

1 [Administrative Code - CleanPowerSF Funds and appropriating \$19,500,000 of available fund  
2 balance to support required reserves and creating special funds for the CleanPowerSF  
3 program at the Public Utilities Commission]

4 **Ordinance appropriating \$19,500,000 of Hetch Hetchy fund balance at the Public**  
5 **Utilities Commission to support CleanPowerSF Community Choice Aggregation**  
6 **program consistent with the contractual requirements and budgetary authorizations as**  
7 **approved by the San Francisco Public Utilities Commission and the Board of**  
8 **Supervisors and adding administrative code sections 10.100.372 and 10.100.373 to**  
9 **establish the CleanPowerSF Customer Fund and the CleanPowerSF Reserve Fund.**

10  
11 Note: Additions are *single-underline italics Times New Roman*;  
12 deletions are *strikethrough italics Times New Roman*.  
13 Board amendment additions are double underlined.  
14 Board amendment deletions are ~~strikethrough-normal~~.

15 Be it ordained by the People of the City and County of San Francisco:

16 Section 1. The sources of funding outlined below are herein appropriated to reflect the  
17 funding available in Fiscal Year 2012-2013.

18 **SOURCES Appropriation**

Fund	Index/Project Code	Subobject	Description	Amount
5TAAAAAA – Hetch Hetchy	TBD	99999B	Available Fund	\$19,500,000
			Balance	
<b>Total SOURCES Appropriation</b>				<b><u>\$19,500,000</u></b>

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24 Section 2. The uses of funding outlined below are herein appropriated in FY 2012-2013 for  
25 CleanPowerSF and reflect the projected uses of funding to support the Public Utilities

1 Commission's contractual obligations under the CleanPowerSF Community Choice  
 2 Aggregation Program.

3

4 **USES Appropriation**

5	Fund	Index Code/ Project Code	Subobject	Description	Amount
7	5TXXXXX –	CUH978	097XX	Lockbox Reserves –	\$4,500,000
8	Community Choice			Working Capital	
9	Aggregation				
10					
11					
12	5TXXXXX –	CUH978	097XX	Operating Reserves–	\$1,500,000
13	Community Choice			Working Capital	
14	Aggregation				
15					
16	5TXXXXX –	CUH978	097XX	Security Reserves–	\$7,000,000
17	Community Choice			Energy Cost, Termination	
18	Aggregation			Contingency	
19					
20	5TXXXXX –	CUH978	067XX	FY 2012-13 CCA	\$3,000,000
21	Community Choice			Program Incentives, \$1M	
22	Aggregation			each for GoSolarSF for	
23				CCA Customers, CCA-	
24				Owned Generation and	
25				Energy Conservation &	
				Efficiency for CCA	

1				Customers	
2	5TXXXXX –	CUH978	067XX	FY 2013-14 CCA	\$3,000,000
3	Community Choice			Program Incentives, \$1M	
4	Aggregation			each for GoSolarSF for	
5				CCA Customers, CCA-	
6				Owned Generation and	
7				Energy Conservation &	
8				Efficiency for CCA	
9				Customers	
10	5TXXXXX –	CUH978	097XX	Operating Reserves –	\$500,000
11	Community Choice			Customer Services	
12	Aggregation				
13					
14	<b>Total USES Appropriation</b>				<b><u>\$19,500,000</u></b>

17 Section 4. Adding Section 10.100.372 to the Administrative Code, establishing the San  
18 Francisco Public Utilities Commission's CleanPowerSF Customer Fund.

19 Section 10.100.372 CleanPowerSF Customer Fund  
20 (a) Establishment of Fund. The Public Utilities Commission's CleanPowerSF Customer Fund is  
21 hereby established as a category eight fund for the purpose of serving as a depository and operating  
22 fund used to procure clean and greenhouse gas free electric power for customers of the CleanPowerSF  
23 Community Choice Aggregation Program.

24 (b) Use of Fund. All monies deposited into the fund shall be expended for implementation,  
25 operation and maintenance of the CleanPowerSF Community Choice Aggregation Program.  
Allowable uses shall include the cost of electric energy, customer service costs, administrative costs

1 and other related CleanPowerSF operating and maintenance costs as well as customer rate  
2 stabilization reserves.

3 (c) Administration of Fund. The General Manager of the San Francisco Public Utilities Commission  
4 is authorized to accept customer deposits into this fund and approve payments from this fund for  
5 electric energy provided through CleanPowerSF as well as associated costs, including reimbursement  
6 of CleanPowerSF Reserve Fund advances related to working capital or other CleanPowerSF related  
7 needs. Establishment of this fund is subject to final approval of the San Francisco Controller.

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9 Section 5. Adding Section 10.100.373 to the Administrative Code, establishing the San  
10 Francisco Public Utilities Commission's CleanPowerSF Reserve Fund.

11 Section 10.100.373 CleanPowerSF Reserve Fund

12 (a) Establishment of Fund. The San Francisco Public Utilities Commission's CleanPowerSF Reserve  
13 Fund is hereby established as a category two fund for the purpose of serving as a fund to hold reserves  
14 for unanticipated fluctuations in the cost of energy, customer service payments, working capital needs,  
15 CCA Program Incentives for GoSolarSF for CCA Customers, CCA-Owned Generation and Energy  
16 Conservation & Efficiency for CCA Customers and other charges.

17 (b) Use of Fund. All monies deposited into the Reserve Fund shall be expended or otherwise  
18 utilized, to the extent appropriated above and therefore, for the implementation and operation of the  
19 CleanPowerSF Community Choice Aggregation Program to offer GoSolarSF for CCA Customers,  
20 CCA-Owned Generation and Energy Conservation & Efficiency for CCA Customers, and for  
21 termination costs in the event the program is discontinued.

22 (c) Administration of Fund. The General Manager of the San Francisco Public Utilities  
23 Commission is authorized to transfer moneys from the CleanPowerSF Reserve Fund to the  
24 CleanPowerSF Customer Fund as needed by that fund to smooth fluctuations in cash receipts and cash  
25 payments. Funds from the CleanPowerSF Reserve Fund that represent advances for working capital  
needs for the CleanPowerSF Community Choice Aggregation Program shall be administered

1 consistent with the Board of Supervisor's approved power purchase contract between the San  
2 Francisco Public Utilities Commission and the CleanPowerSF power provider(s). Establishment of  
3 this fund is subject to final approval of the San Francisco Controller.

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5 Section 6. The enumerated amounts are hereby appropriated and can only be used as  
6 required for CleanPowerSF program contractual requirements and budgetary authorizations  
7 as approved by the San Francisco Public Utilities Commission and the Board of Supervisors.

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9 Section 7. The Controller is authorized to record transfers between funds and adjust the  
10 accounting treatment of sources and uses appropriated in this ordinance as necessary to  
11 conform with Generally Accepted Accounting Principles.

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13 Section 8. In the event the CleanPowerSF Program is discontinued or terminated all unspent  
14 appropriation, including any of the \$6,000,000 related to CCA Program Incentives for  
15 GoSolarSF for CCA Customers, CCA-Owned Generation and Energy Conservation &  
16 Efficiency for CCA Customers shall be hereby de-appropriated and returned to Hetch Hetchy  
17 Power Enterprise fund balance reserves.

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19 APPROVED AS TO FORM:  
20 DENNIS J. HERRERA, City Attorney

FUNDS AVAILABLE  
Ben Rosenfield, Controller

21 By: \_\_\_\_\_  
22 Deputy City Attorney

By: \_\_\_\_\_  
Date: July 17, 2012

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