Resolution approving a Community Choice Aggregation (CCA) Implementation Plan (IP).

WHEREAS, the primary purpose of the Local Agency Formation Commission ("Commission") under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 is to review public service needs, including utility service, and to determine whether new government entities should be created or changes in existing governments should be made to address the needs of its citizens; and

WHEREAS the Commission adopted by resolution its Energy Services Study and Recommendations for Electric Utility Service, and recommended that the Commission pursue the feasibility of implementing the provisions of AB117 (Chapter 838, Statutes of 2002) by the City and County of San Francisco; and

WHEREAS, the Board of Supervisors subsequently adopted on May 11, 2004 an Ordinance 0086-04 establishing a Community Choice Aggregation Program in accordance with Public Utilities Code Sections 218.3, 331.1, 366, 366.2, 381.1, 394 and 394.25 to further the implementation of a program to purchase electrical power directly for the citizens and businesses of the City and County of San Francisco and to accelerate renewable energy, conservation and energy efficiency programs; and

WHEREAS, the Ordinance 0086-04 required that the San Francisco Public Utilities Commission (SFPUC) and the San Francisco Department of the Environment jointly prepare and submit to the Commission for review and comment an Implementation Plan; and

WHEREAS, the Commission received a Draft Implementation Plan from the SFPUC and a separate Draft Implementation Plan from Paul Fenn; and
WHEREAS, the Commission has held public meetings on both plans in April 2005 and May 2005 and attempted to resolve differences between the two plans; and

WHEREAS, the SFPUC submitted its plan to the Board of Supervisors in May 2005 prior to comment by the Commission; and

WHEREAS, the Commission reviewed and commented on the Draft Implementation Plan prepared by Paul Fenn on May 13, 2005 addressing comments that had been received during the public hearing process through the introduction and acceptance of amendments; and

WHEREAS, the Commission is concerned that the Implementation Plan be consistent with the requirements of Ordinance 0086-04 and that the City and County of San Francisco be diligent in pursuing CCA and therefore the Commission attempted to resolve the differences in the two submitted IPs; and

WHEREAS, the Commission accepted and transmitted Mr. Fenn's CCA IP, as amended, to the Board of Supervisors, with recommendation, on May 13, 2005; and

WHEREAS the Commission determines that it is advisable for the Board of Supervisors to express its support for the CCA IP; now therefore be it

RESOLVED, That the Board of Supervisors adopts the Community Choice Aggregation Implementation Plan, as amended by the Local Agency Formation Commission and transmitted to the Board with recommendation on May 13, 2005, and submits it to the California Public Utilities Commission.