

1 [Administrative Code – CleanPowerSF Funds and Appropriating \$19,500,000 of Available
2 Fund Balance to Support Required Reserves and Creating Special Funds for the
3 CleanPowerSF Program at the Public Utilities Commission.]

4 **Ordinance appropriating \$19,500,000 of Hetch Hetchy fund balance at the Public**
5 **Utilities Commission to support CleanPowerSF Community Choice Aggregation**
6 **program consistent with the contractual requirements and budgetary authorizations as**
7 **approved by the San Francisco Public Utilities Commission and the Board of**
8 **Supervisors and adding Administrative Code Sections 10.100.372 and 10.100.373 to**
9 **establish the CleanPowerSF Customer Fund and the CleanPowerSF Reserve Fund.**

11 Note: Additions are single-underline italics Times New Roman;
12 deletions are ~~strikethrough italics Times New Roman~~.
13 Board amendment additions are double underlined.
14 Board amendment deletions are ~~strikethrough-normal~~.

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

16 Section 1. The sources of funding outlined below are herein appropriated to reflect the
17 funding available in Fiscal Year 2012-2013.

18 **SOURCES Appropriation**

Fund	Index Code/ Project Code	Subobject	Description	Amount
5TAAAAAA – Hetch Hetchy	TBD	99999B	Available Fund Balance	\$19,500,000
Total SOURCES Appropriation				\$19,500,000

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 2 Section 2. The uses of funding outlined below are herein appropriated in FY 2012-2013 for
 3 CleanPowerSF and reflect the projected uses of funding to support the Public Utilities
 4 Commission's contractual obligations under the CleanPowerSF Community Choice
 5 Aggregation Program.

6
 7 **USES Appropriation**

8	Fund	Index Code/ Project Code	Subobject	Description	Amount
10	5TXXXXX –	CUH978	097XX	Lockbox Reserves –	\$4,500,000
11	Community Choice			Working Capital	
12	Aggregation				
13					
14	5TXXXXX –	CUH978	097XX	Operating Reserves–	\$1,500,000
15	Community Choice			Working Capital	
16	Aggregation				
17					
18	5TXXXXX –	CUH978	097XX	Security Reserves– Energy	\$7,000,000
19	Community Choice			Cost, Termination	
20	Aggregation			Contingency	
21					
22	5TXXXXX –	CUH978	067XX	FY 2012-13 CCA Program	\$3,000,000
23	Community Choice			Incentives, \$1M each for	
24	Aggregation			GoSolarSF for CCA	
25				Customers, CCA-Owned	

1				Generation and Energy	
2	Fund	Index Code/ Project Code	Subobject	Description	Amount
3					
4				Conservation & Efficiency for	
5				CCA Customers	
6					
7	5TXXXXX –	CUH978	067XX	FY 2013-14 CCA Program	\$3,000,000
8	Community Choice			Incentives, \$1M each for	
9	Aggregation			GoSolarSF for CCA	
10				Customers, CCA-Owned	
11				Generation and Energy	
12				Conservation & Efficiency for	
13				CCA Customers	
14					
15	5TXXXXX –	CUH978	097XX	Operating Reserves –	\$500,000
16	Community Choice			Customer Services	
17	Aggregation				
18					
19	Total USES Appropriation				\$19,500,000

22 Section 4. Adding Section 10.100.372 to the Administrative Code, establishing the San
23 Francisco Public Utilities Commission’s CleanPowerSF Customer Fund.

24 Section 10.100.372 CleanPowerSF Customer Fund

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1 (a) Establishment of Fund. The Public Utilities Commission's CleanPowerSF Customer Fund is
2 hereby established as a category eight fund for the purpose of serving as a depository and operating
3 fund used to procure clean and greenhouse gas free electric power for customers of the CleanPowerSF
4 Community Choice Aggregation Program.

5 (b) Use of Fund. All monies deposited into the fund shall be expended for implementation, operation
6 and maintenance of the CleanPowerSF Community Choice Aggregation Program. Allowable uses
7 shall include the cost of electric energy, customer service costs, administrative costs and other related
8 CleanPowerSF operating and maintenance costs as well as customer rate stabilization reserves.

9 (c) Administration of Fund. The General Manager of the San Francisco Public Utilities Commission
10 is authorized to accept customer deposits into this fund and approve payments from this fund for
11 electric energy provided through CleanPowerSF as well as associated costs, including reimbursement
12 of CleanPowerSF Reserve Fund advances related to working capital or other CleanPowerSF related
13 needs. Establishment of this fund is subject to final approval of the San Francisco Controller.

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15 Section 5. Adding Section 10.100.373 to the Administrative Code, establishing the San
16 Francisco Public Utilities Commission's CleanPowerSF Reserve Fund.

17 Section 10.100.373 CleanPowerSF Reserve Fund

18 (a) Establishment of Fund. The San Francisco Public Utilities Commission's CleanPowerSF Reserve
19 Fund is hereby established as a category two fund for the purpose of serving as a fund to hold reserves
20 for unanticipated fluctuations in the cost of energy, customer service payments, working capital needs,
21 CCA Program Incentives for GoSolarSF for CCA Customers, CCA-Owned Generation and Energy
22 Conservation & Efficiency for CCA Customers and other charges.

23 (b) Use of Fund. All monies deposited into the Reserve Fund shall be expended or otherwise utilized,
24 to the extent appropriated above and therefore, for the implementation and operation of the
25 CleanPowerSF Community Choice Aggregation Program to offer GoSolarSF for CCA Customers,

1 CCA-Owned Generation and Energy Conservation & Efficiency for CCA Customers, and for
2 termination costs in the event the program is discontinued.

3 (c) Administration of Fund. The General Manager of the San Francisco Public Utilities Commission
4 is authorized to transfer moneys from the CleanPowerSF Reserve Fund to the CleanPowerSF Customer
5 Fund as needed by that fund to smooth fluctuations in cash receipts and cash payments. Funds from
6 the CleanPowerSF Reserve Fund that represent advances for working capital needs for the
7 CleanPowerSF Community Choice Aggregation Program shall be administered consistent with the
8 Board of Supervisor's approved power purchase contract between the San Francisco Public Utilities
9 Commission and the CleanPowerSF power provider(s). Establishment of this fund is subject to final
10 approval of the San Francisco Controller.

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12 Section 6. The enumerated amounts are hereby appropriated and can only be used as
13 required for CleanPowerSF program contractual requirements and budgetary authorizations
14 as approved by the San Francisco Public Utilities Commission and the Board of Supervisors.

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16 Section 7. The Controller is authorized to record transfers between funds and adjust the
17 accounting treatment of sources and uses appropriated in this ordinance as necessary to
18 conform with Generally Accepted Accounting Principles.

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20 Section 8. In the event the CleanPowerSF Program is discontinued or terminated all unspent
21 appropriation, including any of the \$6,000,000 related to CCA Program Incentives for
22 GoSolarSF for CCA Customers, CCA-Owned Generation and Energy Conservation &
23 Efficiency for CCA Customers shall be hereby de-appropriated and returned to Hetch Hetchy
24 Power Enterprise fund balance reserves.

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

FUNDS AVAILABLE
Ben Rosenfield, Controller

By: _____
Deputy City Attorney

By: _____
Date: July 17, 2012