

## DOCKETED

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**Greenlining Institute Comments on Disadvantaged Communities Advisory Group  
Draft Proposal**

*Additional submitted attachment is included below.*

## **Comments of the Greenlining Institute on the CPUC/CEC Joint Staff Draft Proposal for the SB 350 Disadvantaged Communities Advisory Group Structure and Framework**

The Greenlining Institute (Greenlining) welcomes the opportunity to provide comment on the California Public Utilities Commission's and California Energy Commission's Joint Staff Draft Proposal for the structure and framework of a Disadvantaged Communities Advisory Group (DCAG). Greenlining is a research and advocacy organization dedicated to advancing economic opportunity and empowerment for people of color. We seek to build a nation in which communities of color thrive and race is never a barrier to opportunity. Issues of environmental and economic inequity are central to our work.

### **Comments on Draft Proposal**

In addition to the responses to questions provided below, Greenlining offers the following comments on select portions of the staff proposal.

#### *Criteria for Selection*

The staff proposal recommends that eligibility be limited to residents of a DAC or members of an organization that represents or serves DACs. First, the category of organizations *servicing* DACs will be extremely broad, and will contain many organizations that serve DACs but do not *represent* DACs. Greenlining recommends that this category be limited to organizations *representing* DACs, and that the agencies should prioritize organizations representing and serving low income families and communities, those representing small businesses, and those with a specific focus on environmental justice.

Greenlining also recommends a catch-all eligibility category for those candidates who have demonstrated expertise in environmental justice or economic justice issues, but who do not satisfy either of the other two eligibility categories. In particular, such a category would allow the DCAG to tap the expertise of retired academics and other thought leaders who may not currently live in a DAC or work for an organization representing a DAC, but who have substantial relevant expertise that could greatly benefit the DCAG.

With respect to the section precluding members from providing advice on matters in which they have a financial stake, Greenlining recommends a less prescriptive approach. Preventing members from providing advice where they might have a financial stake will prevent the DCAG and the agencies from tapping the expertise of program implementers, EPIC grant recipients, and potentially even members of the IOUs' community networks that have outreach or capitation contracts with the utility. Instead of barring this important input, Greenlining recommends that such advice be accompanied by a disclosure of the

financial interest, which would be reflected in the meeting minutes as appropriate. If the DCAG provides advice to the agencies on matters in which a member has a financial stake, that financial interest must be noted in the advice.

### *Advisory Group Responsibilities*

Greenlining recommends that the DCAG meetings rotate throughout the state over the course of the year, with the goal of holding at least one meeting each year within reasonable driving distance of all DAC residents.

### *CPUC and CEC Responsibilities*

In addition to posting DCAG meeting agendas and minutes on the CPUC and CEC websites, the agencies should also post the DCAG's annual reports and any other comments the DCAG provides to the agencies for public posting (see below).

### **Responses to Questions**

*1. In what ways should the Straw Proposal be modified to better align with the mandates of SB 350, including PU Code 400, PU Code 454.52(a)(1), PU Code 740.8, and PU Code 740.12(a)(1) and other mandates related to disadvantaged communities?*

The staff proposal should be modified to include a not only a focus on DAC census tracts, but also on ensuring that benefits targeting DACs are effectively reaching low income customers, communities of color, limited-English proficient communities, and small businesses. Without specific attention to the unique barriers faced by these communities, even the most well-intentioned policies and programs can fall short of delivering benefits where they are needed the most. The DCAG should play a key role in helping the CPUC and CEC identify and address these barriers.

Specifically, Greenlining recommends adding the following language to the Advisory Group's Guiding Principles (recommended additions in italics):

The Disadvantaged Communities Advisory Group shall review and provide advice on programs proposed to achieve clean energy and pollution reduction and determine whether those proposed programs will be effective and useful in disadvantaged communities. *In particular, the Advisory Group shall determine whether proposed programs will effectively reach low and moderate income residential customers and small businesses, and make recommendations on how best to reach these customers.*

*2. Are there other ways in which the Disadvantaged Communities Advisory Group can provide advice to CPUC and CEC (e.g., informal written comments to the CPUC and CEC, providing reports to the CPUC and CEC, etc.)?*

The Advisory Group should be encouraged to submit informal written comments to the CPUC and CEC at any time, regarding any subject or program within the agencies'

jurisdiction. Free and frequent dialogue between the DCAG, the CPUC and the CEC will best make use of the expertise the DCAG will contain, and will help ensure that the agencies prioritize equity in their decision-making and program planning.

The Advisory Group should have the discretion to have their comments to the CPUC and CEC posted on the agencies' websites, along with the group's agenda and minutes, as described on p.4 of the staff proposal.

*3. Are there specific programs and policy areas related to SB 350 which the Disadvantaged Communities Advisory Group should focus on? If so, please name.*

Greenlining is pleased to observe that there are numerous programs and polices implementing various provisions of SB 350 that are designed to benefit disadvantaged communities. As such, it is difficult to identify particular programs that the DCAG should focus on, without creating a list lengthy enough to challenge the definition of the term "focus." Generally speaking, however, Greenlining recommends that the Advisory Group focus on *ensuring that programs and policies designed to benefit disadvantaged communities effectively reach low and moderate income households, small businesses, and hard-to-reach customers within disadvantaged communities.*

Greenlining anticipates that this focus will lead the Advisory Group to consider and make recommendations regarding a variety of programs and policies during any given year. At present, were the DCAG active today, it might consider programs, proceedings, and policies including, but not limited to:

- SB 350 Barriers Study implementation and follow-up studies,
- Low Income Needs Assessment,
- Workforce training and job opportunities,
- Integrated resource planning CEC's Alternative and Renewable Fuel and Vehicle Technology Program,
- CPUC's SB 350 transportation electrification proceedings,
- The current IOU EV charging infrastructure pilots,
- EPIC,
- Energy Upgrade California,
- Energy Savings Assistance Program,
- The emerging role of storage,
- CPUC's San Joaquin Valley proceeding,
- Financing programs for clean energy investments.

Given that the number and kind of programs dedicating clean energy support and resources to DACs in the coming years will likely only increase, Greenlining submits that it is more important for the DCAG to understand its overarching goal, as described above, and to focus on the best opportunities to achieve that goal, whatever those opportunities might be at any given time.

*4. In light of Disadvantaged Communities Advisory Group's responsibility to review SB 350 programs, are there additional areas of knowledge or expertise that should be sought in candidates beyond those described on page three?*

Environmental injustice is deeply rooted in racism and racially segregationist policies. In recognition of this connection, Greenlining recommends that members have demonstrated expertise around racial equity issues and histories in the communities they represent.

Specifically, Greenlining recommends the following change to the staff proposal (proposed language in italics):

1. Be informed regarding environmental health *and racial* and economic conditions *and history* in the community or communities represented, as well as the relevant state energy programs;

*5. The Advisory Group may review technical information regarding proceedings and programs related to integrated resource planning, transportation electrification, and other clean energy technologies. Should prospective members be recruited who have an interest or background/experience in one or more of the following subject areas? Explain your response.*

While members of the Advisory Group should be knowledgeable about programs in the subject areas listed, Greenlining submits that *it is more important for members to bring the perspective of the communities they represent to the issues identified than it is for members to have technical or policy expertise in any of the identified issue areas.* The CPUC and CEC are well staffed with technical experts in all of the identified policy areas, and they have access to similarly well-staffed agencies addressing air quality, public health, workforce development, and other related issue areas. Additionally, the CPUC and CEC receive input frequently from policy advocates, through formal proceedings as well as through relationships with agency staff.

The Advisory Group can help provide the critical on-the-ground community perspective that is currently under-represented in agency proceedings and decision-making. While the Advisory Group would not substitute for more regular community representation directly, it can help close the gap. Greenlining recommends that the CPUC and CEC provide the DCAG with access to staff analysts who can compile and analyze data, answer research questions, and provide other technical assistance to the group as needed. The DCAG can also invite policy stakeholders, including advocates, utilities, clean energy sector representatives, and others to make presentations and answer questions to help fill in any technical knowledge gaps. However, the Advisory Group will help to fill a critical non-technical knowledge gap, by serving as an official voice for the perspectives of impacted communities.

*7. Should the Advisory Group charter assign specific roles to the eleven member positions based on policy, issue or geographic areas, such as "air quality/health impacts designee" or "transportation electrification designee"?*

Greenlining does not recommend specific assigned roles based on any criteria. Assigned roles by issue could lead to feelings of misrepresentation or inadequate representation across geographies. If the issue area expert for transportation electrification, for example, is based in an urban coastal area, rural communities may feel inadequately represented on that issue. Similarly, there may be more than eleven relevant interests or issues impacted by the Advisory Group's work, leaving advocates for the twelfth issue feeling slighted by the process from the start. Formally assigned roles by geography would be a bit less problematic, but given that the CPUC and CEC each nominate five members, formal geographic roles would mean that – at least formally – each agency would only have a “say” on five geographic areas.

Greenlining does recommend that in the process of soliciting nominations and considering applicants, the agencies prioritize broad representation and balance across the group's membership. As a group, the members should represent, to the best of the agencies' ability, the rich diversity of the state, including racial, geographic, gender, and cultural diversity. The members should bring to the table a breadth of expertise in different issues related to climate and clean energy, and come from a variety of backgrounds or “day jobs.”

*9. If the CPUC and CEC cannot find willing candidates with the desired qualifications, how should they proceed to establish the Advisory Group?*

Outreach to solicit nominations will be critical to the CPUC's and CEC's success in finding willing, qualified candidates. Greenlining recommends casting a wide net, including but not limited to:

- the agencies' own community based organization networks,
- the IOU's and POU's community networks,
- churches, temples, mosques, and other faith based organizations in DACs;
- elected officials representing DACs,
- foundations whose focus areas include climate and clean energy, and
- local foundations focused on specific DAC communities.

The agencies should share information about the Advisory Group application process via social media, and encourage their networks, staffs, parties and advocates, as well as the current EJAC and LIOB members to share the information widely to their networks.

As a general rule, the CPUC and CEC will have greater success at finding candidates who represent community perspectives the more support they can provide for members. Stipends, in addition to travel costs, can help cover missed days at work, child care, etc.

*10. How can the work of the Disadvantaged Communities Advisory Group and the Low Income Oversight Board (LIOB) be best coordinated?*

With respect to the Disadvantaged Communities Advisory Group, the LIOB, and the EJAC, Greenlining recommends that each group nominate a member (and a backup member in

case of schedule conflicts) to attend the other groups' full meetings and report back to their board on opportunities to collaborate. Subcommittee meeting attendance could be coordinated as needed or appropriate. Additionally, each group should have a designated place in each meeting agenda for a report from the other groups. Where possible, the groups could try to coordinate their meeting schedules so that full meetings take place in the same location on the same day, though this may prove difficult to implement.

Additionally, it is Greenlining's understanding that the California Transportation Commission intends to create a Disadvantaged Communities workgroup to advise its commissioners on equity issues. If it does, this workgroup should coordinate with the DCAG, LIOB, and EJAC as well.

*11. How can the work of the Disadvantaged Communities Advisory Group and the Air Resources Board's Environmental Justice Advisory Committee be best coordinated?*

See response to Question 10, above.

Greenlining appreciates the opportunity to provide these comments to the CPUC and CEC, and looks forward to the formation of the Disadvantaged Communities Advisory Group.

Respectfully submitted,

/s/ Stephanie C. Chen

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