

1 [Implementation of AB 117]

2

3 **Resolution supporting AB 117 which concerns community aggregation of power by**
4 **local agencies.**

5

6 WHEREAS, The primary purpose of the San Francisco Local Agency Formation
7 Commission (San Francisco LAFCo or Commission) under the Cortese-Knox-Hertzberg
8 Local Government Reorganization Act of 2000 is to review public service needs,
9 including utility service, and to determine whether new government entities should be
10 created or changes in existing governments should be made to address the needs of its
11 citizens; and

12 WHEREAS, The Commission adopted by resolution its Energy Services Study
13 and Recommendations for Electric Utility Service, and recommended that the
14 Commission pursue the feasibility of implementing the provisions of AB 117 (Chapter
15 838, Statutes of 2002) by the City and County of San Francisco; and

16 WHEREAS, A copy of the AB 117 Assessment Report for the City and County of
17 San Francisco is in the LAFCo file.

18 WHEREAS, The Commission selected R. W. Beck to prepare such a study; and

19 WHEREAS, The Commission adopted a resolution accepting the report, and
20 recommends that the City and County of San Francisco perform the following to
21 improve the power supply, transmission, and distribution to the city and County of San
22 Francisco:

23 The San Francisco Local Agency Formation Commission hereby recommends that the
24 City and County of San Francisco perform the following to improve the power supply,
25 transmission, and distribution to the City and County of San Francisco:

- 1 1. Request that the California Public Utilities Commission (CPUC) implement the
2 provisions of AB 117 by taking those steps required under the legislation for
3 implementation of community aggregation including identifying financial assistance
4 to local communities to develop Implementation Plans for Community Aggregation
5 Programs. The City and County of San Francisco may not proceed under AB 117
6 until the CPUC has adopted rules for implementing community choice aggregation.
- 7 2. Determine whether an Implementation Plan should be filed with the CPUC and
8 develop appropriate staffing levels and revenue sources as necessary to prepare
9 the Implementation Plan for Community Aggregation. If approved, the City and
10 County of San Francisco would adopt an Ordinance to implement Community
11 Aggregation in compliance with AB 117 and CPUC rules and regulations.
- 12 3. Prepare an Implementation Plan for submittal to the California Public Utilities
13 Commission consistent with the requirements of AB 117 Community Choice
14 Aggregation legislation (Chapter 838 Statutes of 2002) to include the following
15 information consistent with the AB 117 Assessment Report:
 - 16 a. An organizational structure of the program, its operations and its
17 funding.
 - 18 b. Rate setting and other costs to the participants.
 - 19 c. Provisions for disclosure and due process in setting rates and
20 allocating costs among participants.
 - 21 d. The methods for entering and terminating agreements with other
22 entities.
 - 23 e. The rights and responsibilities of program participants, including, but
24 not limited to, consumer protection procedures, credit issues, and
25 shutoff procedures.

- 1 f. Termination of the program.
- 2 g. A description of the third parties that will be supplying electricity under
- 3 the program, including, but not limited to, information about financial,
- 4 technical, and operational capabilities.

5 4. Continue to monitor and support legislative and regulatory activities that provide
6 Direct Access and Community Aggregation; and

7 WHEREAS, The San Francisco Local Agency Formation Commission determines that
8 it is advisable for the Board of Supervisors to express its support for the implementation of AB
9 117; now therefore, be it

10 RESOLVED, That the Board of Supervisors support the recommendations outlined in
11 the AB 117 Assessment Report for the City and County of San Francisco.

12
13
14
15
16
17
18
19
20
21
22
23
24
25