

1 [Administrative Code - Providing Electric Power to City Departments and New Developments]

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3 **Ordinance amending the Administrative Code to clarify the requirement for the City to**
4 **provide electric service to City departments and facilities and to evaluate the feasibility**
5 **of providing electric power to new developments and projects.**

6 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
7 **Additions to Codes** are in *single-underline italics Times New Roman font*.
8 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
9 **Board amendment additions** are in double-underlined Arial font.
10 **Board amendment deletions** are in ~~strikethrough Arial font~~.
11 **Asterisks (* * * *)** indicate the omission of unchanged Code
12 subsections or parts of tables.

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

14 Section 1. The Administrative Code is hereby amended by revising Sections 99.1 and
15 99.2, to read as follows:

16 **SEC. 99.1. FINDINGS.**

17 *(a) The Public Utilities Commission (PUC) has been providing clean power and other*
18 *electric services to City departments and other entities for almost 100 years.*

19 *(b) The California Constitution, Article XI, Section 9, authorizes the City to provide electric*
20 *service. The Raker Act (38 Stat. 242, 1913) authorizes the City to develop a hydroelectric system and*
21 *sell power from it to any end use customer.*

22 *(c)A-* Section 16.101 of the Charter declares that it is the purpose and intention of the
23 people of the City and County, when public interest and necessity demand, that public utilities
24 shall be gradually acquired and ultimately owned by the City and County.

25 *(d)B-* In furtherance of Charter Section 16.101, the City should consider the feasibility
of supplying electricity to all new City developments, including, without limitation, military base
reuse projects, redevelopment projects, projects occupying any portion of public land, and projects

1 funded in whole or in part by local, State, or Federal funds and other City projects. The City has
2 typically provided electricity to these types of projects in addition to (i) City departments, facilities,
3 tenants, (ii) entities providing services on behalf of or in concert with the City, and (iii) other
4 governmental entities and nonprofits. The Board of Supervisors expects that the City will continue to
5 serve these types of projects.

6 (e) In addition to the types of projects identified in (d) above, certain other private projects
7 seeking City approvals, including but not limited to, new or substantial rehabilitation of more than 10
8 residential units or new or substantial rehabilitation of more than 10,000 square feet of occupiable
9 space, present good opportunities for City electric service. The City shall consider the feasibility of
10 supplying electricity to such projects where City electric service would benefit the City and the project
11 and where such service would be consistent with the PUC's resources, budget, business plans, and
12 priorities.

13 (f) ~~C.~~ The City's provision of electricity ~~to new City developments can~~ provides for clean,
14 reliable, and safe electric service as well as economic benefits to the City and the customer
15 new development project.

16 (g) ~~D.~~ The benefits of City-provided electric service ~~public power can~~ include local control,
17 lower rates, commitment to local communities, promotion of renewable energy and energy
18 efficiency, not-for-profit operations, public accountability, ~~local decision-making,~~ reliability of
19 service, ~~and~~ full attention to customer service, and the use of procedures and practices that are
20 protective of workers, the public, and the environment.

21 (h) The additional revenue provided by serving electricity to new customers can be used to
22 address the significant deferred maintenance for street lights and other power facilities under the
23 jurisdiction of the PUC.

24 ~~E.~~ A public power utility would employ procedures and practices that are protective of its
25 workers, the public and the environment.

1 **SEC. 99.2. REQUIREMENT TO STUDY FEASIBILITY.**

2 ~~(a)A.~~ The City shall examine the feasibility of supplying electricity to all new City
3 developments, including, without limitation, military base reuse projects, redevelopment
4 projects, projects occupying any portion of public land, projects funded in whole or in part by local,
5 State, or Federal funds, and other City projects, and certain other private projects seeking City
6 approvals.

7 ~~(b)B.~~ The City department or agency in charge of the development project and/or the
8 project sponsor shall, in consultation work with the PUC San Francisco Public Utilities Commission,
9 to prepare an assessment of the feasibility of the City providing electric service to the
10 project development. The assessment shall include, but not be limited to, the following: (1)
11 electric load projection and schedule; (2) evaluation of existing electric infrastructure and new
12 infrastructure that will be needed; (3) analysis of purchase and delivery costs for electric
13 commodity as well as transmission and distribution services that will be needed to deliver
14 power to the development; (4) the potential for load reduction through energy efficiency and
15 demand response; (5) business structure cost analysis; and (6) financial and cost recovery
16 period analysis. The assessment shall determine whether the addition of the new customer will benefit
17 the City and its existing customers, considering the additional costs to serve the new customer.

18 ~~(c)~~ Subject to required approvals and the assessment in Section 99.2(b), the PUC shall
19 supply electricity to new City developments and other projects, to the extent consistent with its
20 responsibility for the exclusive management, jurisdiction, and control of energy supplies and utilities of
21 the City as provided in Section 8B.121 of the Charter.

22 ~~C.~~ The department or agency shall consider the timeline of the development project and
23 submit its study of feasibility to the Board of Supervisors in a timely manner, with a copy to the San
24 Francisco Public Utilities Commission.

1 Section 2. The Administrative Code is hereby amended by adding Section 99.3, to
2 read as follows:

3 **SEC. 99.3. ELECTRIC SERVICE TO CITY DEPARTMENTS AND FACILITIES**

4 (a) All City departments, including departments located in or on non-City-owned facilities
5 and properties, shall receive electric service from the PUC unless the PUC determines that such
6 service is not feasible. All tenants in City facilities or on City property shall receive electric service
7 from the PUC unless the PUC determines that such service is not feasible.

8 (b) All City departments shall work with the PUC to plan for, design, and construct electric
9 infrastructure to determine the most beneficial means of constructing and funding infrastructure
10 needed for connection to the electric grid to maximize the long-term benefits to the City.

11 Section 3. Effective Date. This ordinance shall become effective 30 days after
12 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
13 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
14 of Supervisors overrides the Mayor's veto of the ordinance.

15 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
16 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
17 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
18 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
19 additions, and Board amendment deletions in accordance with the "Note" that appears under
20 the official title of the ordinance.

21 APPROVED AS TO FORM:
22 DENNIS J. HERRERA, City Attorney

23 By: _____
24 Theresa L. Mueller
25 Deputy City Attorney

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