE profit (\$)
1,400,000	3.00	2,100,000
1,400,000	1.50	1,050,000
1,400,000	1.00	700,000
1,400,000	0.50	350,000
700,000	3.00	1,050,000
700,000	1.50	525,000
700,000	1.00	350,000
700,000	0.50	175,000

Power Content

- The PSDR regulations allow CA reporting entities to disclose only the generation that matches their retail sales
- PG&E has more generation than sales and does not have to disclose natural gas if there is sufficient carbon free generation in their portfolio
- On PG&E's 2019 PSDR there was ~13 tera-watt-hours of natural gas generation that was not disclosed on their PCL due to surplus generation greater than their retail sales
 - PG&E did disclose other power content, which included their nuclear generation
- Choosing to accept the nuclear energy would lower the amount of carbon free content on PG&E's PCL and more natural gas would be disclosed
 - Based on the 2019 PSDR this could have been as high as two percent more natural gas if the nuclear generation from the carbon fee allocation was available and accepted by EBCE in 2019

Questions ?