

LEGISLATIVE DIGEST

[Studying the Feasibility of Implementing Community Choice Aggregation By Joining Marin Clean Energy]

Ordinance electing to study the feasibility of implementing a community choice aggregation program for the benefit of electric customers in San Francisco through an agreement with Marin Clean Energy.

Existing Law

The Board of Supervisors has adopted a number of ordinances related to a City community choice aggregation (CCA) program called CleanPowerSF. See Ordinance Nos. 86-04 (establishing a CCA program), 147-07 (establishing key aspects of the CCA program, and adopting implementation measures), 232-09 (approving issuance of a request for proposals for CCA services), and 45-10 (adopting a revised implementation plan for CCA).

Section 8B.121(a) of the City's Charter provides the San Francisco Public Utilities Commission (PUC) with exclusive charge over the construction, management, supervision, maintenance, extension, expansion, operation, use and control of all energy supplies and utilities of the City.

Amendments to Current Law

None.

Background Information

In this ordinance, the Board of Supervisors elects to work with Marin Clean Energy (MCE) to study the feasibility of implementing a CCA program in San Francisco by either joining MCE or otherwise working with MCE to provide CCA service.

The ordinance also urges the PUC to review the analysis provided by MCE to compare the benefits of MCE's CCA service to those of CleanPowerSF, including price, the potential resource mix of power purchases, and the ability to fund construction of local renewable energy resources. When this comparison is complete, the Board of Supervisors urges the PUC to take all necessary and appropriate steps to implement the CCA program that offers most advantages to San Francisco electric customers.

For many years the City has pursued implementation of a CCA program, which would allow San Francisco citizens to purchase cleaner, more sustainable electricity at rates comparable to PG&E rates. Under CCA, a municipality would purchase or generate the electricity and

PG&E would continue to deliver the electricity. Many San Francisco citizens have expressed their desire to be part of a CCA program.

State law provides that cities and counties may offer CCA service either directly or through a joint powers agency (JPA) with one or more other public entities. State law requires cities and counties to implement CCA programs through an ordinance. California Public Utilities Code Section 366.2(c)(12).

Marin Clean Energy is a CCA currently serving approximately 125,000 customers. It is a JPA that has been providing service to customers since May 2010. It offers two types of service—a “light green” service that is 50% renewable energy and a “deep green” service that is 100% renewable energy.

In order for the City to offer a CCA program either independently or through an agreement with Marin Clean Energy, both the Board of Supervisors and the PUC will need to approve the program, due to the exclusive jurisdiction of PUC over energy programs provided by Charter Section 8B.121.

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