

# **PUBLIC UTILITIES COMMISSION**

City and County of San Francisco

RESOLUTION NO. 24-0130

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

WHEREAS, In April 2019, CleanPowerSF completed citywide enrollment of residential accounts, which an annual energy requirement of approximately 3,000 gigawatt-hours; and

WHEREAS, On September 21, 2022, the SFPUC issued PRO.0263, CleanPowerSF 2022 Renewable Energy Supplies, seeking bids for energy, environmental attributes, and capacity from new and existing Eligible Renewable Energy Resources, as defined in California Public Resources Code Section 25741, Eligible Renewable Energy Resources paired with battery storage, and Demand Response capacity in support of the CleanPowerSF program; and with initial delivery dates as late as December 31, 2028 for contract terms of up to 25 years; and

WHEREAS, The SFPUC received seven distinct project proposals response to PRO.0263, CleanPowerSF 2022 Renewable Energy Supplies, and on November 18, 2022 notified Proposers that some or all of their proposals submitted under PRO.0263 were selected for further consideration; and

WHEREAS, The SFPUC evaluated seven distinct proposals that met the minimum qualifications according to criteria that considered the Proposer's experience, Financial Viability, Project Viability, Cost and Bid Value, Contribution to a Diversified Portfolio, Contributions to Mid-Term Reliability Order Compliance, Generating Resource Location, Diversity Equity and Inclusion, and Social Impact Partnership proposals; and

WHEREAS, The Easley Solar Project proposed by the developer Intersect Power was determined to provide significant benefits to the CleanPowerSF power supply portfolio as the highest scoring available proposal according to the project scoring categories to secure long-term renewable energy supplies in support of CleanPowerSF's local and state electricity procurement requirements; and

WHEREAS, The IP Easley Solar project will undergo environmental review in Riverside County and the Power Purchase Agreement allows CleanPowerSF to terminate participation in the project if the developer fails to obtain all applicable discretionary permits and complete California Environmental Quality Act (CEQA) review, which may include consideration of any alternatives and requirements for implementation of a mitigation monitoring and reporting program, and begin construction of the IP Easley Solar Project by the date specified in the agreement; and

WHEREAS, The developer is required by the agreement to comply with all applicable laws during the term of the agreement, which includes CEQA requirements for implementation of mitigation measures, if any; now, therefore, be it

RESOLVED, That this Commission hereby authorizes the General Manager to approve a Renewable Energy Power Purchase Agreement for CleanPowerSF with IP Easley LLC proposed by Intersect Power through PRO.0263, in substantially the same form of the SFPUC Form Renewable Energy Power Purchase Agreement, and further authorizes the General Manager to modify that Agreement as long as such modifications, in the judgement of the General Manager

and the City Attorney, do not materially decrease the City's rights or materially increase its liabilities; and be it

FURTHER RESOLVED, That this Commission authorizes the General Manager to seek Board of Supervisors approval to execute a Renewable Energy Power Purchase Agreement with IP Easley LLC in an amount not-to-exceed \$75,000,000 and a contract duration of 10 years.

*I hereby certify that the foregoing resolution was adopted by the Public Utilities Commission at its meeting of May 28, 2024.*

*Cirilo Espinoza*

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*Acting Commission Secretary, Public Utilities Commission*