

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, placing the \$6,000,000 appropriated for CleanPowerSF sustainability**  
9 **services on Budget and Finance Committee Reserve pending detailed appropriation**  
10 **plans for those sustainability services, and adding Administrative Code Sections**  
11 **10.100.372 and 10.100.373 to establish the CleanPowerSF Customer Fund and the**  
12 **CleanPowerSF Reserve Fund.**

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14 Note: Additions are *single-underline italics Times New Roman*;  
15 deletions are ~~*strikethrough italics Times New Roman*~~.  
16 Board amendment additions are double underlined.  
17 Board amendment deletions are ~~strikethrough normal~~.

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

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

21 **SOURCES Appropriation**

| Fund       | Index Code/<br>Project Code | Subobject | Description            | Amount              |
|------------|-----------------------------|-----------|------------------------|---------------------|
| 5TAAAAAA – | TBD                         | 99999B    | Available Fund Balance | <u>\$19,500,000</u> |

1 Hetch Hetchy

2

3 **Total SOURCES Appropriation**

\$19,500,000

4

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

9

10 **USES Appropriation**

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

|    |                                 |                     |                  |                               |                     |
|----|---------------------------------|---------------------|------------------|-------------------------------|---------------------|
| 1  | Community Choice                |                     |                  | Incentives, \$1M each for     |                     |
| 2  | Aggregation                     |                     |                  | GoSolarSF for CCA             |                     |
| 3  |                                 |                     |                  | Customers, CCA-Owned          |                     |
| 4  |                                 |                     |                  | Generation and Energy         |                     |
| 5  | <b>Fund</b>                     | <b>Index Code/</b>  | <b>Subobject</b> | <b>Description</b>            | <b>Amount</b>       |
| 6  |                                 | <b>Project Code</b> |                  |                               |                     |
| 7  |                                 |                     |                  | Conservation & Efficiency for |                     |
| 8  |                                 |                     |                  | CCA Customers                 |                     |
| 9  |                                 |                     |                  |                               |                     |
| 10 | 5TXXXXX –                       | CUH978              | 067XX            | FY 2013-14 CCA Program        | \$3,000,000         |
| 11 | Community Choice                |                     |                  | Incentives, \$1M each for     |                     |
| 12 | Aggregation                     |                     |                  | GoSolarSF for CCA             |                     |
| 13 |                                 |                     |                  | Customers, CCA-Owned          |                     |
| 14 |                                 |                     |                  | Generation and Energy         |                     |
| 15 |                                 |                     |                  | Conservation & Efficiency for |                     |
| 16 |                                 |                     |                  | CCA Customers                 |                     |
| 17 |                                 |                     |                  |                               |                     |
| 18 | 5TXXXXX –                       | CUH978              | 097XX            | Operating Reserves –          | \$500,000           |
| 19 | Community Choice                |                     |                  | Customer Services             |                     |
| 20 | Aggregation                     |                     |                  |                               |                     |
| 21 |                                 |                     |                  |                               |                     |
| 22 | <b>Total USES Appropriation</b> |                     |                  |                               | <b>\$19,500,000</b> |
| 23 |                                 |                     |                  |                               |                     |
| 24 |                                 |                     |                  |                               |                     |
| 25 |                                 |                     |                  |                               |                     |

1 Section 3. The \$6,000,000 appropriated for GoSolarSF for CCA Customers, CCA-Owned  
2 Generation and Energy Conservation & Efficiency for CCA Customers (CleanPowerSF  
3 sustainability services) are hereby placed on Budget and Finance Committee Reserve  
4 pending detailed appropriation plans for CleanPowerSF sustainability services.

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

7 Section 10.100.372 CleanPowerSF Customer Fund

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

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

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

21  
22 Section 5. Adding Section 10.100.373 to the Administrative Code, establishing the San  
23 Francisco Public Utilities Commission’s CleanPowerSF Reserve Fund.

24 Section 10.100.373 CleanPowerSF Reserve Fund

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

6 (b) Use of Fund. All monies deposited into the Reserve Fund shall be expended or otherwise utilized,  
7 to the extent appropriated above and therefore, for the implementation and operation of the  
8 CleanPowerSF Community Choice Aggregation Program to offer GoSolarSF for CCA Customers,  
9 CCA-Owned Generation and Energy Conservation & Efficiency for CCA Customers, and for  
10 termination costs in the event the program is discontinued.

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

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20 Section 6. The enumerated amounts are hereby appropriated and can only be used as  
21 required for CleanPowerSF program contractual requirements and budgetary authorizations  
22 as approved by the San Francisco Public Utilities Commission and the Board of Supervisors.  
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1 Section 7. The Controller is authorized to record transfers between funds and adjust the  
2 accounting treatment of sources and uses appropriated in this ordinance as necessary to  
3 conform with Generally Accepted Accounting Principles.

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5 Section 8. In the event the CleanPowerSF Program is discontinued or terminated all unspent  
6 appropriation, including any of the \$6,000,000 related to CCA Program Incentives for  
7 GoSolarSF for CCA Customers, CCA-Owned Generation and Energy Conservation &  
8 Efficiency for CCA Customers shall be hereby de-appropriated and returned to Hetch Hetchy  
9 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