RESOLUTION NO. 2011-02

[Supporting Senate Bill 790, Electricity: Community Choice Aggregation]

Resolution supporting Senate Bill 790, Electricity: Community Choice Aggregation, introduced on February 22, 2011, by Senator Mark Leno.

NOTE: Amendment additions are double-underlined; Amendment deletions are strikethrough normal.

WHEARAS, On September 24, 2002, the California State Assembly Bill 117 (AB 117) was passed and signed into law. AB 117 gave California cities and counties the ability to aggregate the electric loads of residents, businesses and public facilities to assist in the purchase and sale of electrical energy in a more competitive market; and

WHEARAS, On May 18, 2004, the Board of Supervisors passed, and the Mayor signed, Ordinance No. 86-04 establishing a Community Choice Aggregation (CCA) Program, allowing San Francisco to aggregate the electrical load of electrical consumers in San Francisco pursuant to AB 117. The CCA Ordinance established a mechanism for San Francisco to accelerate the introduction of renewable energy, conservation, and energy efficiency into San Francisco’s portfolio of energy resources; and

WHEARAS, In Ordinance No. 86-04, the Board of Supervisors established a CCA Program pursuant to Public Utilities Code Sections 218.3, 331.1,366, 366.2, 381.1,394, and 394.25 finding that CCA provides a means by which the City may help ensure the provision of clean, reasonably priced, and reliable electricity to San Francisco customers; and

WHEARAS, Ordinance No. 146-07 allows the governance of the CCA Program management and control be undertaken by the San Francisco Public Utilities Commission (SFPUC), pursuant to California Public Utilities Code Section 366.2; and

WHEARAS, The CPUC submitted a report to the Legislature on the issues and
progress of CCA on January 31, 2011, which brought up concerns that needed to be
addressed by the Legislature; and

WHEREAS, The San Francisco Local Agency Formation Commission (SF LAFCo) and
the SFPUC submitted proposed language to Senator Mark Leno with other interested parties,
including the Marin Energy Authority; and

WHEREAS, On February 22, 2011, Senator Mark Leno introduced Senate Bill 790 to
address some of the concerns raised in the CPUC report and issues that other government
entities have raised in the past; now, therefore, be it

RESOLVED, The San Francisco Local Agency Formation Commission supports
Senate Bill 790 and encourages the State Legislature to pass Senate Bill 790, as introduced
by Senator Leno; and, be it

FURTHER RESOLVED, The Executive Officer is directed to forward this Resolution to
the Board of Supervisors of the City and County of San Francisco requesting that the Board of
Supervisors adopt a similar Resolution.

On a motion by Commissioner Mirkarimi, seconded by Commissioner Pimentel, the foregoing Resolution was
passed and adopted by the San Francisco Local Agency Formation Commission, State of California, this 25th day
of March 2011, by the following vote:

AYES: Chairperson Campos, Commissioners Mirkarimi, and Pimentel.
NOES: None.
ABSENT: Commissioners Avalos and Schmeltzer.

DAVID CAMPOS, CHAIRPERSON
San Francisco Local Agency Formation Commission

NANCY MILLER
Interim Executive Officer