

1 [Settlement of Lawsuit - Pacific Gas & Electric Co. - Power Connections]

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3 **Ordinance authorizing settlement of the complaint of the City and County of San**
4 **Francisco (City) against Pacific Gas & Electric Co. (PG&E) that was filed by the City on**
5 **January 28, 2019, before the Federal Energy Regulatory Commission, Docket No.**
6 **EL19-38; entitled City and County of San Francisco v. Pacific Gas & Electric Co.; the**
7 **complaint concerns PG&E's imposition of unreasonable restrictions on connections of**
8 **City facilities to PG&E's distribution system; the material terms of the settlement are**
9 **that, in exchange for the City dismissing its complaint and waiving any claim for**
10 **monetary relief, PG&E will allow the City to connect 30 megawatts of metered**
11 **secondary voltage load over the next five years, provided the loads will be used to**
12 **serve 1) existing points of delivery that undergo changes, 2) City departments or**
13 **related public entities, or 3) private entities using City-owned property.**

14
15 Be it ordained by the People of the City and County of San Francisco:

16 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby
17 authorizes the City Attorney and the Public Utilities Commission to settle the action entitled
18 *City and County of San Francisco v. Pacific Gas and Electric Co.*, Federal Energy Regulatory
19 Commission (FERC) Docket No. EL19-38.

20 Section 2. The above-named matter was filed by the City and County of San Francisco
21 (City) against Pacific Gas and Electric Co. (PG&E) at the FERC, on January 28, 2019.

22 Section 3. Key terms of the settlement include:

- 23 • The City would dismiss the complaint permanently and waive any claims for monetary
24 damages arising from the complaint.

- 1 • During the five years following the settlement, PG&E would allow the City to connect up
2 to thirty megawatts (MWs) of metered secondary voltage load, so long as each load is
3 within one of the following categories:
- 4 ○ existing secondary service customers that expand or otherwise change electric
5 service; or
 - 6 ○ City departments or related public entities; or
 - 7 ○ private entities on City property, but this category is limited to a maximum of five
8 megawatts of the thirty MW total.

9 Section 4. On November 14, 2023, the Public Utilities Commission approved the
10 settlement in Resolution No. 23-0203 on file with the Clerk of the Board of Supervisors in File
11 No. 231246. If approved by the Board of Supervisors, the settlement will be submitted to the
12 FERC for approval.

13 Section 5. The Board of Supervisors approves the settlement and authorizes the
14 General Manager of the Public Utilities Commission to execute such documents as may be
15 necessary to effectuate the settlement approved herein, to enter into any amendments or
16 modifications to such documents that the General Manager determines, in consultation with
17 the City Attorney, are in the best interest of the City; do not materially increase the obligations
18 or liabilities of the City or materially diminish the benefits to the City, are necessary or
19 advisable to effectuate the purposes and intent of this ordinance; and are in compliance with
20 all applicable laws, including the City Charter.

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APPROVED AS TO FORM AND
RECOMMENDED:

DAVID CHIU
City Attorney

/s/

THERESA L. MUELLER
Chief Energy and Telecommunications
Deputy

RECOMMENDED:

PUBLIC UTILITIES COMMISSION

/s/

DENNIS J. HERRERA
General Manager

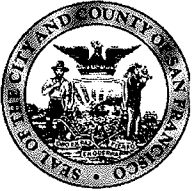
APPROVED:

PUBLIC UTILITIES COMMISSION

/s/

DONNA HOOD
Secretary

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City and County of San Francisco

Tails Ordinance

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

File Number: 231246

Date Passed: February 06, 2024

Ordinance authorizing settlement of the complaint of the City and County of San Francisco (City) against Pacific Gas & Electric Co. (PG&E) that was filed by the City on January 28, 2019, before the Federal Energy Regulatory Commission, Docket No. EL19-38; entitled City and County of San Francisco v. Pacific Gas & Electric Co.; the complaint concerns PG&E's imposition of unreasonable restrictions on connections of City facilities to PG&E's distribution system; the material terms of the settlement are that, in exchange for the City dismissing its complaint and waiving any claim for monetary relief, PG&E will allow the City to connect 30 megawatts of metered secondary voltage load over the next five years, provided the loads will be used to serve 1) existing points of delivery that undergo changes, 2) City departments or related public entities, or 3) private entities using City-owned property.

January 18, 2024 Government Audit and Oversight Committee - RECOMMENDED

January 30, 2024 Board of Supervisors - PASSED ON FIRST READING


Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

February 06, 2024 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 231246

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 2/6/2024 by the Board of Supervisors of the City and County of San Francisco.


Angela Calvillo
Clerk of the Board



London N. Breed
Mayor

2/16/24

Date Approved