

Board of Directors Meeting Action Agenda

April 22, 2021, 2 p.m.

City of Del Mar | Virtual Meeting

Members of the public can watch the meeting live by clicking the Live Stream Link at:

<https://thecleanenergyalliance.org/agendas-minutes/>

or

<https://www.youtube.com/channel/UCGXJILzITUJOCZwVGpYoC8Q>

Per State of California Executive Order N-29-20, and in interest of public health and safety, we are temporarily taking actions to prevent and mitigate the effects of the COVID-19 pandemic by holding Clean Energy Alliance Joint Powers Authority meetings electronically or by teleconferencing. All public meetings will comply with public noticing requirements in the Brown Act and will be made accessible electronically to all members of the public seeking to observe and address the Clean Energy Alliance Joint Powers Authority Board of Directors.

You can participate in the meeting by e-mailing your comments to the Secretary at secretary@thecleanenergyalliance.org 1 hour prior to commencement of the meeting. If you desire to have your comment read into the record at the meeting, please indicate so in the first line of your e-mail and limit your e-mail to 500 words or less. These procedures shall remain in place during the period in which state or local health officials have imposed or recommended social distancing measures.

CALL TO ORDER: 2:00 pm.

ROLL CALL: Alternate Board Member Worden, Alternate Board Member Acosta, Chair Becker

FLAG SALUTE: Alternate Board Member Worden led the flag salute.

BOARD COMMENTS & ANNOUNCEMENTS: Chair Becker recognized and expressed her gratitude to Interim CEO Barbara Boswell and City of Carlsbad Intergovernmental Affairs Director Jason Haber for waiting approximately 12 hours to speak at the April 12 San Diego Board of Supervisors meeting on behalf of the Clean Energy Alliance and Board Member Acosta commended Ms. Boswell and staff on the Carlsbad community outreach meetings and the Green Business Expo held at the Carlsbad Flower Fields.

PRESENTATIONS: None

PUBLIC COMMENT: Interim Board Clerk Susan Caputo read into the record comment received from Kathy Rallings regarding CEA rate and generation choices.

Chair Becker inquired regarding reaching out to Ms. Rallings and the school districts and Interim CEO Barbara Boswell commented that staff does intend to meet with the Carlsbad School District to answer any questions and do any cost comparisons they would like. Ms. Boswell also stated that CEA rate schedules offered mirror that of SDG&E for ease of comparison for newly enrolled customers and that the Net Energy Metering (NEM) program customers keep their grandfathering status when enrolled in CEA. She indicated letters will be issued to NEM customers to walk through CEA Net Energy Metering process and copied to the Board should they choose to respond as well.

APPROVAL OF MINUTES

Minutes of the Special Meeting held March 25, 2021

ACTION: Approved unanimously, 3/0

Consent Calendar

Item 1: Clean Energy Alliance Treasurer’s Report

RECOMMENDATION

Receive and File Clean Energy Alliance Interim Treasurer’s Report.

ACTION: Approved unanimously, 3/0

New Business

Item 2: Clean Energy Alliance Interim Chief Executive Officer Operational, Administrative and Regulatory Affairs Update

RECOMMENDATION

- 1) Receive and file Community Choice Aggregation Update Report from Interim CEO.
- 2) Receive and file Community Choice Aggregation Regulatory Affairs Report from Special Counsel.

Interim CEO Barbara Boswell provided an update to the Board highlighting the launch noticing, Call Center activity, low opt out numbers and opt up numbers.

Member Worden inquired regarding the trend of opt outs and Ms. Boswell responded that the majority has been residential opposed to automatic enrollment, commented that customers currently enrolled in SDG&E discounted programs will continue with CEA and confirmed that current NEM customers will maintain grandfathering.

Special Counsel Tosdal commented on the continuing California Public Utilities Commission PCIA exit fee proceeding and indicated that the CPUC is endeavoring to determine whether the Investor Owned Utilities should be required to offer for

purchase or benefit an allocation of resources to CCAs since CCA customers pay for those programs, this would reduce the cost of the CCA program since procured power would be available for use at a reduced cost. SB 612 mirrors the proceedings and includes long term RPS resources, the sale of unallocated legacy resources and the value of resources at market price benchmark currently used in the PCIA formula. Mr. Tosdal commented that the proposed decision which is up for a vote in May lifts the annual PCIA cap, approved modifies version of the Working Group 3 RPS allocation, rejects RA and GHG Free allocation mechanisms, declines to address ERRA timing issues and required IOUs to hold RFI for RPS contract.

Board questions and comments included inquiry regarding the departure charges being used to purchase power and that CCAs do not currently see benefit of those purchases and inquired as to what type of rate impact that would have; lobbyists working on the bill and how the Board might be able to way in to support the bill. Mr. Tosdal commented that analysis and allocation process decisions would have to be made to make any rate impact determinations; indicated that CalCCA has a lobbyist working on the bill and San Diego committees also working on the bill. Interim CEO Barbara Boswell commented that CEA has sent a letter in support of the bill.

Mr. Tosdal commented regarding SB 520 Provider of Last Resort (POLR) indicating they would provide electric service in cases where a Load Serving Entity (LSE) fails to provide service or meet obligations. Mr. Tosdal indicated that currently an official definition of a failed provider is not available and will keep the Board updated as the bill progresses.

ACTION: Reports received.

Item 3: Update Regarding County of San Diego Evaluating Community Choice Aggregation Options and Direction Regarding Offer Letter to Join Clean Energy Alliance

RECOMMENDATION

- 1) Receive update regarding County of San Diego evaluating community choice aggregation options.
- 2) Direct Interim Chief Executive Officer to work with General Counsel to prepare Offer Letter to County of San Diego to Join Clean Energy Alliance and return to CEA Board for approval.

Interim CEO Barbara Boswell presented the item updating the Board on the County of San Diego evaluating community choice aggregation options indicating that the BOS adopted Guiding Principles related to evaluation of CCAs and directed County staff to engage in discussions with CEA and San Diego Community Power staff and return to BOS in August with options for County participation. CEA received a letter from the County requesting response to questions regarding rates, membership fees, payment obligations of JPA members, liabilities, joining process and deadlines, rollout process, County role, and pro forma. Ms. Boswell went over the current CEA Document regarding

new members and policy considerations that include membership fee and conditions of approval of addition and covered the timeline requirements for a 2023 launch.

Board Member comments and inquiries included inquiry regarding CEA response due to County and narrow timeline for 2023 response; how much load the unincorporated County might have and CPUC requirement to join only one CCA for each territory of a governing body; possible County feasibility study and the real life data evaluation process needed to be used by CEA; the need for a consistent policy on new potential members and direction to return to CEA Board with a policy for future members; possible new member fee expense returned to new member upon joining; Conditions of Approval to include Climate Action Goals of CEA; being in line with what other CCAs charge new members and synchronization of new member evaluation; guiding principles for new members and competitive rates and upfront fees.

Interim CEO Boswell commented that the Board might consider perspective members pay upfront expenses and be reimbursed upon joining.

General Counsel Stepanicich indicated next steps would be to draft a response letter to the County and return to the CEA meeting of May 27.

ACTION: Report received, and direction given.

Item 4: Approve Increase in Fiscal Year 20/21 and Extension through June 30, 2022 of Bayshore Consulting Group Agreement for Interim Chief Executive Officer and Interim Board Clerk Services

RECOMMENDATION

Approve increase in Fiscal Year 20/21 from amount not to exceed of \$118,000 to \$156,000 and extension through June 30, 2022, for an amount not to exceed \$185,700 of Bayshore Consulting Group agreement for Interim Chief Executive Officer and Interim Board Clerk Services through June 30, 2022; and authorize the Board Chair to execute the documents, subject to General Counsel approval.

Interim Treasurer Marie Berkuti presented the item giving an overview of extension increase amounts in FY 20/21 and extension through June 30, 2022, Bayshore Consulting Group agreement.

ACTION: Approved unanimously, 3/0.

Item 5: Approve Extension of Consulting Services Agreements

RECOMMENDATION

Approve extensions of consulting services agreements and authorize Interim Chief Executive Officer to execute agreements, subject to General Counsel approval, for the following not to exceed amounts and terms:

Scope of Work	Consultant	Not to Exceed	Term
General Counsel	RWG Law	\$120,000	6/30/2022
Special Counsel – Regulatory	Tosdal APC	\$100,000	6/30/2022
Special Counsel – Energy Transactions	Hall Energy Law	\$120,000	6/30/2022
Special Counsel – CPUC Rate Proceedings	Keyes & Fox	\$120,000	6/30/2022
Technical Consultants	Pacific Energy Advisors	\$163,200	6/30/2023
Interim Treasurer/CFO	Marie Berkuti	\$50,000	6/30/2022

Interim Board CEO Barbara Boswell gave the presentation highlighting the service agreement extensions, contract amounts, and indicated that amounts are consistent with pro forma estimates used for rate setting.

Board Member Worden inquired as to staffing plan as CEA transitions from start up to operating phase and Interim CEO Boswell indicated the development of a staffing plan is included in the FY 21/22 once CEA has launched and is at a stable phase with customer base.

BOARD MEMBER REQUESTS FOR FUTURE AGENDA ITEMS

The Board requested a policy for addition of new members be returned for consideration.

ADJOURN: 3:22 p.m.

NEXT MEETING: May 27, 2021, 2 p.m., hosted by Solana Beach (Virtual Meeting)

Reasonable Accommodations

Persons with a disability may request an agenda packet in appropriate alternative formats as require by the Americans with Disabilities Act of 1990. Reasonable accommodations and auxiliary aids will be provided to effectively allow participation in the meeting. Please contact the Carlsbad City Clerk’s Office at 760-434-2808 (voice), 711 (free relay service for TTY users), 760-720-9461 (fax) or clerk@carlsbadca.gov by noon on the Monday before the Board meeting to make arrangements.

Written Comments

To submit written comments to the Board, please contact the Clean Energy Alliance Board Clerk at secretary@thecleanenergyalliance.org. Written materials related to the agenda that are received by 5:00 p.m. on the day before the meeting will be distributed to the Board in advance of the meeting and posted on the Authority webpage. To review these materials during the meeting, please contact the Board Secretary.