

**Board of Directors Meeting 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](mailto: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**

**ROLL CALL**

**FLAG SALUTE**

**BOARD COMMENTS & ANNOUNCEMENTS**

**PRESENTATIONS**

**PUBLIC COMMENT**

**APPROVAL OF MINUTES**

Minutes of the Special Meeting held March 25, 2021

**Consent Calendar**

**Item 1: Clean Energy Alliance Treasurer’s Report**

**RECOMMENDATION**

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

**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.

**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.

**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.

**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

## BOARD MEMBER REQUESTS FOR FUTURE AGENDA ITEMS

### ADJOURN

**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](mailto: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](mailto: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.*

**Clean Energy Alliance – Board of Directors  
Meeting Minutes  
March 25, 2021, 2 p.m.  
City of Carlsbad City Hall  
1200 Carlsbad Village Drive, Carlsbad, CA 92008  
Teleconference Locations per State of California Executive Order N-29-20**

**CALL TO ORDER: Chair Becker called to order the regular meeting of the Clean Energy Alliance at 2:00 p.m.**

**ROLL CALL: Board Member Druker, Vice Chair Bhat-Patel, Chair Becker**

**FLAG SALUTE: Vice Chair Bhat-Patel led the flag salute.**

**BOARD COMMENTS & ANNOUNCEMENTS:** Chair Becker commented that CEA has executed initial contracts for the purchase of energy from 2021-2025; and Board Member Druker commented that he may be unavailable for the next Board meeting and Alternate Member Worden indicated his availability.

**PRESENTATIONS: Report of March 11, 2021, CEA Community Advisory Committee Meeting, by Chair Worden**

Community Advisory Committee Chair Worden reported on the meeting of March 11, 2021, commenting time was spent ensuring that the CAC members understand what the CEA product offerings and how the rates work; the best and ongoing role of the CAC; identifying key organizations in each community for outreach efforts; monitoring social media in each community for misinformation and reporting to CEO for correction; and the possibility of Virtual Town Hall meetings in each community.

**PUBLIC COMMENT: None**

**APPROVAL OF MINUTES:**

Minutes of the Regular Meeting held February 18, 2021

Minutes of the Special Meeting held March 4, 2021

Minutes of the Special Meeting held March 16, 2021

**Motion by Member Druker, second by Vice Chair Bhat-Patel, to approve the minutes of the regular meeting held February 18, 2021, and the special meetings held March 4, 2021 and March 16, 2021, as submitted.**

**Motion carried unanimously, 3/0.**

**Consent Calendar**

**Item 1: Clean Energy Alliance Treasurer's Report**

**RECOMMENDATION**

Receive and file Clean Energy Alliance Interim Treasurer's Report.

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

**RECOMMENDATION**

- 1) Receive and file Clean Energy Alliance Interim Chief Executive Officer Administrative and Operational Update.
- 2) Receive and file Clean Energy Alliance Special Counsel Regulatory Affairs Update.

Chair Becker commented on the important aspects of the work being done and asked that regulatory matters be highlighted.

Special Regulatory Counsel Ty Tosdal commented regarding the California Public Utilities Commission (CPUC) undertaking of a new Net Energy Metering (NEM) proceeding to determine rates and stated that the action of the CPUC regarding NEM will have no effect on Community Choice customers; the Board has the authority to set separate rate schedule for NEM.

Solana Beach Council Member Zito inquired regarding NEM applying only to generation cost with no CCA NEM ramification with respect to transmission cost which SDG&E continues to own. Mr. Tosdal stated that in theory NEM should only apply to generation cost, CPUC is looking at whether party proposals for the proceeding would expose CCA customers to any kind of transmission distribution and that the proposals are being scrutinized for that element. Council Member Zito inquired and Special Counsel Tosdal confirmed that solar customers enrolled prior to November PUC decision would be under existing program.

Chair Becker inquired regarding Time-of-Use rates and Interim CEO Barbara Boswell indicated that CEA customers will remain on whatever rate schedule they are on as a SDG&E bundled customer when enrolling in CEA and the CEA rates would be in effect.

Special Counsel Tosdal commented on the CPUC Emergency Reliability Proposed Decision to order utilities to purchase additional power and increase planning reserve margins and indicated that CCA programs would be responsible for their share of the procurement; that SDG&E in the process of eliminating the seasonal variation in its rate classes; and the CPUC study regarding rate affordability over time indicating that SDG&E rates have increased 48% since 2013 and since 2016 rate base has been increasing an average of 7% despite relatively flat growth in demand.

Interim CEO Barbara Boswell commented that CEA is within 60 days of launch and that the first round of notices have been distributed and that the call center is up and running; the next notices will be distributed first week in April; commented on outreach efforts; and SB-612 targeted to community choice aggregation customers and would address the current significant exit fees and programs not receiving benefit of any related energy; this bill would allocate renewable sources back to CCAs and is consistent with CEA's Legislative Policy Platform; and commented that SDG&E's Envision Program is scheduled to go live on April 4.

**Item 3: Adopt Resolution Amending Clean Energy Alliance Bylaws Related to Establishing Time and Place of Board Meetings**

**RECOMMENDATION**

Adopt Resolution No. 2021-009 amending Clean Energy Alliance Bylaws related to establishing time and place of board meetings.

**Item 4: Approve Terms and Conditions for Clean Energy Alliance Renewable Energy Self-Generation Bill Credit Transfer Program**

**RECOMMENDATION**

Approve Terms and Conditions for Renewable Energy Self-Generation Bill Credit Transfer Program.

**Item 5: Approve Clean Impact Plus as Product Name for 50% Renewable/75% Carbon Free Power Supply**

**RECOMMENDATION**

Approve Clean Impact Plus as Product Name for 50% Renewable/75% Carbon Free Power Supply.

**Motion by Member Druker, second by Vice Chair Bhat-Patel, to approve the Items 1,3,4, and 5 on the Consent Calendar, pulling Item 2 for comment and inquiry.**

**Motion carried unanimously, 3/0.**

**Motion by Member Druker, second by Vice Chair Bhat-Patel, to approve Item 2 on the Consent Calendar.**

**Motion carried unanimously, 3/0.**

**New Business**

**Item 6: Receive Presentation and Provide Direction Regarding Consideration of Joining California Community Power Joint Powers Authority for Purposes of Joint Procurement**

**RECOMMENDATION**

Receive report on California Community Power Joint Powers Authority and provide direction regarding joining California Community Power JPA for purposes of joint procurement.

Interim CEO Barbara Boswell presented the item highlighting the benefits of joining, membership and management, withdrawal, and debts and obligations. Ms. Boswell introduced Girish Balachandran of Silicon Valley Clean Energy who addressed the Board regarding current membership and interest of the CEA to join. Mr. Balachandran responded to questions of Chair Becker and Board Member Druker regarding meeting times and dates, administrative fees, current membership numbers, and budget.

**CEA received report and directed staff to continue to explore and gather information for purposes of consideration of joining the California Community Power Joint Powers Authority.**

**Item 7: Clean Energy Alliance Community Choice Aggregation Update on Member Agency Default Power Supply Selections and Phasing of Net Energy Metering Customers**

**RECOMMENDATION**

Receive report on community choice aggregation update on member agency default power supply selections and phasing of Net Energy Metering customers.

Interim CEO Barbara Boswell gave the update on the default power supply selections stating all Member Agencies selected the Clean Impact Plus as the Default Power Supply and commented regarding NEM customer phasing and the impact of cost dependent on enrollment date and the PCIA Vintage.

**CEA received report.**

**Item 8: Approval of Agreement with San Diego Gas & Electric for the Procurement of Long-Term Renewable Power Supply**

**RECOMMENDATION**

Authorize the Interim Chief Executive Officer to execute a power purchase agreement with San Diego Gas & Electric for the procurement of Long-Term Renewable Power Supply, pursuant to Energy Risk Management Policy and subject to Special Transactions Counsel approval.

Interim CEO Barbara Boswell indicated that anticipated information to adequately present the item had not yet been received and the item will be returned at a later date.

**BOARD MEMBER REQUESTS FOR FUTURE AGENDA ITEMS: None**

**ADJOURN: Chair Becker adjourned the meeting at 2:59 p.m.**

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**Susan Caputo, MMC  
Interim Board Clerk**



## Staff Report

DATE: April 22, 2021

TO: Clean Energy Alliance Board of Directors

FROM: Marie Marron Berkuti, Interim Treasurer

ITEM 1: Clean Energy Alliance Treasurer's Report

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### **RECOMMENDATION**

Receive and File Clean Energy Alliance (CEA) Interim Treasurer's Report for March 2021.

### **BACKGROUND AND DISCUSSION**

This report provides the Board with the following financial information through March 31, 2021:

- Statement of Financial Position – Reports assets, liabilities, and financial position of the CEA as of March 31, 2021.
- Statement of Revenues, Expenses and Changes in Net Position for the nine months ended March 31, 2021.
- Budget to Actuals Comparison Schedule – Reports actual revenues and expenditures compared to the amended budget as of March 31, 2021.
- Budget Reconciliation to Statement of Revenues, Expenses and Changes in Net Position
- List of Payments Issued – Reports payments issued for March 2021.

As of March 31, 2021, liabilities represent invoices received for services, but not yet paid. The noncurrent accounts payable are amounts due to the cities of Carlsbad, Del Mar, and Solana Beach for the \$150,000 advance made by each member agency for start-up costs and services provided to CEA for the period December 2019 to June 2020. These invoices are scheduled to be paid three years from the time CEA is operational.



**MARCH 31, 2021 REPORTS**

**STATEMENT OF FINANCIAL POSITION**

**CLEAN ENERGY ALLIANCE  
STATEMENT OF NET POSITION  
As of March 31, 2021**

**ASSETS**

**Current Assets**

Cash Operating Account	\$ 100,955.12
Lockbox Account	100,000.00
A/R Miscellaneous	500.00

**Total Current Assets** 201,455.12

**Noncurrent Assets**

Deposits	
CCA Bond	247,000.00
CAISO Collateral Deposit	500,000.00
SDG&E Collateral Deposits	585,000.00

**Total Noncurrent Assets** 1,332,000.00

**Total Assets** 1,533,455.12

**LIABILITIES**

**Current Liabilities**

Accounts Payable	86,942.25
Accrued Liabilities	25,941.00
Refundable Deposits	75,000.00

**Total Current Liabilities** 187,883.25

**Noncurrent Liabilities**

Due to Member Agencies	
Due to City of Carlsbad	186,571.79
Due to City of Del Mar	151,892.97
Due to City of Solana Beach	165,552.69
Total Due to Member Agencies	504,017.45

JPMorgan Revolving Credit Agreement 3,000,000.00

**Total Noncurrent Liabilities** 3,504,017.45

**Total Liabilities** 3,691,900.70

**NET POSITION**

Unrestricted (deficit) (2,158,445.58)

**Total Net Position** \$ (2,158,445.58)

STATEMENT OF REVENUES, EXPENSES AND CHANGES IN NET POSITION

**CLEAN ENERGY ALLIANCE  
STATEMENT OF REVENUES, EXPENSES  
AND CHANGES IN NET POSITION**

**For the nine months ended March 31, 2021**

<b>Operating Revenues</b>	<u>\$ -</u>
<b>Operating Expenses</b>	
Power Supply	\$ 1,083,143.69
Professional Services	751,012.90
Print/Mail Services	10,146.49
Membership Dues	15,444.00
Website Maintenance	204.00
Insurance	5,569.38
Bank Fees	985.00
Subscriptions/Publications	199.50
Miscellaneous G&A	<u>1,500.00</u>
<b>Total Operating Expenses</b>	<u>1,868,204.96</u>
<b>Operating Income (Loss)</b>	<u>(1,868,204.96)</u>
<b>Non-Operating Expenses</b>	
Interest Expense	<u>(11,556.25)</u>
<b>Change in Net Position</b>	(1,879,761.21)
Net Position at beginning of period	<u>(278,684.37)</u>
<b>Net Position at end of period</b>	<u>\$ (2,158,445.58)</u>

BUDGET TO ACTUALS COMPARISON SCHEDULE

At its January 21, 2021, board meeting, the CEA Board approved a Credit Agreement with JPMorgan for \$6MM to provide start-up funding for cash flow needs and a line of credit should the need arise. The first drawdown of funds from the Agreement was made on March 3, 2021, in the amount of \$3MM. At the same time, the Calpine Promissory Notes totaling \$650,000 were paid off along with \$2,923 in interest expense.

At its June 18, 2020, board meeting, the CEA Board adopted the Fiscal Year (FY) 2020/21 budget approving \$4,006,500 in total operating expenses and uses of funds. The CEA Board approved an amendment to the budget at its November 19, 2020, board meeting, to cover the Financial Security Requirement amount of \$147,000. At its December 17, 2020, board meeting, the CEA Board approved an amendment to the budget totaling \$9,459,000 in expenses and uses of funds to reflect resource adequacy contracts executed and costs associated with CEA beginning to provide service in May and June 2021. These budget amendments brought the amended adopted budget total to \$13,612,500.

Of its approved \$13,612,500.00 amended budgeted operating expenses and uses of funds, \$3,111,761.21 has been expended, leaving \$10,500,738.79.

The Budget to Actuals Comparison Schedule shown on the next page.

**CLEAN ENERGY ALLIANCE  
BUDGET TO ACTUALS COMPARISON SCHEDULE  
For the nine months ended March 31, 2021**

	<b>AMENDED BUDGET</b>	<b>ACTUALS</b>	<b>VARIANCE</b>
<b>Operating Revenues</b>			
Energy Sales	\$ 8,000,000.00	\$ -	\$ 8,000,000.00
<b>Total Operating Revenue</b>	<b>8,000,000.00</b>	<b>-</b>	<b>8,000,000.00</b>
<b>Operating Expenses</b>			
Power Supply	8,000,000.00	1,083,143.69	6,916,856.31
Professional Services			
Administrative	120,000.00	108,384.93	11,615.07
Accounting	10,000.00	15,012.00	(5,012.00)
Legal	320,000.00	347,269.75	(27,269.75)
Technical	198,200.00	195,102.25	3,097.75
Data Manager	130,200.00	-	130,200.00
Marketing	102,238.00	69,923.97	32,314.03
Audit	40,000.00	8,000.00	32,000.00
Other	9,562.00	7,320.00	2,242.00
Total Professional Services	930,200.00	751,012.90	179,187.10
Print/Mail Services	132,000.00	10,146.49	121,853.51
SDG&E Service Fees & Deposit	83,800.00	-	83,800.00
Membership Dues	15,000.00	15,444.00	(444.00)
Advertising	10,000.00	-	10,000.00
Website Maintenance	2,500.00	204.00	2,296.00
Insurance	-	5,569.38	(5,569.38)
Bank Fees	-	985.00	(985.00)
Subscriptions/Publications	-	199.50	(199.50)
Miscellaneous G&A	-	1,500.00	(1,500.00)
<b>Total Operating Expenses</b>	<b>9,173,500.00</b>	<b>1,868,204.96</b>	<b>7,305,295.04</b>
<b>Operating Income (Loss)</b>	<b>(1,173,500.00)</b>	<b>(1,868,204.96)</b>	<b>694,704.96</b>
<b>Non-Operating Expenses</b>			
Interest Expense	10,000.00	11,556.25	(1,556.25)
<b>Other Sources and Uses</b>			
Sources			
JPMorgan Revolving Credit Agreement	5,000,000.00	3,000,000.00	2,000,000.00
Calpine Promissory Note	650,000.00	-	650,000.00
Total Sources	5,650,000.00	3,000,000.00	2,650,000.00
Uses			
CCA Bond(Financial Security Reqmt-FSR)	47,000.00	147,000.00	(100,000.00)
CAISO Deposit	500,000.00	500,000.00	-
Lock Box Reserves/Cash Flow	2,500,000.00	-	2,500,000.00
Calpine Promissory Note Repayment	650,000.00	-	650,000.00
Collateral Deposits-SDG&E	585,000.00	585,000.00	-
Financial Security Requirement	147,000.00	-	147,000.00
Total Uses	4,429,000.00	1,232,000.00	3,197,000.00
<b>Total Sources and Uses</b>	<b>1,221,000.00</b>	<b>1,768,000.00</b>	<b>(547,000.00)</b>
<b>Net Increase (Decrease) in Available Fund Balance</b>	<b>\$ 37,500.00</b>	<b>\$ (111,761.21)</b>	<b>\$ 149,261.21</b>
<b>Total Operating and Non-Operating Expenses and Uses of Funds</b>	<b>\$ 13,612,500.00</b>	<b>\$ 3,111,761.21</b>	<b>\$ 10,500,738.79</b>

BUDGET RECONCILIATION TO STATEMENT OF REVENUES, EXPENSES AND CHANGES IN NET POSITION

**CLEAN ENERGY ALLIANCE  
BUDGET RECONCILIATION TO STATEMENT OF  
REVENUES, EXPENSES, AND CHANGES IN NET POSITION  
For the nine months ended March 31, 2021**

<b>Net Increase (Decrease) in Available Fund Balance per Budgetary Comparison Schedule</b>	<b>\$ (111,761.21)</b>
Adjustments needed to reconcile to the changes in Net Position in the Statement of Revenues, Expenses, and Changes in Net Position	
Subtract Advances-JPMorgan Revolving Credit Agreement	(3,000,000.00)
Add back:	
Collateral Deposit-CAISO	500,000.00
Collateral Deposits-SDG&E	585,000.00
CCA Bond(Financial Security Reqmt-FSR)	147,000.00
<b>Change in Net Position</b>	<b>\$ (1,879,761.21)</b>

LIST OF PAYMENTS ISSUED

The report on the following page provides the detail of payments issued by CEA for March 2021. All payments were within approved budget.

**Clean Energy Alliance  
List of Payments Issued March 2021**

<b>Date</b>	<b>Via</b>	<b>Vendor</b>	<b>Description</b>	<b>Amount</b>
03/10/21	WIRE	JPMorgan	Interest 02/03/21-03/02/21	8,633.33
03/12/21	ACH	Carlsbad Chamber of Commerce	Membership March 2021 to February 2022	319.00
03/12/21	ACH	Pacific Energy Advisors, Inc	Feb 2021 Technical Consulting Svcs	23,600.00
03/12/21	ACH	Nixon Peabody	JP Morgan Credit Facility-Special Counsel	27,059.50
03/12/21	ACH	Tripepi, Smith & Associates, Inc.	Translation Services	135.00
03/12/21	ACH	Richards, Watson & Gershon	Jan 2021 General Counsel Svcs	7,256.11
03/12/21	ACH	Tripepi, Smith & Associates, Inc.	Feb 2021 Retainer	9,223.75
03/12/21	ACH	Bayshore Consulting Group, Inc	Feb CEO Services	12,470.00
03/17/21	ACH	USPS	03/15/21 Mailing	5,164.79
03/17/21	ACH	USPS	03/16/21 Mailing	4,981.70
03/22/21	WIRE	Direct Energy	Feb 2021 PWR-CAP	157,000.00
03/22/21	WIRE	SDG&E	February 2021 RA Sales and Purchases	617,676.87
03/22/21	WIRE	Direct Energy	Overpayment on Invoice #1032912	500.00
03/22/21	ACH	Bolt Energy Marketing, LLC	February 2021 Invoice RA Confirmation Letters	74,750.00
03/22/21	ACH	CDIAC	Reporting fee-GC Section 8856-JPMorgan \$6MM	1,500.00
03/22/21	ACH	Keyes & Fox LLP	Dec and Jan ERRA Trigger Services	10,904.75
03/30/21	WIRE	CAISO	Financial Security/Collateral Deposit	500,000.00
03/30/21	ACH	Hall Energy Law PC	Feb 2021 Energy Procurement Counsel Svcs	20,825.00
03/30/21	ACH	The Coast News Group	Home and Garden	895.00
03/30/21	ACH	Keyes & Fox LLP	Feb ERRA Forecast Counsel Services	3,884.25
03/30/21	ACH	Chapman and Cutler, LLP	Amended Fees-JP Morgan Revolving Line of Credit	15,000.00
			<b>Total February Payments</b>	<b>\$ 1,501,779.05</b>

FISCAL IMPACT

There is no fiscal impact associated with these items.



## Staff Report

**DATE:** April 22, 2021  
**TO:** Clean Energy Alliance Board of Directors  
**FROM:** Barbara Boswell, Interim Chief Executive Officer  
**ITEM 2:** Clean Energy Alliance Operational, Administrative and Regulatory Affairs Update

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### RECOMMENDATION

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

### BACKGROUND AND DISCUSSION

This report provides an update to the Clean Energy Alliance (CEA) Board regarding the status of the operational, administrative and regulatory affairs activities.

#### OPERATIONAL UPDATE

CEA is meeting its milestones for the implementation of its community choice aggregation (CCA) program and is on track to begin serving customers in May 2021/June 2021. (Attachment A - Clean Energy Alliance Timeline of Implementation Action Items).

#### *CEA Launch Update*

CEA is on schedule to begin mass enrollment of customers beginning May 1, 2021 and will continue through June 30, 2021. Enrollment notices have gone out with the following schedule:

ENROLLMENT PHASE	NOTICE	DATE SENT
May Enrollment – Non-SEA	Notice #1	3/15 & 3/17/21
May Enrollment – SEA	Notice #2	4/1/21
June Enrollment – Non-SEA	Notice #1	4/1/21
May Enrollment – Non-SEA	Notice #2	4/12 & 4/14/21

#### *Call Center Activity*

CEA's call center opened in mid-March to coincide with the first enrollment notices. Since that time, there have been 312 total calls to the call center, with 301 calls being connected to an agent. Calls are being answered on average in 31 seconds. Through April 11, there have been 416 opt outs, resulting in

a current participation rate of 99.25%. There have been no opt downs to CEA's Clean Impact power supply and no opt ups to Green Impact 100% renewable energy product.

Customers that do not opt-out of CEA will be automatically enrolled in CEA at the end of their billing period in the month of enrollment.

#### *SDG&E Envision Project*

San Diego Gas & Electric (SDG&E) has been working over the past several years on their Customer Information System replacement program, known as Envision. They had committed to, and were on track, for a January 4, 2021, go live, despite the challenges of working remote in the COVID-19 environment. With a January 2021 go live, SDG&E committed to supporting the CEA launch of May 2021. On Friday July 10, CEA staff, its regulatory attorney Ty Tosdal, and data manager Calpine Energy Solutions participated in a call with San Diego Community Power and SDG&E regarding the recently approved California Public Utilities Commission (CPUC) Decision D. 20-06-003, which requires the Investor-Owned Utilities (IOU) to adopt rules and policy changes designed to reduce the number of residential disconnections, provide assistance with debt forgiveness, and offer extended payment plans. The program, known as Arrearage Management Payment program, is required to be implemented by April 2021. This timing presented a challenge to SDG&E to keep its go live date of January 4, 2021, while also meeting the requirements of the decision. SDG&E submitted a letter to the CPUC requesting an extension to September 30, 2021, for implementing the new procedures and policies required by the decision. This request was denied by the CPUC, resulting in SDG&E postponing implementation of its Envision project to April 2021. The postponement of the Envision go live date impacts CEA's implementation.

The Envision system went live on April 4, 2021, and all indications are that SDG&E and Calpine's efforts to thoroughly test has resulted in a successful implementation. There have been no fatal issues that would disrupt CEA's launch schedule.

#### *CEA Communications and Marketing Update*

The CEA communications team at Tripepi Smith has completed the CEA Toolkit (Attachment B), which includes the Brand Statement, Talking Points, Pocket Guide, and PCIA Fact Sheet. CEA has begun making presentations to community groups, including the Carlsbad Chamber of Commerce Government Affairs Committee and Torrey Pines Democratic Club. Staff has been meeting with key large customers to review impacts of enrollment in CEA and answer questions.

CEA has been actively monitoring social media activity and addressing topics of concern in articles and social media posts.

#### *Expansion of Clean Energy Alliance*

Pursuant to Board of Supervisor direction, County of San Diego and CEA staff met to discuss CEA's status and steps related to the County potentially joining CEA. A report will be presented to the CEA Board at today's meeting.

*Discussions with Key Potential CEA Customers*

Staff continues its discussions with San Diego County Water Agency (SDCWA), Encina Wastewater Authority, and Carlsbad Municipal Water District regarding Clean Energy Alliance and implications related to enrollment in CEA. SDCWA presented a CCA overview to its Board at its February 25, 2021, Board of Directors meeting.

*Resource Adequacy Compliance*

As a load serving entity serving customers in 2021, CEA has an obligation to procure Resource Adequacy (RA), based on quantities allocated by CPUC and California Independent System Operator (CAISO). RA procurements do not supply any energy to CEA or its customers, rather it commits the seller to be available to supply energy to the grid if called upon by the CAISO and reduce the possibility of outages. This process is key to ensuring grid reliability. CEA successfully procured all its RA requirements and is fully compliant with its RA obligation.

*Long-Term Renewable Procurement*

As a load serving entity, CEA will be required to procure 65% of its minimum state required renewable portfolio standards in contracts of ten-years or longer. To ensure compliance with this requirement, CEA's initial renewable energy solicitation is underway. The solicitation process, from beginning through final execution can be lengthy, particularly in light of the impacts of COVID-19 on the renewable development industry. The solicitation opened on July 1, 2020, with proposals due July 27, 2020. CEA's consultant, Pacific Energy Advisors, has identified a short list of projects and negotiations are proceeding. Final power purchase agreements will be brought to the CEA Board for consideration of approval.

Staff has also begun discussions with SDG&E regarding entering into bilateral agreements for the procurement of renewable energy. These discussions are on-going, and any proposed agreement will be brought to the CEA Board for consideration of approval.

*Contracts \$50,000 - \$100,000 entered into by Interim Chief Executive Officer*

VENDOR	DESCRIPTION	AMOUNT
None		

**REGULATORY UPDATE**

CEA's regulatory attorney, Ty Tosdal, will provide an update to the Board on current regulatory activities (Attachment B).

**FISCAL IMPACT**

There is no fiscal impact by this action.



**ATTACHMENTS**

Attachment A - Clean Energy Alliance Timeline of Implementation Action Items

Attachment B – Tosdal APC Regulatory Update Report

Attachment A

**Clean Energy Alliance  
Timeline of Action Items  
CCA Program Related**

Timing	Description	Status	3rd Qtr '20	4th Qtr '20	1st Qtr '21	Apr-21	May-21	Jun-21	Jul-21
9/1/20	Marketing/Customer Outreach Plan Development & Kickoff								
9/17/20	Bid Evaluation and Criteria Scoring System	Complete							
9/17/20	Award Scheduling Coordinator Services	Complete							
11/19/20	Introduce/Adopt Energy Risk Management Policy	Complete		10/15 & 11/19					
10/15/20	Records Retention Policy	Complete							
	System Testing with SDG&E	Complete							
	Set up Call Center/Scripting/IVR Recordings	Complete							
1/21/21	Credit Solution	Complete							
2/18/21	CEA Default Products/programs/renewable energy policies	Complete							
2/1/21	<b>Create Customer Pre- and Post-Enrollment Notices</b>	In progress							
1/21/21	Social Media Policy	Complete							
1/21/21	Debt Management Policy	Complete							
2/18/21	Investment Policy	Complete							
3/1/21	Rate Setting	Complete							
	<b>Energy Supply Procurement</b>	In progress							
3/1/21	<b>Customer Noticing</b>	In progress							
5/1/21	<b>Launch - 2 phases May &amp; June 2021</b>								

**Key:**

Board Actions/Activity
Staff/Consultant Activity
Marketing/Customer Outreach
CCA Launch

# Clean Energy Alliance Board Update

*April 22, 2021*



Ty Tosdal  
Tosdal APC



# Overview

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- **SB 612 and PCIA Proposed Decision ([R. 17-06-026](#))**
- **Provider of Last Resort ([R. 21-03-011](#))**
- **Emergency Reliability ([R. 20-11-003](#))**



## Senate Bill 612

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- SB 612 would require IOUs to offer a proportional allocation of each power product in the legacy IOU portfolio to CCA programs.
- RPS resources with 10 or more years remaining under contract must also be offered for allocation.
- CCA programs can elect amount.
- Unallocated legacy resources offered for sale.
- Resources are valued at the Market Price Benchmark currently used in the PCIA formula.



## PCIA Proposed Decision

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- Proposed Decision lifts the annual PCIA cap.
- Approves modified version of the WG 3 RPS allocation mechanism.
- Rejects RA and GHG Free allocation mechanisms.
- Declines to address ERRA timing issues.
- Requires IOUs to hold RFI for RPS contract assignment.
- Requires IOUs to file Tier 2 AL justifying RA portfolio.



## Provider of Last Resort (POLR)

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- SB 520 defines a POLR as a designated LSE that provides electric service in cases where an LSE fails to provide service or otherwise fails to meet its obligations.
- Currently, SB 520 designates IOUs as POLRs for their service territory.
- Bill also establishes broad Commission jurisdiction over entities that serve as POLRs.



## Provider of Last Resort (POLR)

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Phase I of the proceeding will establish a framework, including:

- Procurement requirements
- Cost allocation
- Cost recovery
- Options to maintain GHG emissions reductions in the event of an unplanned LSE failure





## Emergency Reliability

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- CCA programs asked to adopt Critical Peak Pricing (CPP) programs for Summer 2021.
- IOUs held workshops on non-IOU CPP programs on April 6, 2021.
- Data and time constraints prevent adoption of CPP program for Summer 2021, but data should be available for 2022.
- Various demand response programs, including CPP, are currently under review by CCA programs.



## Staff Report

**DATE:** April 22, 2021

**TO:** Clean Energy Alliance Board of Directors

**FROM:** Barbara Boswell, Interim Chief Executive Officer

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

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### **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 Letter to County of San Diego in response to the County's letter dated April 18, 2021, and return to CEA Board at its May 27 meeting for approval.

### **BACKGROUND AND DISCUSSION**

At its meeting April 6, 2021, the County of San Diego Board of Supervisors (BOS) adopted revised Guiding Principles regarding community choice energy (CCE) (Attachment A) and directed staff to engage in discussions with Clean Energy Alliance and San Diego Community Power and return to the BOS in August 2021 with options for potential County participation in the two CCE programs.

The approved Guiding Principles are:

1. Prioritize social equity and environmental stewardship.
2. Provide cost competitiveness compared to the incumbent utility.
3. Achieve 100% renewable electricity by 2030; encourage within-County buildout of renewable energy, battery storage, and energy efficiency programs; and prioritize Category 1 renewable energy.
4. Support requirements for prevailing wages, as defined in California Labor Code section 1770 et seq., and skilled and trained workforce, as defined in California Public Contract Code section 2601, for CCE-owned generation, feed-in-tariff, and energy efficiency projects.
5. Encourage the development of an equitable jobs pipeline for individuals from communities of concern; the use of a bid evaluation policy prioritizing the selection of new local renewable energy and storage projects; and the workforce development criteria prioritizing the use of State-certified apprenticeship and proper assignment of work to crafts that traditionally perform the work, as permitted by applicable law.
6. Limit General Fund Liability.

Pursuant to Board direction, County staff met with CEA staff to discuss the current status of CEA, the County's goals with bringing CCE to its jurisdiction, opportunities for the County to join CEA, and next steps in support of returning to the County BOS. In a letter dated April 18, 2021 (Attachment B), the County has requested CEA submit a letter that details how CEA's JPA, policies and other relevant documents support the County's Guiding Principles and answers other specific questions.

CEA's Joint Powers Agreement (JPA) Section 2.4 addresses the addition of parties. It states any incorporated municipality, county, or other public agency authorized to be a community choice aggregator and located within San Diego Gas & Electric (SDG&E) territory may apply to and become a member of CEA subject to the following conditions:

- 2.4.1 Adoption of a resolution by a two-thirds vote of the entire Board authorizing membership in the Authority (CEA);
- 2.4.2 Adoption by the proposed member of a CCA ordinance as required by Public Utilities Code Section 366.2(c)(12) and approval and execution of the JPA Agreement and other necessary program agreements by the proposed member;
- 2.4.3 Payment of a membership fee, if any, as may be required by the Board to cover CEA costs incurred in connection with adding the new party; and
- 2.4.4 Satisfaction of any other conditions established by the Board.

Staff requests Board direction to prepare a response to the County's letter and return the draft letter to the Board for approval at its May 27, 2021 meeting.

**FISCAL IMPACT**

There is no fiscal impact by this action.

**ATTACHMENTS**

Attachment A – County of San Diego Minute Order Updating Community Choice Energy Guiding Principles

Attachment B – County of San Diego Letter Dated April 18, 2021

**COUNTY OF SAN DIEGO  
BOARD OF SUPERVISORS  
TUESDAY, APRIL 06, 2021**

**MINUTE ORDER NO. 20**

**SUBJECT: UPDATING COMMUNITY CHOICE ENERGY GUIDING PRINCIPLES  
(DISTRICTS: ALL)**

**OVERVIEW**

Community Choice Energy (CCE) is an energy supply program that allows cities and counties to meet local energy needs by aggregating the buying power of individual customers within a defined area to secure alternative energy supplies. The pooling of purchasing power to buy or generate electricity gives ratepayers the choice of where to purchase their power. Choice and competition are the bedrock of CCE. Today, there are twenty-three CCEs operating throughout the State, serving more than ten million customers, including two CCEs in San Diego County.

In 2019, the Board of Supervisors adopted an ordinance stating our intent to join a CCE. The Board also adopted five Guiding Principles setting County terms to establish a County CCE or to join others in forming a Joint Powers Authority (JPA). However, these Guiding Principles are not reflective of the ideals of the current board. The Guiding Principles that lead this program should align with our commitment to renewable energy, good-paying jobs, and environmental and social justice. As such, we are proposing the adoption of the following Revised Guiding Principles.

Revised Guiding Principles

1. Prioritize social equity and environmental stewardship.
2. Provide cost competitiveness compared to the incumbent utility.
3. Achieve 100% renewable electricity by 2030; encourage within-County buildout of renewable energy, battery storage, and energy efficiency programs; and prioritize Category 1 renewable energy.
4. Support requirements for prevailing wages, as defined in California Labor Code section 1770 et seq., and skilled and trained workforce, as defined in California Public Contract Code section 2601, for CCE-owned generation, feed-in-tariff, and energy efficiency projects.
5. Encourage the development of an equitable jobs pipeline for individuals from communities of concern; the use of a bid evaluation policy prioritizing the selection of new local renewable energy and storage projects; and the workforce development criteria prioritizing the use of State-certified apprenticeship and proper assignment of work to crafts that traditionally perform the work, as permitted by applicable law.
6. Limit General Fund Liability.

Today's action revokes the previously adopted County Governance Guiding Principles, replaces them with the Revised Guiding Principles, and directs staff to discuss the County's potential participation with a local existing CCE Joint Powers Authority (JPA) and return to the Board with options for such participation based on the Revised Guiding Principles.

**RECOMMENDATION(S)**

**CHAIR NATHAN FLETCHER AND SUPERVISOR TERRA LAWSON-REMER**

1. Revoke the previously adopted set of County Governance Guiding Principles and adopt the Revised Guiding Principles.
2. Direct the Chief Administrative Officer to engage in discussions with the San Diego Community Power and the Clean Energy Alliance CCE JPAs and return to the Board with options for potential County participation in those CCE JPAs consistent with the Revised Guiding Principles by August 2021.

**FISCAL IMPACT**

There is no fiscal impact associated with today’s recommendations. Prior funding was allocated to the Department of General Services to support the development of the Feasibility Analysis and to support negotiations with Community Choice Energy providers.

**BUSINESS IMPACT**

N/A

**ACTION:**

ON MOTION of Supervisor Fletcher, seconded by Supervisor Lawson Remer, the Board of Supervisors took action as recommended, revising Guiding Principle 2 to read: “Provide cost competitiveness and reliability compared to the incumbent utility.”

AYES: Vargas, Anderson, Lawson-Remer, Fletcher

NOES: Desmond

State of California)  
County of San Diego) §

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.

ANDREW POTTER  
Clerk of the Board of Supervisors



Signed  
by Andrew Potter





# County of San Diego

## DEPARTMENT OF GENERAL SERVICES

5560 OVERLAND AVENUE, SUITE 410, SAN DIEGO, CA 92123

**MARKO MEDVED, PE, CEM**  
DIRECTOR  
(858) 694-2527

**NICOLE J. ALEJANDRE**  
ASSISTANT DIRECTOR  
(858) 694-3885

April 18, 2021

Barbara Boswell  
Interim CEO  
Clean Energy Alliance

RE: Request for CCE Information

Mrs. Boswell,

On April 6, 2021, the County Board of Supervisors approved a new set of CCE Guiding Principles and directed County staff to begin discussions with the two recently formed local CCEs (San Diego Community Power and Clean Energy Alliance) about a possible partnership. To commence discussions with Clean Energy Alliance, we are writing to formally request information relevant to our Board of Supervisors' consideration of how to best effectuate its CCE Guiding Principles.

County staff intends to return to the Board of Supervisors this summer with an analysis of options for joining one of the existing local CCEs in accordance with the Guiding Principles. This would allow our Board the opportunity to decide whether the County should join one of the CCEs in 2021, with a launch of unincorporated accounts in 2023. To facilitate this decision, the County requests the following information.

Please provide information detailing how your Joint Powers Agreement, Board-approved policies, and any other relevant official documents and Board actions support the following County Guiding Principles:

### Guiding Principles

1. Prioritize social equity and environmental stewardship.
2. Provide cost competitiveness compared to the incumbent utility.



3. Achieve 100% renewable electricity by 2030; encourage within-County buildout of renewable energy, battery storage, and energy efficiency programs; and prioritize Category 1 renewable energy.
4. Support requirements for prevailing wages, as defined in California Labor Code section 1770 et seq., and skilled and trained workforce, as defined in California Public Contract Code section 2601, for CCE-owned generation, feed-in-tariff, and energy efficiency projects.
5. Encourage the development of an equitable jobs pipeline for individuals from communities of concern; the use of a bid evaluation policy prioritizing the selection of new local renewable energy and storage projects; and the workforce development criteria prioritizing the use of State-certified apprenticeship and proper assignment of work to crafts that traditionally perform the work, as permitted by applicable law.
6. Limit General Fund Liability.

In addition, we have the following specific questions:

1. What are your anticipated rate discounts versus SDGE?
2. What is the anticipated “membership fee”, if any, that would be required? Are there any other payment requirements to join?
3. Aside from any payments required in connection with joining the JPA, are there any current or anticipated payment obligations of JPA Members?
4. What liabilities would the County be expected to incur by joining the JPA?
5. Will you offer the same rate for all members or is there going to be a “newcomers” rate?
6. Please explain the process and any deadlines for the County to join in 2021?
7. If the County were to join in 2021, how do you anticipate the rollout going in 2023? All at once or in phases?
8. What functions would County staff be expected to perform after joining the JPA?
9. Please provide your most recent proforma budget.

If possible, please respond with the requested information prior to June 1, 2021. All responses should be emailed to [Charles.marchesano@sdcounty.ca.gov](mailto:Charles.marchesano@sdcounty.ca.gov). Please also feel free to contact me at (858) 699-3502.

Sincerely,

*Charles Marchesano*

Charley Marchesano  
Chief, Energy and Sustainability Program  
Department of General Services  
County of San Diego  
(858) 694-2987 office (858) 699-3502 cell

## Staff Report

**DATE:** April 22, 2021

**TO:** Clean Energy Alliance Board of Directors

**FROM:** Marie Berkuti, Interim Treasurer

**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

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### **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.

### **BACKGROUND AND DISCUSSION**

#### *Increase for Fiscal Year 21/22*

At its regular meeting May 21, 2020, the Clean Energy Alliance (CEA) Board approved an agreement with Bayshore Consulting Group for Interim Chief Executive Officer services through June 30, 2021 for an amount not to exceed \$100,000. The agreement was amended on September 17, 2020 to add Interim Board Clerk services for an amended not to exceed amount of \$118,000.

The agreement for Interim Chief Executive Officer services was based on an estimated 55 hours per month billed @ \$150 per hour. Since July 2020, the average hours per month have increased from an average 60 hours per month to 73 hours per month. It is estimated the average hours per month will remain at 75 through June 2021. These increased hours result in the total Interim Chief Executive Officer services cost to increase from \$100,000 to \$122,000, an increase of \$22,000, for fiscal year 21/22.

The agreement for Interim Board Clerk services was based on an estimated 30 hours per month billed at \$65 per hour. Since October 2020 the average hours has increased from 40 hours to 65 hours per month. It is estimated the average hours per month will remain at 65 hours per month through June 2021, resulting in an increased cost from \$18,000 to \$33,410, an increase of \$15,410, for fiscal year 21/22. The combined increase for Interim Chief Executive Officer and Interim Board Clerk is \$37,410.



Extension for Fiscal Year 21/22

At its regular meeting January 21, 2021, the Board directed existing consulting agreements to be extended through fiscal year 21/22, including the Bayshore Consulting Group agreement for Interim Chief Executive Officer and Interim Board Clerk services. The not to exceed amount of \$ is based on the following service levels:

<b>Service</b>	<b>Hours per month</b>	<b>Rate</b>	<b>Total</b>
Interim Chief Executive Officer	75	\$150	\$135,000
Interim Board Clerk	65	\$65	\$50,700
<b>TOTAL FY 21/22</b>			<b>\$185,700</b>

**FISCAL IMPACT**

Funds for the fiscal year 20/21 increase are available through savings in other line items. Funds for the FY 21/22 extension are within the assumed costs in the CEA pro forma used to set rates.

**ATTACHMENTS**

None



### Staff Report

**DATE:** April 22, 2021  
**TO:** Clean Energy Alliance Board of Directors  
**FROM:** Barbara Boswell, Interim Chief Executive Officer  
**ITEM 5:** Approve Extension of Consulting Services Agreements

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#### **RECOMMENDATION**

Approve extension of consulting services agreements for the following not to exceed amounts and terms:

<b>Scope of Work</b>	<b>Consultant</b>	<b>Not to Exceed</b>	<b>Term</b>
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 Proceedings	Keyes & Fox	\$120,000	6/30/2022
Technical Consultants	Pacific Energy Advisors	\$283,200	6/30/2023
Interim Treasurer/CFO	Marie Berkuti	\$50,000	6/30/2022

Authorize the Interim Chief Executive Officer to execute the contract amendments, subject to General Counsel approval:

#### **BACKGROUND AND DISCUSSION**

At its regular meeting January 21, 2021, the Board directed existing consulting agreements to be extended through fiscal year 21/22. These contracts include:

<b>Scope of Work</b>	<b>Consultant</b>
General Counsel	RWG Law
Special Counsel – Regulatory	Tosdal APC
Special Counsel – Energy Transactions	Hall Energy Law
Special Counsel – CPUC Proceedings	Keyes & Fox
Technical Consultants	Pacific Energy Advisors
Interim Treasurer/CFO	Marie Berkuti

Pacific Energy Advisors (PEA) has two separate consulting agreements, Agreement #1 scope of services that includes preparation of regulatory compliance reports (RPS Procurement Plan, Integrated Resource Plan, annual and monthly Resource Adequacy filings), Long-Term Renewable Energy Procurement, maintenance of Financial Pro Forma Model and analysis of SDG&E rates and rate setting. This agreement has been on an annual basis, with extensions. Agreement #2, awarded in September 2020, includes portfolio management, conventional energy procurements and energy risk management. This contract was approved with a term through June 30, 2023. Due to the efficiencies realized by the work of Agreement #1 and Agreement #2, PEA built in a cost savings into the pricing of Agreement #2. Staff recommends extending Agreement #1 to be commensurate with Agreement #2's term, through June 30, 2023.

**FISCAL IMPACT**

Funds for the agreement extensions are within the assumed costs in the CEA pro forma that was used to set rates.

**ATTACHMENTS**

None