

PUBLIC UTILITIES COMMISSION
City and County of San Francisco

RESOLUTION NO. 15-0159

WHEREAS, Pursuant to the San Francisco Charter, the management and control of the Community Choice Aggregation (CCA) program is the responsibility of the San Francisco Public Utilities Commission (SFPUC) (Board of Supervisors Ord. No. 146-07, Section 1(a)); and

WHEREAS, The San Francisco Board of Supervisors established a CCA program in 2004 (Ordinance 86-04) and has implemented the program, called CleanPowerSF, through the work of the SFPUC in consultation with the San Francisco Local Agency Formation Commission (Board of Supervisors Ords. 146-07, 147-07 and 232-09); and

WHEREAS, In June 2007, the Board of Supervisors adopted a Draft Implementation Plan per Ordinance 147-07 (Board of Supervisors Ord. No. 147-07, Section 5); and

WHEREAS, The SFPUC completed a Request For Information (issued November 2007), a Request for Qualifications (issued April 2009) and a Request for Proposals (issued November 2009) and revised the Draft IP as envisioned by Ordinance 147-07; and

WHEREAS, The SFPUC authorized the General Manager to seek the approval of the Board of Supervisors to file a revised IP with the CPUC (SFPUC Res. No. 10-0019), and the Board of Supervisors subsequently adopted the revised IP (Board of Supervisors Ord. No. 45-10), and authorized its filing with the CPUC; and

WHEREAS, The CPUC certified receipt of the IP on May 18, 2010; and

WHEREAS, The Commission and the Board of Supervisors adopted significant CCA-related changes after May 18, 2010, including: 1) a goal of a 100% renewable portfolio at program launch, and 2) negotiating contracts with Shell Energy North America for electricity supply and Noble Americas for customer care and administrative services; and

WHEREAS, The CPUC directed existing CCAs to file an updated CCA IP conforming with customer data privacy protections recently established by the CPUC (CPUC Decision 12-08-045, Ordering Paragraph 10); and

WHEREAS, Those CCA-related developments resulted in material changes to the certified 2010 IP and necessitated re-filing with the CPUC on November 21, 2012; and

WHEREAS, The CPUC certified receipt of the revised IP on June 7, 2013; and

WHEREAS, The Commission has considered and adopted further changes to the CCA program since June 7, 2013, including: 1) leading with affordability; 2) providing two product options, a default product that is 33% to 50% renewable at launch and a premium product that is 100% renewable at launch; 3) adopting a ratemaking methodology for the default product that results in total customer bills that are equal to or less than PG&E at program launch (SFPUC Res. No. 15-0112); 4) managing energy supply directly rather than contracting with a single third party; and 5) issuing a new RFP for customer care and administrative services; and

WHEREAS, These changes to the CCA program require filing an updated IP with the CPUC; and

WHEREAS, Approval of the 2015 Updated IP by this Commission and filing at the CPUC would not fall within the definition of an approval action subject to CEQA. The 2015 Updated IP is not a "project" under CEQA Guidelines Sections 15378(b)(4) and 15387(b)(5), which exclude from the definition of "project" the "creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment" and "organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment"; and

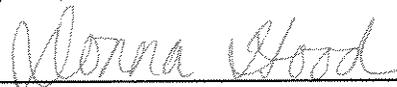
WHEREAS, Before making any future decisions to construct or cause the construction of specific renewable energy projects subject to the California Environmental Quality Act (CEQA) the SFPUC would consider any environmental review documents prepared by the City or other CEQA lead agency in compliance with CEQA and, if it approves such projects, the SFPUC would adopt any required CEQA findings as part of such approval actions; and

WHEREAS, Pursuant to PU Code Section 366.2(c)(3), any subsequent changes to an IP shall be adopted at a public hearing and filed with the CPUC; now, therefore, be it

RESOLVED, That the Commission approves the attached 2015 Updated CCA Implementation Plan and Statement of Intent; and be it

FURTHER RESOLVED, That the Commission authorizes the General Manager to file the 2015 Updated CCA Implementation Plan and Statement of Intent with the California Public Utilities Commission.

I hereby certify that the foregoing resolution was adopted by the Public Utilities Commission at its meeting of July 14, 2015.



Secretary, Public Utilities Commission