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[Implementation of AB 117]

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

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

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

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

WHEREAS, The Commission selected R. W. Beck to prepare such a study; and WHEREAS, The Commission adopted a resolution accepting the report, and recommends that the City and County of San Francisco perform the following to improve the power supply, transmission, and distribution to the city and County of San Francisco:

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

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

- f. Termination of the program.
- g. A description of the third parties that will be supplying electricity under the program, including, but not limited to, information about financial, technical, and operational capabilities.
- 4. Continue to monitor and support legislative and regulatory activities that provide Direct Access and Community Aggregation; and

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

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



## City and County of San Francisco Tails

City Hall 1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102-4689

## Resolution

File Number:

032009

Date Passed:

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

January 6, 2004 Board of Supervisors — ADOPTED

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom,

Peskin, Sandoval Excused: 1 - Daly

File No. 032009

I hereby certify that the foregoing Resolution was ADOPTED on January 6, 2004 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young Clerk of the Board

JAN 16 2004

Date Approved