

PUBLIC UTILITIES COMMISSION

City and County of San Francisco

RESOLUTION NO. 24-0215

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, with an annual energy requirement of approximately 3,000 gigawatt-hours; and

WHEREAS, On July 15, 2024, Pacific Gas and Electric Company (“PG&E”) issued a Greenhouse Gas-Free (“GHG-Free”) Energy Sale - Solicitation, to solicit bids from participants to purchase GHG-Free Energy generated in 2024-2025; and

WHEREAS, On July 31, 2024 SFPUC staff submitted a bid into the PG&E GHG-Free Energy Sale – Solicitation to purchase GHG-Free Energy from hydroelectric resources for CleanPowerSF for 2025 delivery; and

WHEREAS, On August 6, 2024 PG&E notified SFPUC that its bid to purchase 2025 GHG-Free Energy was accepted and on August 8, 2024, SFPUC staff responded to PG&E accepting the awarded bid, as required by PG&E to continue in the process; and

WHEREAS, The proposed GHG-Free Energy contract with PG&E represents one of the best available opportunities to secure 2025 GHG-Free Energy supplies in support of CleanPowerSF’s City electricity procurement requirement to achieve and maintain 100% clean and renewable electricity supplies starting in 2025; and

WHEREAS, The proposed 2025 GHG-Free Energy Contract with PG&E requires that certain City contract-related requirements be waived, and the General Manager has waived such requirements pursuant to the waiver authority of the San Francisco Administrative Code 21.43; and

WHEREAS, San Francisco Administrative Code 21.43 delegates authority to the General Manager to enter into agreements with binding arbitration provisions with Investor-Owned Utilities (IOUs), including PG&E, but not for contracts of this specific product type; and

WHEREAS, The proposed 2025 GHG-Free Energy Contract requires binding arbitration, and therefore will require approval from the Board of Supervisors; and

WHEREAS, PG&E’s solicitation required CleanPowerSF to execute the 2025 GHG-Free Energy Contract before receiving approval from the Board of Supervisors; and

WHEREAS, The General Manager signed the 2025 GHG-Free Energy Contract on September 11, 2024, subject to the condition precedent that the contract will not be effective until it is approved by the Board of Supervisors; and

WHEREAS, This approval does not constitute a “project” under the California Environmental Quality Act Guidelines section 15378(a) because it will not result in direct or indirect physical changes in the environment; now, therefore be it

RESOLVED, That this Commission hereby approves the CleanPowerSF 2025 GHG-Free Energy Contract with binding arbitration; and be it

FURTHER RESOLVED, That this Commission authorizes the General Manager to seek Board of Supervisors approval of the 2025 GHG-Free Energy Contract, subject to binding arbitration, in an amount not to exceed \$8,955,000 and a contract duration of one year.

I hereby certify that the foregoing resolution was adopted by the Public Utilities Commission at its meeting of October 22, 2024.



Director of Commission Affairs
San Francisco Public Utilities Commission