

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.**

13
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/ 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/ 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	Fund	Index Code/	Subobject	Description	Amount
6		Project Code			
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	Total USES Appropriation				\$19,500,000
23					
24					
25					

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

5 (b) Incentives for Energy Conservation & Efficiency services and GoSolarSF
6 incentives funded with the \$4,000,000 appropriation shall be offered first to low-income
7 CleanPowerSF customers.

8 (c) The SFPUC will recommend the inclusion of a component into CleanPowerSF
9 rates to begin recovering the reserves required for this program within the contract period so
10 that customers of CleanPowerSF will bear the costs of the program; and

11
12 Section. 4. Adding Section 10.100.372 to the Administrative Code, establishing the San
13 Francisco Public Utilities Commission's CleanPowerSF Customer Fund.

14 Section 10.100.372 CleanPowerSF Customer Fund

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

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

23 (c) Administration of Fund. The General Manager of the San Francisco Public Utilities Commission
24 is authorized to accept customer deposits into this fund and approve payments from this fund for
25 electric energy provided through CleanPowerSF as well as associated costs, including reimbursement

1 of CleanPowerSF Reserve Fund advances related to working capital or other CleanPowerSF related
2 needs. Establishment of this fund is subject to final approval of the San Francisco Controller.

3
4 Section 5. Adding Section 10.100.373 to the Administrative Code, establishing the San
5 Francisco Public Utilities Commission's CleanPowerSF Reserve Fund.

6 Section 10.100.373 CleanPowerSF Reserve Fund

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

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

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

1 Section 6. The enumerated amounts are hereby appropriated and can only be used as
2 required for CleanPowerSF program contractual requirements and budgetary authorizations
3 as approved by the San Francisco Public Utilities Commission and the Board of Supervisors.
4

5 Section 7. The Controller is authorized to record transfers between funds and adjust the
6 accounting treatment of sources and uses appropriated in this ordinance as necessary to
7 conform with Generally Accepted Accounting Principles.
8

9 Section 8. In the event the CleanPowerSF Program is discontinued or terminated all unspent
10 appropriation, including any of the \$6,000,000 related to CCA Program Incentives for
11 GoSolarSF for CCA Customers, CCA-Owned Generation and Energy Conservation &
12 Efficiency for CCA Customers shall be hereby de-appropriated and returned to Hetch Hetchy
13 Power Enterprise fund balance reserves.
14
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17 APPROVED AS TO FORM:
18 DENNIS J. HERRERA, City Attorney

FUNDS AVAILABLE
Ben Rosenfield, Controller

19 By: _____
20 Deputy City Attorney
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By: _____
Date: July 17, 2012
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