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Southern California Public Power Authority Comments on Joint Proposal on Disadvantaged Communities Advisory Group

Additional submitted attachment is included below.



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August 15, 2017 | Submitted Electronically

California Energy Commission
Dockets Office, MS-4
Re: Docket No. 16-OIR-06
1516 Ninth Street
Sacramento, CA 95814-5512

Re: SCPPA Comments on the “Joint Staff Draft Proposal on Senate Bill 350 Disadvantaged Communities Advisory Group Structure and Framework”

Thank you for the opportunity to provide comments to both the California Energy Commission (“CEC”) and the California Public Utilities Commission (“CPUC”) on the “Joint Staff Draft Proposal on Senate Bill 350 Disadvantaged Communities Advisory Group Structure and Framework” (“Draft Proposal”).

The Southern California Public Power Authority (SCPPA) is a joint powers agency whose members include the cities of Anaheim, Azusa, Banning, Burbank, Cerritos, Colton, Glendale, Los Angeles, Pasadena, Riverside, and Vernon, and the Imperial Irrigation District. Our Members collectively serve nearly five million people throughout Southern California. Each Member owns and operates a publicly-owned electric utility governed by a board of local officials who are directly accountable to their constituents.

Each SCPPA Member has a duty to provide reliable power to their customers - many of whom reside in disadvantaged communities - at affordable rates, while also complying with all applicable local, regional, state, and federal environmental and energy regulations. Currently, SCPPA and our Members own, operate, or have binding long-term procurement arrangements with 38 generation and natural gas projects and three transmission projects, generating power in California or importing from Arizona, New Mexico, Utah, Oregon, Washington, Nevada, Texas, and Wyoming. This is in addition to individual, Member-owned or contracted and operated transmission, generation, and natural gas projects throughout the Western United States.

Guiding Principles

The draft proposal highlights three principles that the Disadvantaged Communities Advisory Group (“DCAG”) should weigh when evaluating programs, including the extent to which programs: (1) increase the benefits of clean energy programs in disadvantaged communities; (2) increase access to clean energy technologies for disadvantaged communities; and, (3) maintain the affordability of electric and gas service. SCPPA agrees that these principles will provide a strong foundation for the DCAG’s input to the agencies. The DCAG should consider the wide range of direct and indirect impacts related to economic, public health and safety, air quality and greenhouse gas emissions improvements that programs and policies may yield. While evaluating the benefits is important, it is also critical to weigh those benefits with the anticipated costs: SCPPA strongly supports the inclusion of cost impact assessments as part of the DCAG’s efforts. Maintaining affordable utility service is a primary goal for our Members.

Advisory Group Formation, Membership and Composition

SCPPA generally supports the proposed structure for the DCAG. The importance of a robust public process for nominating and selecting members cannot be understated. The DCAG will play a significant role in the policymaking process; this should not be taken lightly and selected members should be capable of making informed contributions to the group. The proposal alludes to the need for geographically diverse representation. Indeed, the DCAG should strive to include members from different parts of the state to ensure that its composition reflects our state's diversity. The proposal states on page 2 that the DCAG "shall consist of members from disadvantaged communities across the state of California, including rural and tribal communities." SCPPA suggests that this language be clarified to ensure that it is not interpreted to mean that all members must reside in a disadvantaged community. It is plausible that a representative of a disadvantaged community (or multiple communities) may not actually live within the community they represent. Nonetheless, such a representative should not be precluded from participating and sharing the perspective of the community it serves. This clarification would be consistent with language in the "Criteria for Selection" section that allows for representatives of disadvantaged communities to qualify for nomination. SCPPA proposes the following addition to the language on page 2:

The Advisory Group shall consist of members from or representatives of disadvantaged communities across the state of California, including rural and tribal communities.

To the extent that the DCAG is providing formal recommendations to either agency, there should be an established voting structure or decision-making process. It is not clear whether decisions will be made by unanimous consent, majority vote, or some other structure. The two Commissions should consider including such structure in the next iteration of the proposal. Alternatively, the proposal could clarify that this is to be determined and adopted as part of the charter that is adopted by joint resolution of the two Commissions.

Advisory Group Responsibilities

SCPPA again supports the emphasis on conducting public meetings to ensure that other stakeholders and interested parties have the opportunity to interact with the DCAG. We further recommend that the Commissions ensure that each of those public meetings is available remotely via webinar and/or conference call. Particularly as the location of the meetings may change, this remote attendance option will help increase the likelihood of public participation and allow direct participation from representatives of disadvantaged communities.

SCPPA recommends that the Joint Proposal be modified to include more information on the content of the DCAG's annual report. This report should be approved by the DCAG in a public meeting, and only after having held several public workshops/meetings to discuss any proposed recommendations. In addition, any recommendations provided in the report should be prioritized to better facilitate the agencies' implementation efforts.

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?**

No response provided.

- 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.)?**

To the extent that the DCAG provides written comments to the CPUC and CEC, those comments should be a part of the public record and transparent to other stakeholders that participate in the agencies'

proceedings. In addition to participating in comment filings and submitting reports to the CPUC and CEC, the DCAG might also engage in various commission workshops and meetings.

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.

The DCAG should have a role in providing recommendations on the implementation of the SB 350 Barriers Report. These programs and policies are intended to directly impact disadvantaged communities so it is critical that such community representatives have an opportunity to help shape them.

There are a number of ongoing proceedings within each of the agencies that are linked to disadvantaged communities. The respective staffs of each agency should evaluate which proceedings have a reasonably strong link or impact to disadvantaged communities and begin with focusing on those.

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?

It is possible, and likely, that members of the DCAG may not be fully informed of the various state energy programs that exist. Agency staff should be prepared to provide additional information to DCAG members to ensure that they are making well-informed recommendations.

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.

It seems reasonable to prospectively recruit individuals who have an interest or background/experience in the above-listed subject areas, provided that all individuals who may possibly seek nomination (whether recruited or not) are given an equal opportunity to make their case via the public selection process.

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

The Commissions should also seek out applicants who represent ratepayer advocacy groups that serve disadvantaged communities.

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"?

The advisory group charter should ensure that selected members are diverse in terms of geographic areas represented and subject matter knowledge.

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?

No response provided.

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

No response provided.

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

No response provided.

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

The work of the DCAG should be coordinated with ARB's Environmental Justice Advisory Committee to the extent that policy matters overlap. This should be achieved by coordination amongst agency staff at the CEC, CPUC, and ARB. If significant policy issues affecting all agencies arise, then joint public meetings between the two advisory groups and the respective agencies' staffs may be merited.

Conclusion

Thank you for your consideration of these comments. SCPA and our Members look forward to continued discussions with the CEC, CPUC, DCAG, and other stakeholders to work towards solutions that best advance the State's climate change goals in an affordable and effective manner for California ratepayers.

Respectfully submitted,



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