

# PUBLIC UTILITIES COMMISSION

City and County of San Francisco

RESOLUTION NO. 17-0013

WHEREAS, On August 11, 2015, per Resolution No. 15-0175, this Commission awarded Agreement No. CS-247[R], Customer and Administrative Services for Community Choice Aggregation Program, and authorized the General Manager of the San Francisco Public Utilities Commission (SFPUC) to negotiate and execute a professional services agreement in the amount of \$5,600,000 and with a term of three years, concluding on October 31, 2018, with Noble Americas Energy Solutions LLC (hereinafter "Assignor"), to provide meter data management, billing, and customer care services for CleanPowerSF, a community choice aggregation program; and

WHEREAS, Noble Americas Energy Solutions, LLC changed its name under Articles of Amendment to Calpine Energy Services LLC on December 1, 2016; and

WHEREAS, On January 10, 2017, a Contribution and Assignment of Rights Agreement was filed that transferred business activity from Assignor to Calpine Energy Services LLC (hereinafter "Assignee"). Assignee assumed all obligations and liabilities under the Agreement and became a party to the Agreement; and

WHEREAS, Assignor desires to assign the Agreement and Assignee desires to assume the Agreement, each on mutually agreed-upon terms and conditions; and

WHEREAS, The Assignee can meet the minimum qualifications as set forth in the original Request for Proposals; and

WHEREAS, Assignor is currently performing services that are needed to continue providing meter data management, billing, and customer care services for CleanPowerSF. The project team has concluded that Assignee is the only consultant that could readily perform these services without causing severe disruption to the continued operation of the program; moreover, background resources required to complete these services would be lost if the City was required to competitively procure the contract again; and

WHEREAS, All the terms and conditions of the Agreement remain in full force and effect; now, therefore, be it

RESOLVED, That this Commission hereby approves the assignment and assumption of Agreement No. CS-247[R], Customer and Administrative Services for Community Choice Aggregation Program, and authorizes the General Manager of the SFPUC to negotiate and execute an Assignment and Assumption Agreement in a form approved by the City Attorney.

*I hereby certify that the foregoing resolution was adopted by the Public Utilities Commission at its meeting of January 24, 2017.*



Secretary, Public Utilities Commission