

## DOCKETED

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*Comment Received From: Maria Stamas*

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**NRDC Comments on Joint Staff Proposal for SB 350 DAC Advisory Group**

*Additional submitted attachment is included below.*

August 15, 2017

California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814-5512

**NATURAL RESOURCES DEFENSE COUNCIL COMMENTS  
ON CEC/CPUC REQUEST FOR COMMENTS ON 8/1/2017  
JOINT STAFF PROPOSAL FOR SB 350 DAC ADVISORY GROUP**

NRDC strongly supports the formation of an Advisory Group (AG) that will provide an official and ongoing forum for input and dialogue to the CEC and CPUC on solutions needed to ensure access to and benefits from clean energy solutions for DACs. We offer the following suggestions to strengthen or clarify key aspects of the draft proposed structure and framework for the Advisory Group.

**Questions for Comment**

- 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?**

With regard to principles and responsibilities:

- A) **Include Policy (as well as programs) in scope:** While the statute refers to providing advice on “programs”, in order to ensure that beneficial program ideas are developed, the AG should weigh-in on relevant *policy* issues that may be a pre-cursor to findings and positions on specific programs.
- B) **Identify specific tasks to achieve each year:** To manage time and scope, the AG in its initial activity, and revisited each year, should be asked to identify priority policy issues that merit attention to further the aims of SB 350 with regard to DACs.
- C) **Provide guidance on clean energy programs:** We recommend the AG be asked to prepare a guiding statement of requirements, features, or other characteristics that apply to effective and successful clean energy programs.

With regard to AG member criteria and composition:

- D) **Consider applying key findings and recommendations on energy equity and access more broadly, as appropriate:** Recognizing that the focus of this advisory group is on disadvantaged communities, we anticipate that certain topics may arise, particularly with regard to income-level and program access, that apply to additional regions in the state. As mentioned in the CEC DAC Barriers Study and recent CPUC En Banc, many low-income households who need and want access to clean energy solutions do not live in the specific DAC census tracts defined as “burdened” under the CalEnviroScreen scoring tool. This includes large portions of the state’s low income households living in multi-

family buildings who do not live in DAC locations, but rather in urban areas with lower incomes but lesser environmental pollution burdens. Moreover, some existing legislatively-directed programs currently use eligibility definitions not based on DACs.<sup>1</sup> As such, we recommend consideration be made to including both members and discussion issues that include policy and program solutions for both DAC-specific and low income communities as a whole.

- E) **Focus membership on individuals living in DAC communities:** To maximize the opportunity for community-level representation in this unique advisory group, a majority of members should be required to reside in a DAC, with a minority of members permitted to belong to organizations that represent DACs but without that individual actually residing in a DAC. Broader environmental justice and related organizations can still fill a minority number of positions, and otherwise participate as public members attending AG meetings.
- F) **Allow members new to CA policy:** Consistent with the majority representation from individuals who reside in DACs, there should not be a criterion for selection that each member demonstrate (ex ante) being informed about relevant state energy programs. CPUC/CEC briefing packages should be sufficient to inform AG members and discussion items on relevant policies and programs for the AG's consideration and recommendations.

With regard to responsibilities and time commitment:

- G) **Ensure compensation for participation:** The expected duties make clear a desire for each member to actively “perform outreach to and solicit feedback from the various disadvantaged and low income communities”. As such, ***members should be compensated for their time***, and in turn nominees should indicate they can commit a minimum amount of time to serving on the AG, such as a minimum of two days per month. Compensation should be established to support each member's time (time taken away from regular employment or other responsibilities) at an appropriate level (this could be determined similar to intervenor compensation, with bands based on experience and skills), plus reimbursement for travel expenses, and perhaps a modest stipend for communication costs.

With regard to CPUC and CEC responsibilities:

- H) **Create a robust outreach list:** The aim of this AG is to obtain important grass-roots input from diverse voices regarding clean energy solutions for low income and DACs, and especially from voices not commonly participating in CEC or CPUC proceedings. The CEC and CPUC should work with their public advisors to formulate broader notification lists than current agency proceedings of the formation of the AG and invitation for nominees. The CARB Environmental Justice AG and utility community notification resources can help broaden the invitation.
- I) **Provide background materials for DAC members:** State agency staff responsibilities should be expanded to explicitly include duties of preparing and providing concise

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<sup>1</sup> For example, the IOU Energy Savings Assistance Program (energy and water efficiency for low income households regardless of geography), the SASH solar PV program, and the new Multi-Family Affordable Housing solar program.

background materials the AG members need to be informed and able to make recommendations on relevant policies and program matters to be considered by the AG.

- J) **Provide broad notice of meetings and create an opportunity at every meeting for public comment:** In view of the considerable human resources and time commitments for forming the Advisory Group, other stakeholders should be actively invited to attend meetings as observers, and to offer comment during “public comment” windows. Attendance should be encouraged by program administrators and implementers that can incorporate relevant findings in existing programs and policies, such as local governments, public and investor-owned utilities, and businesses and non-profit organizations providing clean energy solutions.

**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.)?**

State agency staff could advance discussion and ensure timely recommendations by circulating to members before or after AG meetings relevant preparatory and/or follow-up questions for the AG’s consideration. These could be answered by e-mail or in online survey formats. Staff can then compile responses to help organize discussion and/or inform staff work on program development. This would make best use of AG members’ time and ensure more complete and representative input.

All meetings should permit web or visual-communication participation from regional hubs, such as LA, Inland Empire, San Joaquin Valley, and Bay Area when it is not feasible for members to travel to the host site of a meeting.

We also recommend an annual report and advisory group findings be placed on the record via ruling, particularly to inform CPUC proceedings.

**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.**

*No comment.*

**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?**

Given the breadth of scope for this AG, nominees should be encouraged to possess expertise or familiarity in two or more subject areas, and to have experience working on these issues at local, community, or regional levels.

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.**

- a. **Clean energy technologies, such as distributed generation, energy efficiency, renewables, etc.**
- b. **Transportation electrification;**
- c. **Electric or Natural Gas resource planning;**
- d. **Local economics (including job and training potential) with respect to clean energy development;**
- e. **Air quality and related health impacts; or**
- f. **Greenhouse gas and/or air pollutant controls from a technical or policy perspective.**

In considering the collective composition of the AG, the CEC and CPUC should consider ensuring that each of these topic areas has at least two members with related familiarity or experience. However, it is more important for members to have experience with and provide feedback on their communities' perspectives on these topics, and as noted above, staff can provide relevant background materials to brief members on key topics/technical information as necessary.

The issue of transportation electrification has clear overlap with CARB EJAC scope. Efforts should be made to either assign this issue to just one advisory group, or to have the two groups meet jointly when transportation matters warrant discussion.

6. **Are there any other subject area backgrounds that the Commissions should seek out in prospective applicants?**

Additional desirable backgrounds could include experience with collaborative advisory groups and knowledge of (sustainable) business models for delivering programs and services.

7. **Should the Advisory Group charter assign specific roles to the eleven 4 member positions based on policy, issue or geographic areas, such as “air quality/health impacts designee” or “transportation electrification designee”?**

There are many criteria and backgrounds to be considered. A broad and balanced representation of experience and viewpoints is paramount. Consideration of geographic representation is important, especially for communities at some distance from Sacramento. Given the large scope of topics, no further differentiation of roles or membership should be required.

8. **Should any leadership positions be designated in the Group's charter, other than Chair, and Secretary? Should the officers' roles be assigned to particular specialties or represented particular communities, rather than be open to any interested members? Are there additional responsibilities desired for each position?**

We recommend the CPUC and CEC consider hiring and funding a facilitator for the advisory group to assist with outlining objectives, setting agendas, overall meeting scheduling/management, and associated activities.

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

Two possibilities could be inclusion of legislative staff from district offices and/or expansion of the number of members from NGOs, but not living in a DAC. However, we emphasize the need for broad and diverse outreach practices and member compensation, both of which are likely to assist with finding interested candidates.

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

The LIOB typically addresses structure and operations questions specific to the IOU-administered Energy Savings Assistance Program, one of many program areas that SB 350 encompasses. In view of the scope of SB 350, the DAC-AG necessarily must take a broader view to recommend those programs (and underlying strategies and policy issues) best designed and funded to bring clean energy solutions to DACs. As such, the AG may have recommendations for changes to existing programs such as ESA or the development of new programs or approaches.

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

*No comment.*

Thank you for the opportunity to offer these comments on the draft DAC advisory group proposal.

Sincerely,



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