2075 Woodside Road | Redwood City, CA 94061
(650) 260-0005 | peninsulacleanenergy.com

Regular Meeting of the Board of Directors of the Peninsula Clean Energy Authority (PCEA)
AGENDA

Thursday, November 16, 2023
5:30 pm

PLEASE NOTE: This meeting will be held in a hybrid format with both in-person and Zoom participation options for members of the public; Board members shall appear in person.

In-Person Meeting Locations:
PCEA Lobby, **2075 Woodside Road, Redwood City, CA 94061**
Los Banos City Hall, Conference Room A, **520 J Street, Los Banos, CA 93635**

Zoom, **Virtual Meeting Link:** https://pencleanenergy.zoom.us/j/87496649657
Meeting ID: 874-9664-9657 **Passcode:** 2075 **Phone:** +1 (669) 444-9171

This meeting of the Board of Directors will be held at the Peninsula Clean Energy Lobby: 2075 Woodside Road, Redwood City, CA 94061 and Los Banos City Hall, Conference Room A, 520 J Street, Los Banos, CA 93635 and by teleconference pursuant to California Assembly Bill 2449 and the Ralph M. Brown Act, CA Gov't Code. Section 54950, et seq. **Members of the Board are expected to attend the meeting in person** and should reach out to Assistant General Counsel for Peninsula Clean Energy, Jennifer Stalzer, with questions or accommodation information (jstalzer@smcgov.org). For information regarding how to participate in the meeting remotely, please refer to the instructions at the end of the agenda. In addition, a video broadcast of the meeting can be viewed at https://www.peninsulacleanenergy.com/board-of-directors following the meeting.

Public Participation

The PCEA Board meeting may be accessed through Zoom online at https://pencleanenergy.zoom.us/j/87496649657. The webinar ID is: 874-9664-9657 and the passcode is 2075. The meeting may also be accessed via telephone by dialing +1(669) 444-9171. Enter the webinar ID: 874-9664-9657, then press #. (Find your local number: https://pencleanenergy.zoom.us/u/kTlH1Ocod). Peninsula Clean Energy uses best efforts to ensure audio and visual clarity and connectivity. However, it cannot guarantee the connection quality.

Members of the public can also attend this meeting physically at the **Peninsula Clean Energy Lobby** at 2075 Woodside Road, Redwood City, CA 94061 or **Los Banos City Hall**, Conference Room A, 520 J Street, Los Banos, CA 93635.

Written public comments may be emailed to PCEA Board Clerk, Nelly Wogberg (nwogberg@peninsulacleanenergy.com) and such written comments should indicate the specific agenda item on which the member of the public is commenting.

Spoken public comments will be accepted during the meeting in the Board Room(s) or remotely through Zoom at the option of the speaker. Please use the "Raise Your Hand" function in the Zoom platform, or press *6 if you phoned into the meeting, to indicate that you would like to provide comment.

ADA Requests

Individuals who require special assistance or a disability related modification or accommodation to participate in this meeting, or who have a disability and wish to request an alternative format for the meeting, should contact Nelly Wogberg, Board Clerk, by 10:00 a.m. on the day before the meeting at (nwogberg@peninsulacleanenergy.com). Notification in advance of the meeting will enable PCEA to make reasonable arrangements to ensure accessibility to this meeting, the materials related to it, and your ability to comment.

Closed Captioning is available for all PCEA Board meetings. While watching the video broadcast in Zoom, please enable captioning.

CALL TO ORDER / ROLL CALL / APPROVE TELECONFERENCE PARTICIPATION UNDER AB 2449

This item is reserved to approve teleconference participation request for this meeting by Director pursuant to Brown Act revisions of AB 2449 due to an emergency circumstance to be briefly described.

PUBLIC COMMENT

This item is reserved for persons wishing to address the Board on any PCEA-related matters that are not otherwise on this meeting agenda. Public comments on matters listed on the agenda shall be heard at the time the matter is called. Members of the public who wish to address the Committee are customarily limited to two minutes per speaker. The Board Chair may increase or decrease the time allotted to each speaker.

ACTION TO SET AGENDA AND TO APPROVE CONSENT AGENDA ITEMS

1. Approve a Resolution for a One-Time $300 Rebate for California Alternate Rates for Energy Program (CARE) and Family Electric Rate Assistance Program (FERA) Customers

2. Approval of Consulting Contract Amendment with Andrew Stern to Extend the Term of Services Through January 31, 2024

3. Approval of a Resolution Delegating Authority to Chief Executive Officer to Execute an Agreement with Customized Energy Solutions, LTD. for Scheduling Coordinator, Battery Storage Optimization, Short-term Forecasting, and Congestion Revenue Rights Portfolio Management with terms consistent with those presented, in a form approved by the Deputy County Attorney, and for a term of three years, in an amount not to exceed $2,700,000

4. Approval of the 2024 Board of Directors Schedule of Meetings

5. Approval of EV Ready Program Fund Reservation Agreement, Providing $120,000 in Customer Incentives

REGULAR AGENDA

6. 2023 Board Retreat

   A. **Segment 1**: Introductory Question and Futures Discussion
   B. **Segment 2**: Brief Overview of Organizational Development Evaluation and Feedback from Staff Retreat
   C. **Segment 3**: Update and Discussion of Key Priority #1: Procurement Priorities and 24/7 99% Time-Coincident Goal
   D. **Segment 4**: Update and Discussion of Key Priority #2: Support Decarbonization of

Member Agency Communities by 2035

E. **Segment 5**: What Does it Mean to Shift to a More Customer-Centric Approach Across Our Agency?

INFORMATIONAL REPORTS

7. CEO Report

8. Community Advisory Committee Report

9. Energy Supply Procurement Report

10. Regulatory Policy Team Quarterly Report

11. Industry Acronyms and Terms

ADJOURNMENT

Public records that relate to any item on the open session agenda are available for public inspection. The records are available at the Peninsula Clean Energy offices or on PCEA Website at: https://www.peninsulacleanenergy.com.

Instructions for Joining a Zoom Meeting via Computer or Phone

Best Practices:

- Please mute your microphone when you are not speaking to minimize audio feedback
- If possible, utilize headphones or ear buds to minimize audio feedback
- If participating via videoconference, audio quality is often better if you use the dial-in option (option 2 below) rather than your computer audio

Options for Joining

- Videoconference with Computer Audio - see Option 1 below
- Videoconference with Phone Call Audio - see Option 2 below
- Calling in via Telephone/Landline - see Option 3 below

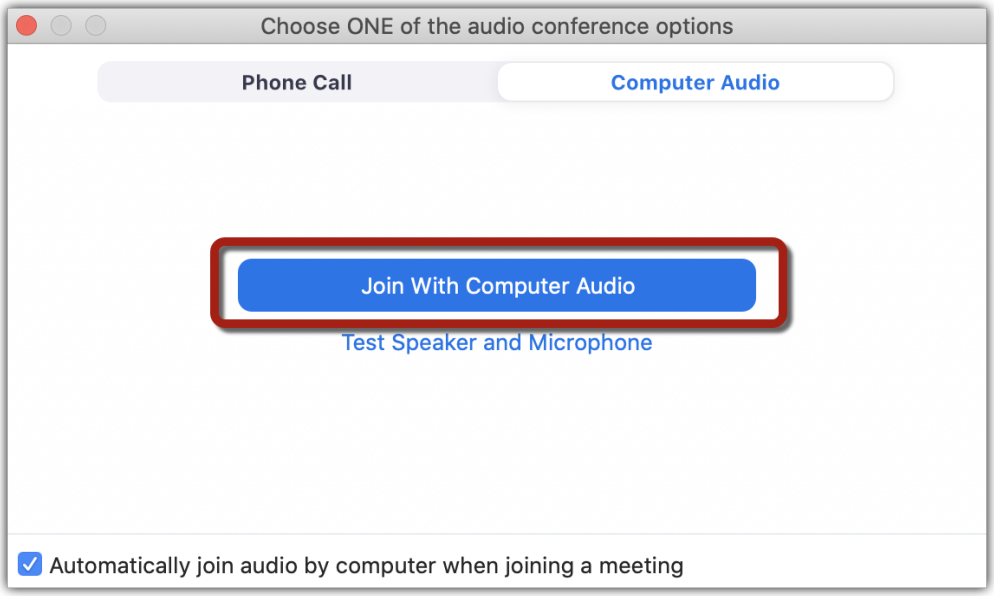
Videoconference Options:

Prior to the meeting, we recommend that you install the Zoom Meetings application on your computer by clicking here https://zoom.us/download.

If you want full capabilities for videoconferencing (audio, video, screensharing) you must download the Zoom application.

Option 1 Videoconference with Computer Audio:

- From your computer, click on the following link that is also included in the meeting calendar invitation: https://pencleanenergy.zoom.us/j/87496649657
- The Zoom application will open on its own or you will be instructed to open Zoom.
- After the application opens, the pop-up screen below will appear asking you to choose ONE of the audio conference options. Click on the Computer Audio option at the top of the pop-up screen.

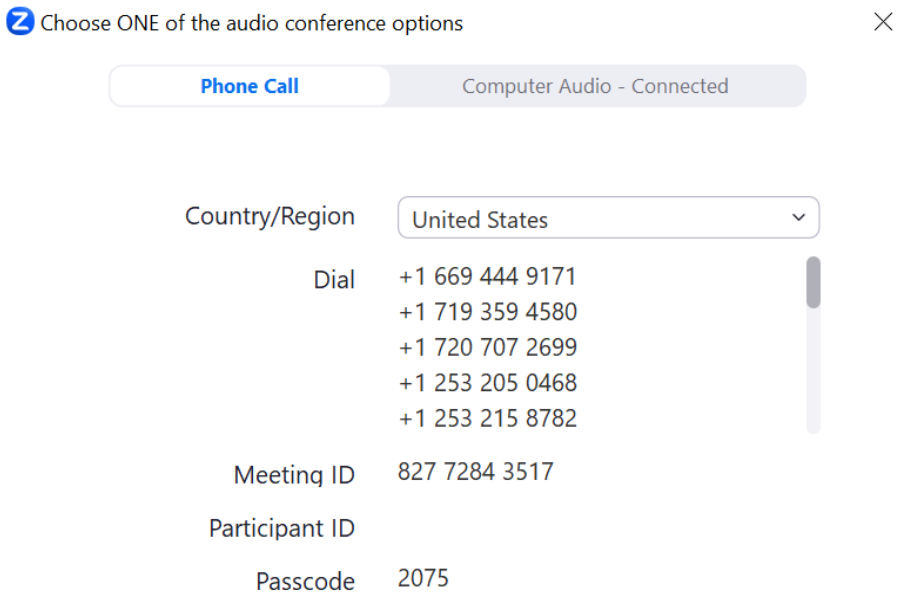


- Click the blue, "Join with Computer Audio" button.
- In order to enable video, click on "Start Video" in the bottom left-hand corner of the screen. This menu bar is also where you can mute/unmute your audio.

Option 2 Videoconference with Phone Call Audio

- From your computer, click on the following link that is also included in the meeting calendar invitation: https://pencleanenergy.zoom.us/j/87496649657
- The Zoom Application will open on its own or you will be instructed to Open Zoom.

- After the application opens, the pop-up screen below will appear asking you to choose ONE of the audio conference options. Click on the Phone Call option at the top of the pop-up screen.



- Please dial +1 (669) 444-9171.
- You will be instructed to enter the meeting ID: **874-9664-9657 followed by #**.
- You will be instructed to enter in your participant ID. Your participant ID is unique to you and is what connects your phone number to your Zoom account.
- After a few seconds, your phone audio should be connected to the Zoom application on your computer.
- In order to enable video, click on "Start Video" in the bottom left-hand corner of the screen. This menu bar is also where you can mute/unmute your audio.

Audio Only Options:

Please note that if you call in/use the audio only option, you will not be able to see the speakers or any presentation materials in real time.

Option 3: Calling in via Telephone/Landline:

- Please dial +1 (669) 444-9171.
- You will be instructed to enter the meeting ID: **874-9664-9657 followed by #**.
- You will be instructed to enter your **Participant ID** followed by #. If you do not have a participant ID or do not know it, you can press # to stay on the line.
- You will be instructed to enter the meeting passcode **2075 followed by #.**

PENINSULA CLEAN ENERGY AUTHORITY
JPA Board Correspondence

DATE: November 16, 2023
BOARD MEETING DATE: November 16, 2023
VOTE REQUIRED: Majority Vote

TO: Honorable Peninsula Clean Energy Authority Board of Directors

FROM: Shawn Marshall, Chief Executive Officer

SUBJECT: Approve a Resolution for a One-Time $300 Rebate for California Alternate Rates for Energy Program (CARE) and Family Electric Rate Assistance Program (FERA) Customers

RECOMMENDATION

Approve a one-time $300 rebate for CARE/FERA customers prior to the holiday season as a result of a Fiscal Year End 2024 surplus funds allocation.

BACKGROUND

In July 2023, Peninsula Clean Energy (PCE) formed a staff-led ad-hoc committee comprised of Board, staff, and Community Advisory Committee (CAC) members focused on the allocation of fiscal year end 2024 budget surplus funds, hereafter referred to as the Surplus Funds Committee. The Surplus Funds Committee has met five times between the months of August and October to establish evaluative criteria and discuss ideas and opportunities to reallocate ~$67.8M in surplus revenues in support of PCE customers, its member communities, and enhanced energy programs. The funding options were sorted within four categories, which has served as a framework for thoughtful discussion and decision-making:

1. Days Cash on Hand/PCE Reserve Targets
2. Customer Rebates/Discounts
3. Energy Programs
4. Funding for Local Power Projects

The Committee is nearly done with its deliberations, but requires one or two more meetings before finalizing the full package of surplus fund recommendations. We anticipate that a full list of recommendations will come to the CAC, Executive Committee and the Board of Directors at their December meetings, or January at the latest.

DISCUSSION

As noted above, the Surplus Funds Committee has not yet concluded discussion and decision-making for the full roster of recommendations that will emerge from the fiscal year end 2024 surplus funds effort, thus requiring one to two additional meetings. However, one

funding recommendation for a $300 customer rebate to PCE's California Alternate Rates for Energy Program (CARE) and Family Electric Rate Assistance Program (FERA) customers has received unanimous committee support, and was determined to be time sensitive due to the desire to issue the rebate to our most economically vulnerable customers in time for the holiday season. The proposed one-time rebate would be issued as a bill credit on the customer's PG&E bill and, importantly, supported by a separate mailer from PCE to ensure that our customers know that the rebate is coming from PCE, just in time for the holiday season.

For background and context, the CARE/FERA rebate idea emerged within the category of customer rebates and rate discounts. Staff provided data on current customer rates and discounts noting that a subset of customers in Los Banos are receiving a higher than 5% discount due to PCIA credits currently in effect for Vintage 2021 customers while the majority of PCE customers are receiving our standard 5% discount. Staff also provided information on the financial impact of a one-time rebate for all PCE customers commensurate with their load size/energy usage. In both cases, the Committee felt that the financial impact/benefit to customers would be either too diluted (e.g. under $20 for residential customers) or not noticed at all in the case of a further percentage discount on rates. As a result, the Committee determined that the highest need and greatest opportunity for impact would be focused on providing a one-time rebate to a subset of our customers: ~41,525 residential customers enrolled in income-qualified CARE or FERA programs. The cost for this rebate allocation is ~$12,457,500 (~18%) out of a total of $67.8 million in surplus revenues to be reallocated.

The Committee discussed a rebate range from a high of $500 per customer to a low of $250 per customer, eventually settling on $300 with the caveat that the bill credit would be provided before the holidays, a traditionally economically difficult time for lower income customers and heading into winter, which is a high cost period for energy. As noted above, the bill credit will be supported by a separate mailer to CARE/FERA customers from PCE notifying them that the credit is coming from PCE.

FISCAL IMPACT

The funds for this proposed one-time CARE/FERA customer rebate are part of a fiscal year end 2024 surplus funds allocation estimated to cost $12,457,500.

RESOLUTION NO. _____

PENINSULA CLEAN ENERGY AUTHORITY, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

APPROVE A RESOLUTION FOR A ONE-TIME $300 REBATE FOR CALIFORNIA ALTERNATE RATES FOR ENERGY PROGRAM (CARE) AND FAMILY ELECTRIC RATE ASSISTANCE PROGRAM (FERA) CUSTOMERS

RESOLVED, by the Peninsula Clean Energy Authority of the County of San Mateo, State of California, that

WHEREAS, Peninsula Clean Energy created a staff-led ad-hoc committee called the Surplus Funds Committee in July 2023 for the purpose of evaluating and reallocating surplus revenue from the fiscal year-end 2024 budget; and,

WHEREAS, The Surplus Funds Committee has met five times between the months of August and October 2023 to discuss ideas and opportunities to reallocate ~$67.8M in surplus revenues in support of Peninsula Clean Energy customers, its member communities, and enhanced energy programs; and,

WHEREAS, the Surplus Funds Committee has not yet concluded its discussions and decision-making for the full roster of surplus fund recommendations, but unanimously supports funding of a $300 one-time customer rebate to Peninsula Clean Energy's ~41,525 California Alternate Rates for Energy Program (CARE) and Family Electric Rate Assistance Program (FERA) customers prior to the holiday season; and,

WHEREAS, the proposed one-time rebate will be issued as a bill credit on the customer's PG&E bill in December-January, and will be supported by a separate mailer from Peninsula Clean Energy to ensure that our customers know the rebate is coming from PCE; and,

WHEREAS, the cost for this rebate is ~$12,457,500 out of a total of $67.8 million in surplus FYE 2024 revenues to be reallocated.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the Board approve a one-time $300 rebate for California Alternate Rates for Energy (CARE) and Family Electric Rate Assistance (FERA) program customers prior to the 2023 holiday season as a result of a Fiscal Year End 2024 surplus funds allocation.

PENINSULA CLEAN ENERGY AUTHORITY
JPA Board Correspondence

DATE: November 16, 2023
BOARD MEETING DATE: November 16, 2023
VOTE REQUIRED: Majority Vote

TO: Honorable Peninsula Clean Energy Authority Board of Directors

FROM: Shawn Marshall, Chief Executive Officer

SUBJECT: Approval of Consulting Contract Amendment with Andrew Stern to Extend the Term of Services Through January 31, 2024

RECOMMENDATION

Approve the Consulting Contract Amendment with Andrew Stern to Extend the Term of Services Through January 31, 2024.

BACKGROUND

Peninsula Clean Energy (PCE) signed an agreement with Andrew Stern on April 18, 2023 to provide services as the Interim Chief Financial Officer and Treasurer. That agreement was amended on May 5, 2023 to increase the scope of services and increase the monthly retainer. The agreement had an end date of October 19, 2023.

Mr. Stern's services are still required after the stated end date to continue to provide the same services until a permanent CFO is hired which is expected on November 16, 2023. Following that date, it is anticipated that Mr. Stern will provide training and transition for the permanent CFO for some period of time. The expected term of that transition is through January 31, 2024. If additional services are required and agreed to thereafter, Mr. Stern will shift to an hourly consulting contract which shall not exceed the Board approval threshold of $100,000 in any given year.

ATTACHMENTS:
2nd Amendment to Agreement with Andrew Stern (Redline).pdf
2nd Amendment to Agreement with Andrew Stern (Clean).pdf

RESOLUTION NO. _____

PENINSULA CLEAN ENERGY AUTHORITY, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

APPROVAL OF CONSULTING CONTRACT AMENDMENT WITH ANDREW STERN TO EXTEND THE TERM OF SERVICES THROUGH JANUARY 31, 2024

RESOLVED, by the Peninsula Clean Energy Authority of the County of San Mateo, State of California, that

WHEREAS, Peninsula Clean Energy signed a consulting agreement (the "Agreement") with Andrew Stern on April 18, 2023 to serve as Interim Chief Financial Officer and Treasurer, and

WHEREAS, the Agreement was amended on May 5, 2023 to adjust the services description and compensation to reflect the assumption of additional services beyond the original scope envisioned in the Agreement, and

WHEREAS, the Agreement expired on October 19, 2023, and

WHEREAS, Peninsula Clean Energy wishes to continue the services through January 31, 2024 to assist in transition of permanent Chief Financial Officer, and

WHEREAS, Peninsula Clean Energy's Joint Powers Agreement requires that a person be named and serving as Treasurer at all times.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the Board delegates authority to the Chief Executive Officer to execute the amendment with Andrew Stern to increase the amount payable under the Agreement and to extend the termination date through January 31, 2024 in a form approved by the General Counsel.

* * * * * *

AMENDMENT NO. ~~1~~2 TO THE AGREEMENT BETWEEN THE PENINSULA CLEAN ENERGY AUTHORITY AND ANDREW STERN

This AMENDMENT No. 2 TO THE AGREEMENT, is entered into this October 19,~~May 5,~~ 202~~43~~, by and between the PENINSULA CLEAN ENERGY, a joint powers authority of the state of California, hereinafter called "PCE," and Andrew Stern hereinafter called "Contractor."

WITNESSETH:

WHEREAS, the parties entered into an Agreement on April 21, 2023 for the purpose of Contractor providing consulting serves and serving as the Interim Chief Financial Officer (CFO) and Interim Treasurer for PCE ("Agreement"); and

WHEREAS, the parties ~~wish~~ entered into Amendment No. 1 on May 5, 2023 to amend the Agreement to replace Exhibit A with a ~~the~~ ~~attached~~ revised Exhibit A thereby increasing the number of hours worked by Contractor to 25-30 hours per week;

WHEREAS, the parties wish to amend the Agreement to extend the term of the Agreement and replace Exhibit A with the attached revised Exhibit A;

WHERAS, the parties wish to amend the Agreement to replace Exhibit B with the attached revised Exhibit B ~~thereby increasing Contractor's monthly rate from $10,000 to $15,000 due to Contractor's increased workload and time required to complete the tasks described by Exhibit A~~.

NOW, THEREFORE, IT IS HEREBY AGREED BY THE PARTIES HERETO AS FOLLOWS:

1. "Exhibit A" is hereby replaced in its entirety with the revised "Exhibit A" attached hereto.

2. "Exhibit B" is hereby replaced in its entirety with the revised "Exhibit B" attached hereto

3. Section 4 of the Agreement is hereby modified to replace the original date of October 19, 2023 with a revised date of January 31, 2024.

~~2.~~4. Section 3 of the Agreement is hereby modified to replace "exceed sixty-thousand dollars" with "exceed one hundred thirty-three thousand five hundred dollars".

~~3.~~5. Except as expressly amended herein, all other provisions of the Agreement shall remain in full force and effect.

~~4.~~6. This Amendment No. ~~1~~2 shall take effect upon the date of execution by both parties.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as set forth below.

Peninsula Clean Energy Authority

By: _____

~~Janis C. Pepper~~Shawn Marshall, CEO

Dated: _____

By: _____

Name: _____

Title:_____

Dated: _____

Exhibit A

In consideration of the payments set forth in Exhibit B, Contractor shall provide the following services:

For the period from October 20, 2023 through November 15, 2023,

Contractor shall serve as Interim Chief Financial Officer, including Interim Treasurer, for Peninsula Clean Energy Authority.

Contractor expects that the Services under this Agreement will require an average of **25-30** hours per week, although this may vary dependent on the direction of Peninsula Clean Energy Authority. The following Services will be provided under the Agreement; however, this list is not exclusive:

- Accounts Payable/Invoices
- Monitor receipt of invoices
- Review all invoices in Bill.com and approve daily/weekly
- Solicit input from department heads and employees on invoice questions or clarifications

Wiring of Cash Payments

• Ensure wires are input/set-up on a timely basis and are accurate

• Provide first-level approval of all invoices (or final approval as requested/required)

Cash Management

• Monitoring of all bank balances to ensure adequate operating cash and reasonable investment returns

• Transfer funds between bank accounts as required

• Prepare and submit Lockbox Distribution Certificate, if required

Budget Approval/Monitoring

• Oversee budget process with target of Board approval no later than June 30, 2023

• Monitor monthly financial performance against budget and highlight variances for management attention and action, if necessary

Rating Agency Activity

• Assist with process to gain initial rating from S&P including participation in meetings, as necessary, and responses to inquiries

• Respond to annual/periodic review from and provide primary liaison to other rating agencies

Annual Audit

• Oversee annual audit process ensuing that Maher Accountancy and internal Staff are meeting obligations to meet target date of final audit on time

Board Meetings and Audit Committee Meetings

• Attend Board meetings and Audit Committee meetings

• Provide primary input and presentation of meeting materials

Staff/Internal Meetings

• Attend Staff meetings as necessary

• Meet with other Internal Staff as necessary

Payroll

• Review and approve bi-weekly payroll

For the period from November 16, 2023 through December 31, 2023,

Contractor shall serve as support for the to-be-hired, permanent Chief Financial Officer providing training and support as needed to assist the permanent Chief Financial Officer.

For the period from January 1, 2024 through January 31, 2024,

Contractor shall serve as support for the to-be-hired, permanent Chief Financial Officer providing training and support as needed to assist the permanent Chief Financial Officer as needed at the reduced monthly retainer rate shown in Exhibit B.

Exhibit B

In consideration of the services provided by Contractor described in Exhibit A and subject to the terms of the Agreement, PCEA shall pay Contractor based on the

following fee schedule and terms:

April 19, 2023 to April 30, 2023 = $6,000~~/ month~~

May 1, 2023 through ~~September~~ December 31,

2023~~30~~, 2023 = $15,000 / month

~~October 1, 2023 to October 19, 2023 = $9,000 / month~~

January 1, 2024 to January 31, 2024 = $7,500

AMENDMENT NO. 2 TO THE AGREEMENT BETWEEN THE PENINSULA CLEAN ENERGY AUTHORITY AND ANDREW STERN

This AMENDMENT No. 2 TO THE AGREEMENT, is entered into this October 19, 2024, by and between the PENINSULA CLEAN ENERGY, a joint powers authority of the state of California, hereinafter called "PCE," and Andrew Stern hereinafter called "Contractor."

WITNESSETH:

WHEREAS, the parties entered into an Agreement on April 21, 2023 for the purpose of Contractor providing consulting serves and serving as the Interim Chief Financial Officer (CFO) and Interim Treasurer for PCE ("Agreement"); and

WHEREAS, the parties entered into Amendment No. 1 on May 5, 2023 to amend the Agreement to replace Exhibit A with a revised Exhibit A thereby increasing the number of hours worked by Contractor to 25-30 hours per week;

WHEREAS, the parties wish to amend the Agreement to extend the term of the Agreement and replace Exhibit A with the attached revised Exhibit A;

WHERAS, the parties wish to amend the Agreement to replace Exhibit B with the attached revised Exhibit B.

NOW, THEREFORE, IT IS HEREBY AGREED BY THE PARTIES HERETO AS FOLLOWS:

1. "Exhibit A" is hereby replaced in its entirety with the revised "Exhibit A" attached hereto.

2. "Exhibit B" is hereby replaced in its entirety with the revised "Exhibit B" attached hereto

3. Section 4 of the Agreement is hereby modified to replace the original date of October 19, 2023 with a revised date of January 31, 2024.

4. Section 3 of the Agreement is hereby modified to replace "exceed sixty-thousand dollars" with "exceed one hundred thirty-three thousand five hundred dollars".

5. **Except as expressly amended herein, all other provisions of the Agreement shall remain in full force and effect.**

6. **This Amendment No. 2 shall take effect upon the date of execution by both parties.**

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as set forth below.

Peninsula Clean Energy Authority

By: _____
Shawn Marshall, CEO

Dated: _____

By: _____

Name: _____

Title:_____

Dated: _____

Exhibit A

In consideration of the payments set forth in Exhibit B, Contractor shall provide the following services:

For the period from October 20, 2023 through November 15, 2023,

Contractor shall serve as Interim Chief Financial Officer, including Interim Treasurer, for Peninsula Clean Energy Authority.

Contractor expects that the Services under this Agreement will require an average of **25-30** hours per week, although this may vary dependent on the direction of Peninsula Clean Energy Authority. The following Services will be provided under the Agreement; however, this list is not exclusive:

- Accounts Payable/Invoices
- Monitor receipt of invoices
- Review all invoices in Bill.com and approve daily/weekly
- Solicit input from department heads and employees on invoice questions or clarifications

Wiring of Cash Payments

• Ensure wires are input/set-up on a timely basis and are accurate

• Provide first-level approval of all invoices (or final approval as requested/required)

Cash Management

• Monitoring of all bank balances to ensure adequate operating cash and reasonable investment returns

• Transfer funds between bank accounts as required

• Prepare and submit Lockbox Distribution Certificate, if required

Budget Approval/Monitoring

• Oversee budget process with target of Board approval no later than June 30, 2023

• Monitor monthly financial performance against budget and highlight variances for management attention and action, if necessary

Rating Agency Activity

• Assist with process to gain initial rating from S&P including participation in meetings, as necessary, and responses to inquiries

• Respond to annual/periodic review from and provide primary liaison to other rating agencies

Annual Audit

• Oversee annual audit process ensuing that Maher Accountancy and internal Staff are meeting obligations to meet target date of final audit on time

Board Meetings and Audit Committee Meetings

• Attend Board meetings and Audit Committee meetings

• Provide primary input and presentation of meeting materials

Staff/Internal Meetings

• Attend Staff meetings as necessary

• Meet with other Internal Staff as necessary

Payroll

• Review and approve bi-weekly payroll

For the period from November 16, 2023 through December 31, 2023,

Contractor shall serve as support for the to-be-hired, permanent Chief Financial Officer providing training and support as needed to assist the permanent Chief Financial Officer.

For the period from January 1, 2024 through January 31, 2024,

Contractor shall serve as support for the to-be-hired, permanent Chief Financial Officer providing training and support as needed to assist the permanent Chief Financial Officer as needed at the reduced monthly retainer rate shown in Exhibit B.

Exhibit B

In consideration of the services provided by Contractor described in Exhibit A and subject to the terms of the Agreement, PCEA shall pay Contractor based on the following fee schedule and terms:

April 19, 2023 to April 30, 2023 = $6,000

May 1, 2023 through December 31, 2023, 2023 = $15,000 / month

January 1, 2024 to January 31, 2024 = $7,500

PENINSULA CLEAN ENERGY AUTHORITY
JPA Board Correspondence

DATE: November 16, 2023
BOARD MEETING DATE: November 16, 2023
VOTE REQUIRED: Majority Vote

TO: Honorable Peninsula Clean Energy Authority Board of Directors

FROM: Roy Xu, Director of Power Resources

SUBJECT: Approval of a Resolution Delegating Authority to Chief Executive Officer to Execute an Agreement with Customized Energy Solutions, LTD. for Scheduling Coordinator, Battery Storage Optimization, Short-term Forecasting, and Congestion Revenue Rights Portfolio Management with terms consistent with those presented, in a form approved by the Deputy County Attorney, and for a term of three years, in an amount not to exceed $2,700,000

RECOMMENDATION

Approve Resolution Delegating Authority to Chief Executive Officer to Execute an Agreement with Customized Energy Solutions, LTD. with terms consistent with those presented, in a form approved by the Deputy County Attorney, and for a term of three years in an amount not to exceed $2,700,000.

BACKGROUND

Peninsula Clean Energy (PCE) supplies load and resources in the wholesale electricity market, requiring support from a Scheduling Coordinator (SC) which operates a 24-hour trading desk.

In June 2016, the Board authorized an agreement with Direct Energy to provide load Scheduling Coordinator services, Congestion Revenue Requirement (CRR) portfolio management, and short-term load forecasting. In June 2019, Peninsula Clean Energy executed a contract with Boston Energy Trading and Marketing LLC (BETM) for a one-year term to provide Scheduling Coordinator services for the Wright solar resource, and subsequently in May 2020, the Board authorized an Amendment to this agreement with BETM to provide Scheduling Coordinator services for six of PCE's resources through September 30, 2021.

More recently, in December 2020, the Board authorized an agreement with ZGlobal to provide load and resources Scheduling Coordinator services, CRR portfolio management, and short-term load forecasting starting in February of 2021. The agreement between Peninsula Clean Energy and ZGlobal will expire in January 2024, which prompted issuance of an updated

service RFP that was issued in July of this year.

DISCUSSION

As staff continues to work towards PCE's Strategic Priority of delivering 100% renewable energy annually by 2025 and on a 99% time-coincident basis by 2027, one of the key objectives that becomes increasingly important is Power Operations: "Manage power portfolio to ensure performance consistent with contractual requirements, regulatory compliance, and internal strategies". A critical component of power operations is effectively scheduling PCE's load and resources into the wholesale electricity market and optimizing their values through market participation. To achieve this objective, PCE needs to partner with an experienced Scheduling Coordinator to perform a suite of services.

In July 2023, in anticipation of the expiration of PCE's current Scheduling Coordinator contract and to prepare for a number of new battery storage resources that will come online in 2024, staff issued a solicitation to seek proposals for a list of Scheduling Coordinator services, including: load and resources scheduling, battery storage optimization, short-term load and price forecasting, and CRR portfolio management. Bidders were required to have Scheduling Coordinator certification with the California Independent System Operator (CAISO) as well as a backup facility to support the 24/7 operating responsibility.

Peninsula Clean Energy received ten proposals in total -- five for all solicited services, another five for various individual services. After a thorough first round screening, staff shortlisted four respondents with the best qualifications and experience to provide all requested services, and conducted in-depth interviews with each. While staff was impressed by a number of respondents' technical expertise in various areas, Customized Energy Solutions, LTD. (CES) was selected as the winning bid for its best overall value to PCE. Specially, CES was chosen based on its:

- Proven experience in scheduling both load and resources in the CAISO,
- Battery storage operating and optimization skills for hybrid, co-located and standalone projects,
- Extensive knowledge and involvement in the CAISO market design and ongoing initiatives,
- Competitive offerings relative to other similar proposals,
- Motivation to be PCE's partner and advisor on all CAISO-related matters, and to support PCE in both procurement and operations, and
- Excellent reference recommendations.

The term of the agreement with CES will be three years, beginning on January 15, 2024 through January 14, 2027. The agreement provides the flexibility for PCE to add new resources to its operating portfolio at pre-determined prices, as PCE continues to sign contracts with new renewable and storage resources that will require Scheduling Coordinator services. Staff is requesting approval of this agreement, in an amount not to exceed $2,700,000 for services covering both PCE's current operating portfolio of resources as well as contracted projects that are expected to come online in the next few years. The agreement also allows the option to extend the contract term by one year if mutually agreed upon by both parties near the end of the three-year term. If for any reason Peninsula Clean Energy becomes unsatisfied with Customized Energy Solutions, LTD.'s service, the agreement can be terminated with sufficient advance notice. In addition to the standard insurance requirements

and PCE's right to withhold payment, the agreement also allows PCE to retain a $500,000 performance security to ensure quality of services. At this time, the contract terms have been substantially agreed upon, with details of some administrative issues still needing to be addressed before execution.

Customized Energy Solutions, LTD. is expected to begin preparing for the Scheduling Coordinator transition soon after execution of this agreement. Staff anticipates a period of overlapping services between the current and new Scheduling Coordinators to guarantee a smooth and successful vendor transition.

FISCAL IMPACT

The fiscal impact of the contract with Customized Energy Solutions, LTD. will not exceed $2,700,000 over the 3-year term of the agreement.

STRATEGIC PLAN

The agreement with Customized Energy Solutions, LTD. supports the following priorities and key objectives in Peninsula Clean Energy's strategic plan:

- Priority 1: Deliver 100% renewable energy annually by 2025 and on a 99% time-coincident basis by 2027
- Power Resources Goal 1: Secure sufficient, low-cost, clean sources of electricity that achieve Peninsula Clean Energy's priorities while ensuring reliability and meeting regulatory mandates
  - Objective C: Operations
    Manage power portfolio to ensure performance consistent with contractual requirements, regulatory compliance, and internal strategies
    - Key Tactic #4:
      Scheduling: Work with scheduling coordinator agent to manage Peninsula Clean Energy's CAISO activity to minimize cost and risk consistent with risk management policies

RESOLUTION NO. _____

PENINSULA CLEAN ENERGY AUTHORITY, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

APPROVAL OF A RESOLUTION DELEGATING AUTHORITY TO CHIEF EXECUTIVE OFFICER TO EXECUTE AN AGREEMENT WITH CUSTOMIZED ENERGY SOLUTIONS, LTD. FOR SCHEDULING COORDINATOR, BATTERY STORAGE OPTIMIZATION, SHORT-TERM FORECASTING, AND CONGESTION REVENUE RIGHTS PORTFOLIO MANAGEMENT WITH TERMS CONSISTENT WITH THOSE PRESENTED, IN A FORM APPROVED BY THE DEPUTY COUNTY ATTORNEY, AND FOR A TERM OF THREE YEARS, IN AN AMOUNT NOT TO EXCEED $2,700,000

RESOLVED, by the Peninsula Clean Energy Authority of the County of San Mateo, State of California ("Peninsula Clean Energy" or "PCE"), that

WHEREAS, PCE was formed on February 29, 2016; and

WHEREAS, launch of service for Phase I occurred in October 2016, and launch of service for Phase II occurred in April 2017; and

WHEREAS, in June 2016, PCE signed an agreement ("Agreement_1") with Energy America, LLC ("Direct Energy") to provide scheduling coordinator and other services and the Agreement expired on December 31, 2020; and

WHEREAS, in June 2019, PCE executed a contract with Boston Energy Trading and Marketing LLC (BETM) ("Agreement_2") for a one-year term to provide scheduling coordinator services for the Wright solar resource; and

WHEREAS, in May 2020, the Board authorized an Amendment to Agreement_2 to provide scheduling coordinator services for six of PCE's resources through September 30, 2021; and

WHEREAS, in December 2020, the Board authorized an agreement with ZGlobal, Inc. ("Agreement_3") to provide scheduling coordinator and other services for its load and resources; and

WHEREAS, Agreement_3 is set to expire on January 31, 2024; and

WHEREAS, on July 5, 2023, PCE issued a request for proposals ("RFP") for Scheduling Coordinator and Related Services, and received ten competitive proposals; and

WHEREAS, PCE selected Customized Energy Solutions, LTD. as the new service provider for scheduling coordinator services, battery energy storage system optimization, forecasting services, and CRR portfolio management services; and

WHEREAS, PCE needs to execute a new Agreement with Customized Energy Solutions, Inc.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the Board approves the authorization of the Chief Executive Officer to execute an agreement with Customized Energy Solutions, LTD. to provide Load and Resource Scheduling Coordinator Services, Battery Storage Optimization & Performance Measurements, Load and Price Forecasting Services, and Congestion Revenue Rights Portfolio Management with a not-to-exceed amount of $2,700,000.

PENINSULA CLEAN ENERGY AUTHORITY
JPA Board Correspondence

DATE: November 16, 2023
BOARD MEETING DATE: November 16, 2023
VOTE REQUIRED: Majority Vote

TO: Honorable Peninsula Clean Energy Authority Board of Directors

FROM: Nelly Wogberg, Board Clerk

SUBJECT: Approval of the 2024 Board of Directors Schedule of Meetings

RECOMMENDATION

Approve the 2024 Board of Directors Schedule of Meetings.

BACKGROUND

Every year, the Peninsula Clean Energy Authority Board of Directors approves a schedule of regular meetings for the upcoming year. Generally, the PCE Board of Directors meets on the fourth Thursday of each month at 6:30 p.m., but due to holidays there are sometimes exceptions to this meeting schedule. The schedule of meetings presented creates a regular meeting schedule with those adjustments noted. Please note, this schedule does not preclude any Special meetings that may be needed throughout the year.

DISCUSSION

In the 2024 Schedule of Meetings the exceptions from the general meeting date on the fourth Thursday of the month are as follows:

- October 24, 2024 will be the 2024 Board Retreat. This meeting will start at 5:30 p.m.
- November 21, 2024 is a meeting on the third Thursday due to the Thanksgiving holiday
- December 19, 2024 is a meeting on the third Thursday due to the Christmas holiday

ATTACHMENTS:

2024 BOD Meeting Schedule.pdf

PENINSULA CLEAN ENERGY

2024 Board of Directors Meeting Schedule

Location: Video/Teleconference/PCEA Lobby/Check Agenda

Meeting Date:	Time:	Location:
January 25, 2024	6:30 pm	Video/Teleconference/PCEA Lobby/Check Agenda
February 22, 2024	6:30 pm	Video/Teleconference/PCEA Lobby/Check Agenda
March 28, 2024	6:30 pm	Video/Teleconference/PCEA Lobby/Check Agenda
April 25, 2024	6:30 pm	Video/Teleconference/PCEA Lobby/Check Agenda
May 23, 2024	6:30 pm	Video/Teleconference/PCEA Lobby/Check Agenda
June 27, 2024	6:30 pm	Video/Teleconference/PCEA Lobby/Check Agenda
July 25, 2024	6:30 pm	Video/Teleconference/PCEA Lobby/Check Agenda
August 22, 2024	6:30 pm	Video/Teleconference/PCEA Lobby/Check Agenda
September 26, 2024	6:30 pm	Video/Teleconference/PCEA Lobby/Check Agenda
October 24, 2024 (**Retreat**)	5:30-9:30pm	Video/Teleconference/PCEA Lobby/Check Agenda
November 21, 2024 (**3rd Thursday**)	6:30 pm	Video/Teleconference/PCEA Lobby/Check Agenda
December 19, 2024 (**3rd Thursday**)	6:30 pm	Video/Teleconference/PCEA Lobby/Check Agenda

PENINSULA CLEAN ENERGY AUTHORITY
JPA Board Correspondence

DATE: November 16, 2023
BOARD MEETING DATE: November 16, 2023
VOTE REQUIRED: Majority Vote

TO: Honorable Peninsula Clean Energy Authority Board of Directors

FROM: Rafael Reyes, Director of Energy Programs
Phillip Kobernick, Senior Programs Manager

SUBJECT: Approval of EV Ready Program Fund Reservation Agreement, Providing $120,000 in Customer Incentives

RECOMMENDATION

Approval of Fund Reservation Agreement, which will provide an expected total of $120,000 in customer incentives to install EV charging infrastructure, as part of the EV Ready Program.

BACKGROUND

In December 2018, the Board approved a 4-year $16 million EV charging infrastructure program intended to accelerate EV adoption in San Mateo County. The funds include $12 million in incentives, technical assistance, workforce development, and other program costs, and was named the “EV Ready Program.”

The EV Ready Program provides incentives and technical assistance to eligible property types, which include: 1) Affordable Housing, 2) Multi-Unit Dwellings (such as apartments and condominiums), 3) Employee Charging, including fleet, and 4) All Publicly Accessible, Non-Residential Locations. The program provides incentives for several different EV charging types as part of the program's “Right-Speeding” strategy to install cost-effective charging options, depending on the use case. These incentivized charging options include: 1) Level 1 or Level 2 outlets, 2) Level 2 EV charging stations, 3) Make-Ready parking spaces, to encourage future-proofing, and 4) panel updates for multi-family property sites. These incentives range from $1,000 to $5,500 per charger, depending on property type, retrofit vs new build projects, and charging type.

Customers apply for EV Ready incentives through an online form, which is reviewed and approved by Peninsula Clean Energy staff. Once approved, a Fund Reservation Agreement, which outlines the various EV Ready Program standards and requirements, is distributed via DocuSign and executed by the customer and Peninsula Clean Energy's CEO. Fund Reservation Agreements are presented to the Board of Directors prior to execution when individual Agreements are valued at $100,000 or more.

The Fund Reservation Agreement secures funding for the customer's project, allowing them to budget for and proceed with their EV charging installation project. Once the customer has completed their project, they file for reimbursement, which is reviewed and approved by Peninsula Clean Energy staff in accordance with program rules.
Over 600 chargers have been installed to date in the EV Ready program, with an additional 3,500+ chargers in process. Over 200 properties are currently receiving design assistance through our program's free Technical Assistance offering. In addition, staff is planning significant customer outreach campaigns for 2024 to further increase program usage and volume.

DISCUSSION

In the prior month, Peninsula Clean Energy has received one EV Ready application from ChargeLink on behalf of a local hotel, in which the Fund Reservation Agreement is expected to exceed $100,000. The prepared Fund Reservation Agreement is included as an attachment to this agenda item. Following approval by the Board of Directors, the Fund Reservation Agreement will be executed by the Peninsula Clean Energy CEO.

Details of the Fund Reservation Agreement are included below. This project is seeking to install 30 EV chargers at a hotel in Redwood City and the application is led by ChargeLink, a Bay-Area based EV charging developer and operator.

Property Type	Total Expected Reserved Funds	Total Charge Ports Expected	City
All Publicly Accessible Non-Residential Locations (Hotel)	$120,000	30	Redwood City

FISCAL IMPACT

Funding for this project is included in the Board-approved EV Ready Program.

STRATEGIC PLAN

Goal 3 – Community Energy Programs:

- Objective A: Develop market momentum for electric transportation
  - Key Tactic 1: Drive personal electrified transportation to majority adoption
- Objective B: Deliver tangible benefits throughout our diverse communities
  - Key Tactic: Expand charging access and equity to low income communities

ATTACHMENTS:
EVRP_FundReservationAgmt_V121622.docx (7).pdf

RESOLUTION NO. _____

PENINSULA CLEAN ENERGY AUTHORITY, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

APPROVAL OF EV READY PROGRAM FUND RESERVATION AGREEMENT, PROVIDING $120,000 IN CUSTOMER INCENTIVES

RESOLVED, by the Peninsula Clean Energy Authority of the County of San Mateo, State of California, that

WHEREAS, Peninsula Clean Energy was formed on February 29, 2016; and

WHEREAS, expanding access to charging increases adoption of electric vehicles to reduce greenhouse gasses and is part of Peninsula Clean Energy's program roadmap approved by the Board; and

WHEREAS, in December 2018, the Peninsula Clean Energy Board of Directors approved $16 million in funds for a 4-year EV charging infrastructure program, which came to be called the "EV Ready" program; and

WHEREAS, eligible applicants are approved for EV Ready program incentives, subject to the EV Ready Program Standards & Requirements; and

WHEREAS, approved applicants in the EV Ready program are required to execute a Fund Reservation Agreement to secure their financial incentives; and

WHEREAS, per Peninsula Clean Energy policy, Agreements valued at or above $100,000 require approval by the Peninsula Clean Energy Board of Directors; and

WHEREAS, one EV Ready incentive application whose Fund Reservation Agreement is expected to be valued at or above $100,000 in value was received by Peninsula Clean Energy in the prior month; and

WHEREAS, the Board wishes to delegate to the Chief Executive Officer authority to finalize and execute the Fund Reservation Agreement in the EV Ready program to provide incentives.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the Board delegates authority to the Chief Executive Officer to execute a customer Fund Reservation Agreement in the EV Ready program to provide incentives for an expected total of approximately $120,000 in a form approved by the General Counsel.

Peninsula Clean Energy
Electric Vehicle Ready Program
Fund Reservation Agreement

Applicant First Name	Anatoly
Applicant Last Name	Corp
Title	Owner
Organization	ChargeLink
Email	anatoly@mychargelink.com
Phone Number	(510) 988-7538
Proposed Site Address	2526 EL CAMINO REAL,
City	REDWOOD CITY
Zip Code	94061
Service Agreement ID	2551488960
Project ID	PROJ-181023-9870

EV Charging Infrastructure Project Description:

Project Type	Existing All Publicly Accessible Non-Residential Locations

	Level 1 Outlets	Level 2 Outlets	Level 2 Charge Ports	Make Ready Ports
Submitted # Ports	0	10	20	0
Reserved Funds	$ .00	$ 20000.00	$ 100000.00	$ .00

Panel Upgrade	$ .00

Total Reserved Funds 120000.00

Notes

Peninsula Clean Energy Authority ("PCEA") cannot guarantee rebate funds beyond what was reserved nor can rebate funds exceed 100% of the total project costs. Final projects with less ports than projected will only receive rebates for installed ports, up to the amount reserved.

By signing below, the site owner ("Site Owner") or, if the property is owned by a commercial or corporate entity, the representative of the ownership entity ("Owner Representative") agrees to the "Electric Vehicle (EV) Ready Program" ("Program") Terms & Conditions. If neither Site Owner nor Owner Representative executes the Agreement, the applicant ("Applicant") certifies that a

Designated Applicant Assignment form was completed and submitted to PCEA to verify that the Site Owner or Owner Representative has designated the applicant ("Designated Applicant") authority to represent the Site Owner in the Program and execute all legal agreements as required by the Program.

The undersigned here is the: [ ] Site Owner or Owner Representative OR [X] Designated Applicant

DocuSigned by:
5EF4FAEC50AD4C8...

[DocuSign] 10/19/2023

Applicant Signature Date

Peninsula Clean Energy Representative Signature Title Date

Peninsula Clean Energy EV Ready Program Terms and Conditions

1. **ELIGIBILITY**: Peninsula Clean Energy Authority offers a rebate to eligible PCEA customers or their designees (Applicant) installing EV Charging Infrastructure through the EV Ready Program. Applicants eligible to receive rebates under the Program must (1) abide by the terms and conditions listed herein; (2) have the EV charging port(s) metered through a PCEA account number; (3) comply with Program Standards and Requirements ("Program Requirements") in Appendix A; (4) provide PCEA with Required Installation Verification Documents as specified in the Program Requirements upon completion of the project.

2. **REBATE RESERVATION TERM AND AMOUNT**: The amounts of the rebates for which qualifying projects are eligible are outlined in Program Requirements. Rebate funds are reserved upon execution of this Agreement up to the maximum amount identified in the Program Requirements based on the "EV Charging Infrastructure Project Description" (hereinafter, the Project, *see* page 1 above). The funds are reserved according to the Fund Reservation Period timelines outlined in the Program Requirements and any modifications to the timelines are at the discretion of PCEA. Rebates will be paid to eligible Rebate Recipient once installation is verified as complete by PCEA. The final amount of the rebates will be the actual eligible costs of verified EV Charging Infrastructure installed or the maximum amount reserved, whichever is less.

3. **DISCRETION ON VERIFICATION**: Determinations regarding verification pursuant to paragraph (1) and paragraph (2) of these Terms and Conditions, shall be determined at PCEA's complete and exclusive discretion.

4. **REBATE RECIPIENT**: The Applicant may direct the rebate funds to any Rebate Recipient, who is a single vendor or service provider incurring costs for the Project up to the amount of documented costs incurred by that Rebate Recipient. The Rebate Recipient shall be identified in the Installation Verification Form submitted upon project completion to request disbursement of the rebate.

5. **NO GUARANTEES**: PCEA makes no guarantee, representations or warranties, expressed or implied, regarding the implementation or use of EV Charging Infrastructure and equipment purchased or installed pursuant to this PCEA Program. Customer is solely responsible for any liability, legal or otherwise, arising from the installation, operation, and maintenance of its selected EV Charging Infrastructure.

6. **EVSE PACKAGE:** Upon approval of the Funds Reservation Agreement by PCEA, for Level 2 EV Charging Ports, as defined in Appendix A, Program Requirements, the Customer shall select and procure EV Supply Equipment (EVSE), software, and network services as required and in compliance with the Equipment Requirements outlined in the Program Requirements. Customer shall install, operate and maintain the number and type of the EVSE unit(s) (defined in Program Requirements), associated equipment, and signage as selected by Customer and approved by PCEA. Customer acknowledges that:

    a. For all Level 2 EV charging port(s) included in the project, the Customer agrees to purchase a) a minimum 2-year software and networking service agreement and b) a maintenance contract or a 3-year warranty with the Electric

Vehicle Servicer Provider (EVSP) or Original Equipment Manufacturer (OEM) providing the EVSE to the Customer.

7. **ADDITIONAL SERVICES FROM ELECTRIC VEHICLE SERVICE PROVIDER (EVSP):** Separate and apart from the Funds Reservation Agreement and PCEA's obligations under the Program, the EVSP may offer and contract directly with the Customer to provide any additional or complementary services, as long as these services do not interfere with the objectives of the Program. PCEA is not responsible for the costs of additional EVSP services or any cost related to operations and maintenance of any additional EVSP services.

8. **INSTALLATION OF EV CHARGING INFRASTRUCTURE:** Customer is responsible for covering all upfront costs of the installation of the EV Charging Infrastructure. Upon completion of installation of the EV Charging Infrastructure, Site Owner understands it is responsible for the operation and maintenance of the EV charging port(s) installed.

9. **CONTRACTOR REQUIREMENTS**: All work performed on projects under this agreement shall be done by contractors who hold a valid California C-10 license. PCEA reserves the right to amend and change contractor requirements at any point during the program.

10. **EV DRIVERS RIGHT TO ACCESS:** Customer may limit the availability of the EV Charging Infrastructure to its employees or tenants. Under the Program, Customer may elect to make the EV Charging Infrastructure available for use by the general public. Customer shall not restrict access to use of the EV Charging Infrastructure for reasons including, but not limited to, race, color, religion, age, sex, national origin, ancestry, physical or mental disability, or any basis prohibited by applicable law.

11. **APPLICABLE LAWS**: Customer is solely responsible for ensuring that the EV Charging Infrastructure is installed and operated in compliance with all applicable local, state, and federal laws.

12. **EV CHARGING PORT(S) OPERATION AND MAINTENANCE:** Customer will pay all ongoing costs associated with the EV Charging Infrastructure. Customer shall maintain a consistent uptime for the EV Charging Port(s) installed. Customer shall maintain the common area immediately surrounding the EV Charging Infrastructure in good condition, ordinary wear and tear accepted, and will promptly notify PCEA of any problems it is aware of related to the EV Charging Infrastructure. Such maintenance by Customer of the immediately surrounding common areas shall include, but not be limited to, pavement maintenance. Customer shall promptly notify PCEA if Customer will no longer maintain the installed EV Charging Infrastructure and/or the installed EV Charging Infrastructure is being removed from Customer's site. Uninterrupted service is not guaranteed, and Pacific Gas & Electric (PG&E) may interrupt service and access to the EV Charging Infrastructure when necessary to ensure safety or to perform maintenance as dictated by utility easement agreements and requirements.

13. **PERMISSION TO USE DATA:** For all EV Charging Infrastructure installed that are capable of collecting and reporting usage and utilization data, Site Owner agrees to allow PCEA and its authorized Contractors to access, collect, use, and report EV Charging Infrastructure usage and utilization data gathered as a part of the Program for use in regulatory reporting, ordinary business use, industry forums, case studies, or other similar activities, in accordance with applicable laws and regulations. PCEA and its authorized Contractors shall have access to the EV Charging Infrastructure usage and utilization data indefinitely and in accordance with all applicable laws, including but not limited to PCEA privacy guidelines and relevant regulatory decisions.

14. **DEMAND RESPONSE and LOAD SHAPING PROGRAMS:** Customer agrees that PCEA may, at its discretion enroll all networked EV charging port(s) units installed under the Program in any future demand response, grid optimization, and/ or load shaping programs implemented by PCEA. Future load shaping program will, by design, not incur any additional costs or expenses to Customer. The load shaping program will aim to curtail energy usage for each charging port during a predefined period established by PCEA. These curtailments will be designed to minimally impact EV drivers that are charging during these times whenever possible. Customers will be provided an appropriate mechanism to opt-out before the program is implemented.

15. **TAX LIABILITY and CREDITS**: PCEA is not responsible for any taxes which may be imposed on Customer as a result of the rebates provided within the Program. Site Owners receiving incentives from either the Program and/or other regional organizations, including, but not limited to, the Bay Area Air Quality Management District, that have been facilitated through assistance from PCEA are required to designate their Low Carbon Fuel Standard (LCFS) credits to PCEA. Customer attests they are releasing their rights to report and claim credits in the LCFS and are designating credits in the LCFS to PCEA

(FEIN 81-2708786) on an ongoing basis. Customer will inform third-party entities when necessary, including CARB, that the LCFS credits generated by their installed EVSE are designated to PCEA on an ongoing basis. Customer will provide the EVSE usage and electricity data to PCEA for LCFS reporting pursuant to CARB sections 95483.2(b)(8), 95491 and 95491.1. Customer will provide PCEA with ongoing access to EV charging data through the use of a login to the online account and/or an application program interface (API), a dashboard with exportable data files, or other means to access the charging data.

16. **DISPUTES**: Except where otherwise limited by law, PCEA reserves the right, at its sole discretion, to make final determinations regarding any disputed issues about the Program, including but not limited to eligibility and rebate amounts. In the event of a dispute that cannot be remedied by the parties, any court filings and/or proceedings shall be venued in San Mateo County, California. PCEA shall in no case be responsible for the legal costs of Site Owner and/or Designated Applicant.

17. **PROGRAM CHANGES**: PCEA reserves the right to change, modify, or terminate the Program at any time without any liability except as expressly stated herein. PCEA will honor all written commitments made in the Funds Reservation Agreement provided to Customers prior to the date of any change, modification or termination of this program, provided that project installations are fully completed within the timeframe specified within the Program Requirements.

18. **PROGRAM EXPIRATION:** The Program will expire upon the earliest to occur: (i) December 31st, 2024, (ii) when funds are depleted, or (iii) when the program is terminated by PCEA.

19. **INDEMNIFICATION:** Applicant agrees to indemnify, defend, and hold PCEA, its employees, officers, and agents, harmless from any and all liabilities including, but not limited to, litigation costs and attorney's fees arising from any and all claims and losses to anyone who may be injured or damaged by reason of Customer's negligence, recklessness or willful misconduct while participating in the PCEA Program.

20. **ACKNOWLEDGEMENTS:** Customer shall acknowledge PCEA as a funding source of the installed EV Charging Infrastructure each time Customer's activities related to the EV Charging Infrastructure are published in any news media, press release, brochures, or other type of public communication or promotional material. The acknowledgement of PCEA's support as a funding source, whether in whole or in part, shall include language such as: "Funding for [Customer Site Name]'s charging station(s) provided by Peninsula Clean Energy." If Customer is receiving funding from multiple organizations, Customer may use one statement conforming to the format listed above and include all organizations from which funding is received. PCEA also reverses the right to install stickers, signage, or other advertisement mechanism on the EV charging port(s) funded or facilitated by PCEA.

21. **CUSTOMER DISCLOSURE AUTHORIZATION:** By signing the Funds Reservation Agreement, Applicant confirms they are the authorized representative for the electric account holder identified in the Funds Reservation Agreement and authorized PCEA to disclose Customer's account status and participation in the PCEA Program. If Applicant is not the authorized representative for the electric account holder identified in the Funds Reservation Agreement, the Applicant certifies that they have submitted a Third Party Designated Applicant Assignment Form to verify that the Site Owner has delegated authority to the Applicant to represent the Site Owner and execute the Funds Reservation Agreement.

PENINSULA CLEAN ENERGY AUTHORITY
JPA Board Correspondence

DATE: November 16, 2023
BOARD MEETING DATE: November 16, 2023
VOTE REQUIRED: None

TO: Honorable Peninsula Clean Energy Authority Board of Directors

FROM: Shawn Marshall, Chief Executive Officer

SUBJECT: 2023 Board Retreat

RECOMMENDATION

Engage in strategic feedback and discussion with PCE staff leadership pertaining to the five retreat segments listed below. The Board retreat portion of this meeting will be discussion only and will not include specific action items.

BACKGROUND

Peninsula Clean Energy (PCE) has held annual Board Retreats since its first one in September 2017. The retreat location, length and agendas have evolved over the years, most recently focusing on PCE's performance against the Agency's five-year (2020-2025) strategic plan and its two priority goals:

1. Deliver 100% renewable energy annually by 2025 and on a 99% time-coincident basis by 2027.
2. Contribute to Peninsula Clean Energy member jurisdictions reaching the State's 2045 goal to be 100% greenhouse-gas free for transportation and building electrification by 2035.

Since the development of the strategic plan in late 2019, the two priority goals have been periodically amended to reflect more achievable outcomes as a result of post pandemic market conditions or, as in the case of the decarbonization goal, create an accelerated timeline ahead of the State's target.

As noted above, Peninsula Clean Energy's first primary goal is to "deliver 100% renewable energy annually by 2025 and on a 99% time-coincident basis by 2027." For historical context, this goal originated as an ambitious goal to "by 2025, deliver 100% renewable energy each and every hour of the day" (renewable energy is defined as resources that meet California's renewable portfolio standard, excluding biomass). In the ensuing years, staff developed and leveraged a new 24/7 clean energy procurement modeling tool called MATCH, and at the November 17, 2022 Board of Directors Meeting, the Board of Directors adopted Staff's recommendation to "deliver 100% renewable energy annually on a 99% time-coincident basis

by 2025". However, further modeling and analysis of available resources and market conditions indicated that meeting a 99% time-coincident renewable target by 2025 would be cost prohibitive and could lead to non-optimal long-term portfolio positions; so, at the June 22, 2023 Board of Directors meeting, the Board adopted staff's amended recommendation to update this strategic priority to "delivering 100% renewable energy annually by 2025 and on a 99% time-coincident basis by 2027."

June 22, 2023 Board of Directors Meeting Agenda Item Number 9

White Paper Part I

White Paper Part II

As noted above, Peninsula Clean Energy's second priority goal is to "contribute to Peninsula Clean Energy member jurisdictions reaching the state's 2045 goal to be 100% greenhouse-gas free for transportation and building electrification by 2035." For some historical context, the goal originated as, "contribute to San Mateo County reaching the state's goal to be 100% greenhouse gas-free by 2045." During the September 25, 2021 Board of Directors Retreat, the Citizens Advisory Committee (now the Community Advisory Committee) made a recommendation to the Board to move the goal up to 2035, citing the urgency of the climate crisis. At that same meeting, the Board adopted the new target supporting the region in reaching 100% decarbonization in buildings and transportation by 2035 and directed staff to analyze the feasibility of that target and return with an assessment and action plan. At the September 22, 2023 Board of Directors Retreat, prgrams staff presented a summary overview of the 2035 Decarbonization Feasibility Analysis & Plan. Staff's analysis and presentations are available with the meeting materials for the September 22, 2022 meeting.

2035 Decarbonization Feasibility and Plan

Summary Presentation

Full Presentation

DISCUSSION

This year, the Board retreat will be held in-person at PCE's offices in lieu of a standard Board meeting. In addition, we are trying out a new retreat format that includes our Director team as active discussion participants and balancing a futures orientation along with a nearer-term check in and discussion of PCE's key priorities. The retreat portion of the meeting will be facilitated by staff and professional facilitators from the Potrero Group, a Bay Area consulting firm that PCE has retained to lead us in a nine-month organizational development effort focused on successful executive leadership transitions and Board and staff alignment as the organization evolves into its next phase.

The goals of this year's Board retreat are:

- Board and staff alignment on where we are and where we're going with respect to our two key agency goals -- 24/7 time coincident by 2027 and supporting regional decarbonization by 2035;
- Discussion about the dimensions of organizational growth and what it means to shift to a

customer-centric focus; and,
- Agreement of a proposed process to continue strategic discussions that we won't have time for at this retreat; likely to be 45-50 minute segments added to Board meeting agendas over the coming year.

The retreat agenda will be broken down into 5 segments as follows. PCE Staff suggests that Board Members take time to reflect on the bulleted questions below and attached pre-read document in preparation for the meeting:

Segment 1: Introductory Question/Futures Discussion: PCE has been in exponential growth since its inception and is now moving into its next stage of organizational maturity.
- What does and/or should growth mean or look like for PCE in the next 5-7 years? Discussions will focus in three areas: electricity, customer impact, and industry/market impact.

Segment 2: Brief Overview of Organizational Development Evaluation and Feedback from Staff Retreat
- Please see included PDF - Board Retreat Pre-Read

Segment 3: Update and Discussion of Key Goal #1: Procurement Priorities and 24/7 99% Time-Coincident Goal
- How do we balance industry leadership, innovation, and what is possible within current market constraints and economic realities?

Segment 4: Update and Discussion of Key Goal #2: Support Decarbonization of Member Agency Communities by 2035; please note that the retreat discussion will focus on demand response and distributed energy resource components of this goal.
- What innovative strategies can we deploy to meet our 2035 decarb goal, with focus on demand response and DER's and solutions that meet load modification and reliability goals?

Segment 5: What does it mean to shift to a more customer centric approach across our Agency?

Next Steps:

Staff recognizes that four hours is not enough time to capture all the topics that could benefit from a strategic, futures-focused discussion with the Board. Staff recommends that time on future Board agendas be allocated at regular intervals (perhaps every-other-month) to discuss additional strategic topics related to the Agency's future and departmental policy direction.

ATTACHMENTS:

Board Retreat Pre-read.pdf

November 16, 2023

Board Retreat Pre-Read

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I. Preface

II. Staff Retreat Insights

a. Illuminate the Path Forward

b. Museum of the Future

c. Inspiration and Commitments

III. Board Retreat - Strategic Questions

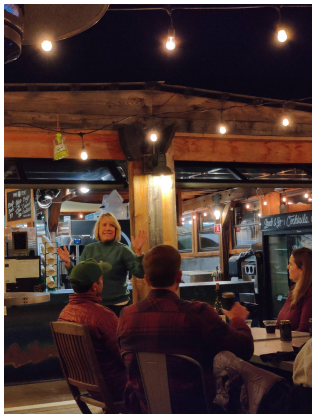
Preface

The content of this pre-read reflects brainstorming and analysis done prior to and during a 1.5 day Peninsula Clean Energy (PCE) staff retreat in September.

The following information provides initial key data points that will support further exploration and analysis and the creation of a plan for PCE organizational development.

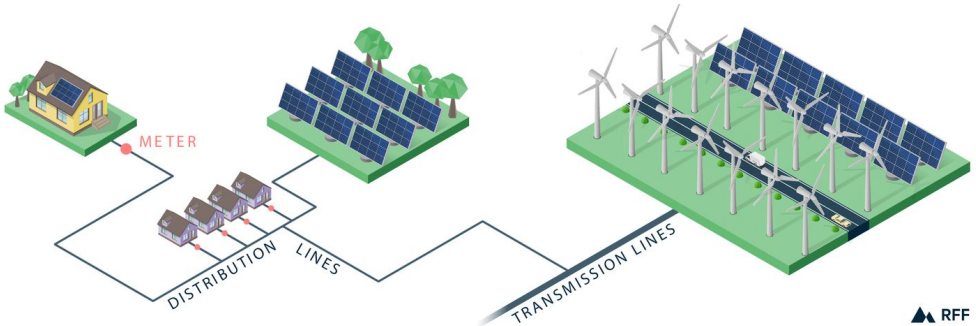
Staff Retreat
September 2023

Staff Retreat



Illuminate the Path Forward

Illuminate the Path Forward is an exercise adapted from an integrative, systems-thinking approach that maps how an organization's needs and strengths could **create pathways to achieve internal and external goals and impact.**



Goals
(Transmission)

- What could be our organizational development goals?

(Distribution)

- How could our organizational growth impact our field and the communities we serve?

Strengths
(Battery)

- What are your individual and team strengths?
- How do we build upon each others' strengths?

Needs
(Power Source)

- What are your individual and team needs?
- What energizes you? How do you recharge?
- How do you want others to show up for you?

Illuminate the Path Forward

Read left-right to see how addressing needs could feed into organizational strengths and support **possible goals.*

Needs
(Power Source)

Individual
- Work-life balance
- Professional growth

Teams
- Cohesion
- Communication
- Strategic discussion
- Inclusive leadership

Organizational
- Shared passion and alignment on mission
- Learning and creative problem-solving across departments

Strengths
(Battery)

- Analytical, problem-solving culture
- Innovative and entrepreneurial approach
- Highly specialized and high-functioning teams
- Diverse expertise and experiences
- Proactive approach to growth
- Collective passion and goal orientation

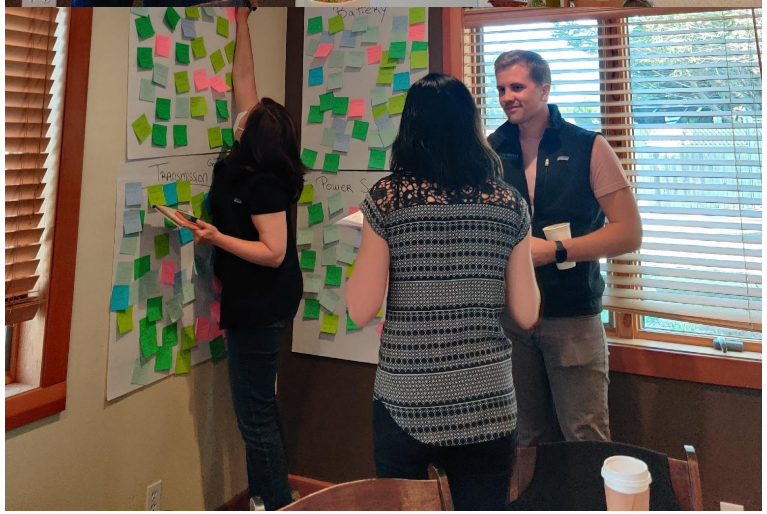
Internal Goals
(Transmission)

1. People and talent growth
2. Technology for operations and marketing
3. Develop cross-collaboration systems and processes

External Goals
(Distribution)

1. Reach all community members and provide energy solutions and benefits equitably
2. Transform the energy sector at a national scale
3. Build momentum for electrification and decarbonization efforts at a regional/statewide scale

Museum of the Future



Staff worked in groups to create tangible descriptions of what 2030 might look like if PCE achieved its goals.

Museum of the Future (Year 2030)

Possible Organizational Growth Achieved

Customer-centric approach and operational integration

- Customer-centric approach, with every department aligned in its efforts
- Designed and implemented customer care touchpoints, such as mobile apps and call centers, that enhance communication and service quality

Invested in clean energy infrastructure

- Invested in clean energy infrastructure, secured funding from various sources (CPUC and low-interest rate taxpayer bonds)
- Expanded EV charging stations, integrated Distributed Energy Resources (DERs) into Power Resource planning, and developed reliable backup power storage and distribution

Elevated organizational culture and environment

- Cross-collaboration and innovation in energy solutions
- Further transparency in senior staff and executive decision making and opportunities for input
- Possible new departments/staff as needed dedicated to energy reliability, resilience, risk management, support staff, and community relations

Staff have reached maturity in their professional careers and contribute to the energy world after leaving PCE

- Staff reached maturity in their careers, enabling them to contribute to the broader energy sector
- Alumni maintain relationships with PCE, offering partnership opportunities

Museum of the Future (Year 2030)

Possible Organizational Impact Achieved

PCE's influence has scaled as a state/national leader

- Advocacy roadshow, extending its expertise and support to other states to facilitate the development of Community Choice Aggregators
- PCE serves as an advisor to the Department of Energy, providing insights into best practices and innovative energy solutions
- Partnerships with government agencies, facilitating initiatives like setting up microgrids at public libraries and extending community outreach

Energy solutions have resolved affordability and accessibility barriers

- Overcame affordability and accessibility barriers by implementing tailored solutions beyond socioeconomic considerations
- Equitable distribution of rebates to customers has become a reality
- DEAI continues to be an internal organizational priority

Community-owned Distribution and Energy Supply

- Invested in decentralizing power distribution and ensuring grid reliability and quality of renewable power sources
- Local communities become more active in decision making and policymaking, resulting in gain of ownership and control over energy supply

Inspiration and Commitments

Evolve From Past Success and Failure

Ex: "Ground our future in our past."
Ex: "Don't tear down the fence until you understand why it was built."

Collective Creativity

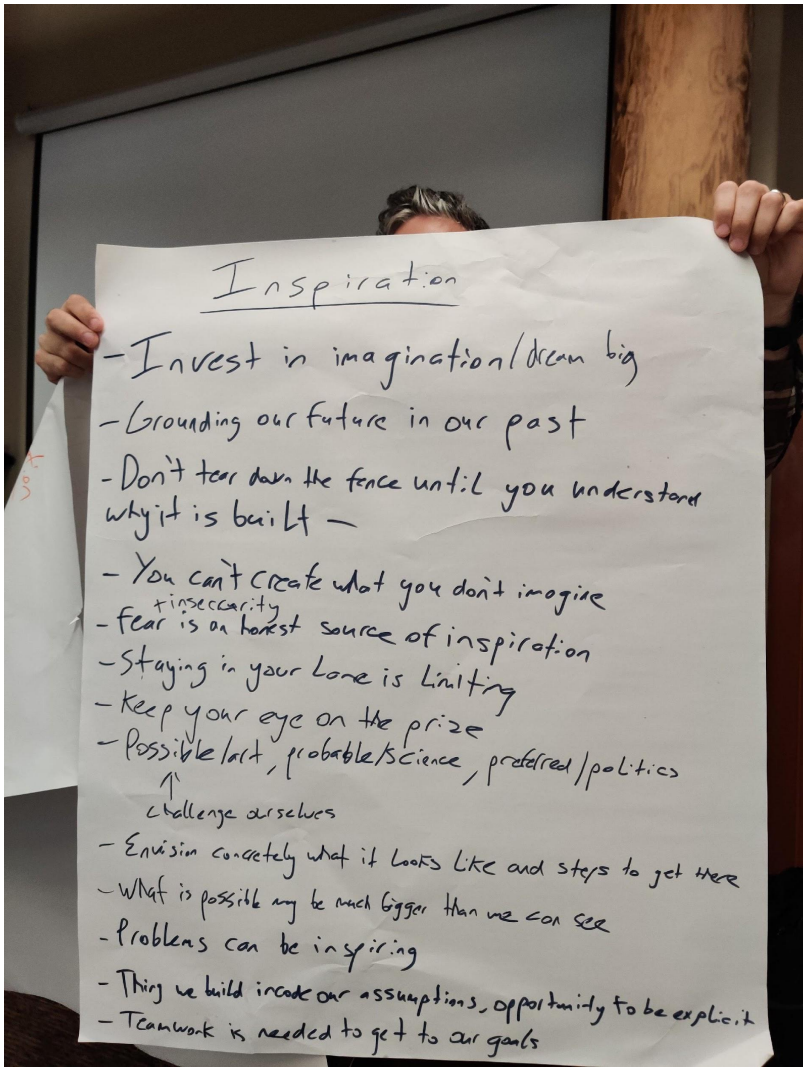
Ex: "Embrace the "I wonder, what if, let's try!" mindset."
Ex: "Staying in your lane is limiting"
Ex: "Unconference committee"

Believe in the Possible

Ex: "Possible (art), probable (science), and preferred (politics).
Ex: "You can't create what you don't imagine."
Ex: "Believe in a better way."

Tenacious Ambition

Ex: "Tenacity in pursuing long-term goals and overcoming challenges."
Ex: "Keep your eye on the prize."



Board Retreat-
Strategic Questions

Please Be Prepared to Discuss

1. **PCE has been in exponential growth since its inception and is now moving into its next stage of organizational maturity.** What does and/or should growth mean or look like for PCE in the next 5-7 years? Consider electricity, customer impact, and industry/market impact.

2. **Regarding PCE's Key Priority #1: Procurement Priorities and 24/7 99% Time-Coincident Goal.** How do we balance industry leadership, innovation, and what is possible within current market constraints and economic realities?

3. **Regarding PCE's Key Priority #2: Support Decarbonization of Member Agency Communities by 2035.** What innovative strategies can we deploy to meet our 2035 decarb goal, with focus on demand response and distributed energy resources (DERs), and solutions that meet load modification and reliability goals?

4. **What does it mean to shift to a more customer-centric approach across our Agency?**

The Potrero Group Contacts

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PENINSULA CLEAN ENERGY AUTHORITY
JPA Board Correspondence

DATE: November 16, 2023
BOARD MEETING DATE: November 16, 2023
VOTE REQUIRED: None

TO: Honorable Peninsula Clean Energy Authority Board of Directors

FROM: Shawn Marshall, Chief Executive Officer

SUBJECT: CEO Report

DISCUSSION

This report is provided monthly to the Board of Directors and is informational only.

Surplus Funds Ad-Hoc Subcommittee

The Surplus Funds staff-led committee met for the fifth time on October 30, 2023 and spent this meeting reviewing all the proposed ideas and allocations across the four funding categories identified earlier in the process: 1) Days Cash on Hand/PCE Reserves, 2) Customer Rebates/Rate Discounts, 3) Energy Programs, and 4) Funding for Local Power Projects.

The committee is nearly done with its deliberations but requires one or two more meetings before finalizing the full package of FYE 2024 surplus fund recommendations. However, one funding recommendation for a one-time $300 customer rebate to PCE's ~41,525 CARE/FERA customers received unanimous committee support and was determined to be time sensitive due to the desire to issue the rebate to our most economically vulnerable customers in time for the holiday season.

The committee has placed authorization for the CARE/FERA customer rebate on the November 16, 2023 Board agenda and will reconvene to complete the full roster of funding recommendations in late November.

PCE Staffing Update

We are thrilled to announce that on November 16, 2023 CCA industry veteran Shalini Swaroop will join PCE as our new Chief Operating Officer and energy finance veteran Nick Bijur will join as our new Chief Financial Officer. Please see the attached press release for more information about our new executives and feel free to check out their profiles on LinkedIn. Both Shalini and Nick will be on hand at our Board retreat to introduce themselves. Please welcome them to the team!

Special thanks goes to Andy Stern, our interim CFO, who has served PCE so well these past years. Andy has agreed to stay on for a short period while Nick transitions into the CFO role. We are deeply grateful to Andy for his support and leadership and wish him well in his next chapter.

Please join me in congratulating Carlos Moreno on our energy programs team who was promoted to Programs Analyst and Vanessa Chin on our marketing and community outreach team who was promoted to a Senior Specialist!

Posted Positions - Please help us spread the word!
Sr/Manager Power Resources - Market Operations
Information Technology Specialist / Senior Specialist

Industry Events and PCE in the Community

On November 3-4, **Shawn Marshall**, CEO, attended a symposium sponsored by California Community Power (CCPower) entitled Getting it Built Right, which focused on opportunities for collaboration with various labor unions and current challenges for project development, project labor agreements, interconnection issues, etc. Past Board member Rick Bonilla and other union partners attended the meeting and participated on a panel called Strategies for Getting Things Built and Built Right.

On November 3, **Doug Karpa**, Regulatory Counsel, presented his paper entitled “Empowering CCA Leadership: Overcoming Legal and Policy Barriers to a 24/7 Renewable Decarbonization Strategy” at the McAllister Symposium on Climate and Energy Law in San Diego, CA.

On November 8, **Phillip Kobernick**, Senior Programs Manager, Transportation, presented at the California Pollution Control Officers Association (CAPCOA) Annual Symposium on EV Reach Codes.

On November 8, **Rafael Reyes**, Director of Energy Programs, presented at the California Efficiency and Demand Management Council and on November 13 at the Heat Pump Summit. Rafael will also present at the Buildings Electrification - Challenges and Solutions meeting on November 29, 2023.

CEO, Shawn Marshall, also attends monthly Cal-CCA and California Community Power (CCPower) Board meetings.

ATTACHMENTS:

Peninsula Clean Energy Hires New COO, CFO .pdf

Peninsula Clean Energy Hires New COO, CFO

Community energy, utility, environmental justice veterans round out senior management team at pivotal time for the organization, region

REDWOOD CITY, CA – November 14, 2023 – Peninsula Clean Energy has hired a new chief operating officer (COO) and chief financial officer (CFO), filling out the agency's senior management team at a pivotal time in its efforts to expand affordable renewable power and decarbonization programs across its service territory.

PCE's new COO is **Shalini Swaroop**, former chief legal and policy officer at MCE Clean Energy, the first Community Choice Aggregation agency in California.

Nick Bijur joins Peninsula Clean Energy as CFO. Nick previously worked at Pacific Gas and Electric Company (PG&E), where he was vice president of finance and treasurer.

"As PCE continues to lead in the rapid transition to affordable clean energy, we are well positioned for the future with long-time community energy veteran and environmental justice champion Shalini Swaroop and energy utility finance expert Nick Bijur rounding out our new leadership team," **Peninsula Clean Energy CEO Shawn Marshall** said.

As COO, Swaroop will help lead internal efforts toward meeting Peninsula Clean Energy's strategic plan and will oversee the agency's regulatory and legislative affairs, energy programs and marketing/community outreach departments. She will also provide executive leadership for the agency's recently adopted diversity, equity, access and inclusion plan.

During her tenure with MCE, Swaroop led the agency's legal and policy teams, overseeing litigation, compliance, municipal law, and policy advocacy at state regulatory agencies, the California Legislature and U.S. Congress. She negotiated dozens of landmark California climate action bills, securing federal funds for storage, EV chargers, and building electrification upgrades, and advocated on behalf of low-income constituents and communities of color.

Following MCE, Swaroop was interim deputy executive director at the Initiative for Energy Justice, leading national policy and programs.

Swaroop received her Juris Doctorate from Berkeley Law School, and completed a federal judicial clerkship at the High Court of American Samoa. Swaroop previously sat on the board of GRID Alternatives - Bay Area, and held leadership positions on the boards of the ACLU of Northern California, the San Francisco Public Utilities Commission's Citizens' Advisory Committee, and the Conference of California Public Utility Counsel. She also co-founded the Bay Area Women of Color Attorney Network.

"The transition to clean energy is crucial for our planet." **Swaroop** said. "But the transition must be equitable to those communities who have been most impacted by the legacy of fossil fuels. Peninsula Clean Energy is at the forefront of this transformation and has demonstrated a

replicable model of leadership for other communities throughout California and beyond. I'm excited to continue my role in the growing community choice industry at PCE."

As PCE's new CFO, Nick Bijur will manage the agency's more than $350 million annual operating budget and investment portfolio, stand up a new enterprise risk management function and help the agency balance decarbonization goals with the mandate of affordable clean energy at competitive rates. That includes continuing to implement electric generation rates that are at least five percent lower than generation rates charged by PG&E, while also leading efforts to maintain and improve Peninsula Clean Energy's investment grade credit ratings.

At PG&E, Nick led a variety of finance functions during his 15-year tenure, including treasury, business finance, market & credit risk management, and strategic investments. Immediately prior to joining PCE, Nick was vice president of corporate FP&A at Bloom Energy. He also worked at Williams-Sonoma as vice president and treasurer, and was an investment banker at Morgan Stanley. Bijur received his M.B.A. from the UCLA Anderson School of Management and a B.A. from Bucknell University.

"I am thrilled to join Peninsula Clean Energy and work with the talented and dedicated team that is successfully providing energy choice and helping create a more sustainable planet," **Bijur** said.

About Peninsula Clean Energy
Peninsula Clean Energy is a Community Choice Aggregation agency. It is the official electricity provider for San Mateo County and for the City of Los Banos. Founded in 2016 with a mission to reduce greenhouse gas emissions, the agency serves a population of 810,000 by providing more than 3,600 gigawatt hours annually of electricity that is 50 percent renewable, 100 percent clean and at lower cost than PG&E. As a community-led, not-for-profit agency, Peninsula Clean Energy makes significant investments in its communities to expand access to sustainable and affordable energy solutions. Peninsula Clean Energy is on track to deliver electricity that is 100 percent renewable by 2025. Follow us at PenCleanEnergy.com, Twitter, Facebook and LinkedIn.

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Peninsula Clean Energy
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202-550-6619

PENINSULA CLEAN ENERGY AUTHORITY
JPA Board Correspondence

DATE: November 16, 2023
BOARD MEETING DATE: November 16, 2023
VOTE REQUIRED: None

TO: Honorable Peninsula Clean Energy Authority Board of Directors

FROM: Cheryl Schaff, Community Advisory Committee Chair

SUBJECT: Community Advisory Committee Report

DISCUSSION

At the November 2 meeting, the Community Advisory Committee made the following recommendation related to the budget surplus:

The CAC supports funding the following concepts:

- High-visibility projects that position Peninsula Clean Energy as a leader and innovator, such as microgrids and a demonstration center
- Maximizing the on-bill financing program
- Rebate for CARE/FERA customers. When identifying customers who qualify for the energy bill rebate, evaluate customers who have been previously enrolled in CARE/FERA in addition to currently enrolled CARE/FERA customers
- Enhance and expand the low-income Home Upgrade Program
- For the Water Heater Loaner program, prioritize using heat pump water heaters over gas water heaters

PENINSULA CLEAN ENERGY AUTHORITY
JPA Board Correspondence

DATE: November 16, 2023
BOARD MEETING DATE: November 16, 2023
VOTE REQUIRED: None

TO: Honorable Peninsula Clean Energy Authority Board of Directors

FROM: Roy Xu, Director of Power Resources

SUBJECT: Energy Supply Procurement Report

BACKGROUND

In January 2020, the Board approved the following Policy Number 15 – Energy Supply Procurement Authority.

Policy: "Energy Procurement" shall mean all contracting for energy and energy-related products for PCE, including but not limited to products related to electricity, capacity, energy efficiency, distributed energy resources, demand response, and storage. In Energy Procurement, Peninsula Clean Energy Authority will procure according to the following guidelines:

1. Short-Term Agreements:

a. Chief Executive Officer has authority to approve Energy Procurement contracts with terms of twelve (12) months or less, in addition to contracts for Resource Adequacy that meet the specifications in section (b) and in Table 1 below.

b. Chief Executive Officer has authority to approve Energy Procurement contracts for Resource Adequacy that meet PCE's three (3) year forward capacity obligations measured in MW, which are set annually by the California Public Utilities Commission and the California Independent System Operator for compliance requirements.

c. Chief Financial Officer has authority to approve any contract for Resource Adequacy with a term of twelve (12) months or less if the CEO is unavailable and with prior written approval from the CEO.

d. The CEO shall report all such agreements to the PCE board monthly.

Table 1

Product	Year-Ahead Compliance Obligation	Term Limit
Local Resource Adequacy	In years 1 & 2, must demonstrate capacity to meet 100% of monthly local obligation for years 1 and 2 and 50% of monthly local obligation for year 3 by November 31st of the prior year	Up to 36 months
System Resource Adequacy	In year 1, must demonstrate capacity to meet 90% of system obligation for summer months (May – September) by November 31st of the prior year	Up to 12 months
Flexible Resource Adequacy	In year 1, must demonstrate capacity to meet 90% of monthly flexible obligation by November 31st of the prior year	Up to 12 months

2. Medium-Term Agreements:
Chief Executive Officer, in consultation with the General Counsel, the Board Chair, and other members of the Board as CEO deems necessary, has the authority to approve Energy Procurement contracts with terms greater than twelve (12) months but not more than five (5) years, in addition to Resource Adequacy contracts as specified in Table 1 above. The CEO shall report all such agreements to the PCE board monthly.

3. Intermediate and Long-Term Agreements:
Approval by the PCE Board is required before the CEO enters into Energy Procurement contracts with terms greater than five (5) years.

4. Amendments to Agreements:
Chief Executive Officer, in consultation with the General Counsel and the Board Chair, or Board Vice Chair in the event that the Board Chair is unavailable, has authority to execute amendments to Energy Procurement contracts that were previously approved by the Board

DISCUSSION

This memo summarizes energy procurement agreements entered into by the Chief Executive Officer since the last regular Board meeting in August. This summary is provided to the Board for information purposes only.

Execution Month	Purpose	Counterparty	Term
June*	Purchase of Resource Adequacy	Dynegy Marketing and Trade, LLC	24 months**
June*	Purchase of Resource Adequacy	Dynegy Marketing and Trade, LLC	24 months**
June*	Purchase of Resource Adequacy	Dynegy Marketing and Trade, LLC	12 months

August	Purchase of Resource Adequacy	Marin Clean Energy	1 month
August	Purchase of Resource Adequacy	High Desert Power Project, LLC	12 months
August	Purchase of Resource Adequacy	Midway Peaking, LLC	1 month
August	Purchase of Resource Adequacy	Orange County Power Authority	1 month
August	Purchase of Resource Adequacy	Calpine Energy Services, L.P.	4 months
August	Purchase of Resource Adequacy	Shell Energy North America (US), L.P.	5 months
August	Purchase of Energy Hedge	Morgan Stanley Capital Group Inc.	12 months
August	Purchase of Energy Hedge	Calpine Energy Services, L.P.	12 months
August	Purchase of Energy Hedge	TransAlta Energy Marketing (U.S.) Inc.	3 months
August	Purchase of Energy Hedge	TransAlta Energy Marketing (U.S.) Inc.	3 months
August	Purchase of Energy Hedge	TransAlta Energy Marketing (U.S.) Inc.	12 months
August	Purchase of Energy Hedge	Morgan Stanley Capital Group Inc.	12 months
September	Purchase of Resource Adequacy	City of Riverside	6 months
September	Sale of Resource Adequacy	City of Riverside	6 months
September	Sale of Resource Adequacy	City of Riverside	12 months
September	Purchase of Resource Adequacy	City of Colton	2 months
September	Sale of Resource Adequacy	East Bay Community Energy Authority	1 month
September	Purchase of Resource Adequacy	NextEra Energy Marketing, LLC	12 months
September	Purchase of Resource Adequacy	East Bay Community Energy Authority	5 months
September	Sale of Resource Adequacy	East Bay Community Energy Authority	5 months
September	Purchase of Resource Adequacy	Morgan Stanley Capital Group Inc.	6 months
September	Purchase of Resource Adequacy	East Bay Community Energy Authority	1 month
September	Sale of Resource Adequacy	Calpine Energy Services, L.P.	1 month

September	Purchase of Resource Adequacy	Calpine Energy Services, L.P.	1 month
September	Purchase of Resource Adequacy	NRG Business Marketing, LLC	6 months
September	Purchase of Resource Adequacy	Central Coast Community Energy	1 month
September	Purchase of Resource Adequacy	East Bay Community Energy Authority	2 months
September	Sale of Resource Adequacy	East Bay Community Energy Authority	2 months
September	Purchase of Resource Adequacy	Saavi Energy Solutions	24 months**
September	Purchase of Resource Adequacy	NRG Business Marketing, LLC	1 month
September	Purchase of Resource Adequacy	Pilot Power Group, LLC	1 month
September	Sale of Resource Adequacy	Pilot Power Group, LLC	1 month
September	Purchase of Resource Adequacy	NRG Business Marketing, LLC	4 months
September	Sale of Resource Adequacy	NRG Business Marketing, LLC	4 months
October	Purchase of Import Allocation Rights for Resource Adequacy	Sunrise Power Company, LLC	12 months
October	Purchase of Resource Adequacy	ConocoPhillips Company	6 months
October	Sale of Resource Adequacy	East Bay Community Energy Authority	1 month
October	Sale of Resource Adequacy	NextEra Energy Marketing, LLC	1 month
October	Purchase of Resource Adequacy	San Diego Gas & Electric Company	2 months
October	Sale of Resource Adequacy	San Diego Community Power	1 month
October	Purchase of Resource Adequacy	San Diego Community Power	1 month
October	Purchase of Resource Adequacy	Calpine Energy Services, L.P.	2 months
October	Purchase of Resource Adequacy	Calpine Energy Services, L.P.	1 month
October	Sale of Resource Adequacy	Calpine Energy Services, L.P.	3 months
October	Sale of Resource Adequacy	San Jose Clean Energy	3 months

October	Purchase of Resource Adequacy	San Jose Clean Energy	3 months
October	Purchase of Resource Adequacy	East Bay Community Energy Authority	2 months

* These transactions were dated in June after final execution in September.

** The 24-month transactions were approved by the Board Chair and the General Counsel per Policy 15.

STRATEGIC PLAN

The above contracts executed in June, August, September, and October support the Power Resources Objective 2 for Procurement: Procure power resources to meet regulatory mandates and internal priorities at affordable cost.

PENINSULA CLEAN ENERGY AUTHORITY
JPA Board Correspondence

DATE: November 16, 2023
BOARD MEETING DATE: November 16, 2023
VOTE REQUIRED: None

TO: Honorable Peninsula Clean Energy Authority Board of Directors

FROM: Jeremy Waen, Senior Director of Regulatory Policy

SUBJECT: Regulatory Policy Team Quarterly Report

BACKGROUND

Jeremy continues to direct the team, overseeing the department along with key proceedings relating to the Power Charge Indifference Adjustment (PCIA) and annual rate adjustments.

Doug has been heavily focused on Resource Adequacy and Integrated Resources Planning at the California Public Utilities Commission (CPUC). He has also engaged with the California Independent System Operator on issues of Resources Adequacy, Transmission Planning, Interconnection, and Deliverability.

Matthew has continued his work in supporting PCE's programmatic efforts through Transportation Electrification, Building Decarbonization, Resiliency, Supplier Diversity, Demand Flexibility, Demand Response, and DAC-Green Tariff matters.

Zsuzsanna worked with the Power Resources and the Programs team on coordinating the filings due in July and August. She is also focused on the future challenges on the Green-e program and issues related to privacy risk-management and contract management.

Jenna joined the PCE regulatory team on September 18, 2023. She will be assisting Matthew and Doug with regulatory policy advocacy, and she will be directly managed by Matthew. The team is very excited to have her join us!

DISCUSSION

Power Charge Indifference Adjustment (PCIA) and 2024 Rate Outlook

As discussed during the October board meeting, Commission process seems to remain on track for January 1, 2024, rate change for PG&E's bundled generation and PCIA rates. Based on present (very high-level analysis) 2024 rates will adjust such that PCE's competitive margin (i.e., the difference between PG&E's generation rates and the applicable PCIA rates) will have a small change relative to present 2023 rates. There are two main uncertainties that prevent us from having a clearer 2024 rate outlook: 1) the Commission has yet to issue the Proposed

Decision (PD) within PG&E's 2024 Energy Resource Recovery Account (ERRA) Forecast proceeding, and 2) the Commission has yet to vote to adopt either the PD or the Alternate Proposed Decision (APD) within PG&E's pending General Rate Case (GRC) Phase 1.

PG&E's 2024 ERRA Forecast case is the main proceeding for adjusting PG&E's generation and PCIA rates. Within this case there remain some contentious items that will impact the rate adjustments, such as whether PG&E's generation rate revenue under-collections from prior year will be collected over 6 or 12 months within 2024. Until the PD is issued and then voted on, we will not have certainty around future rate outlook.

PG&E's GRC Phase 1 case is somewhat further along than the 2024 ERRA Forecast in that the PD was issued; however, there is disagreement between the Assigned Law Judge (ALJ) and the Assigned Commissioner that has resulted in the issuance of an APD from the Commissioner's office. The two proposals disagree over roughly $500 million in proposed revenue requirements by PG&E. The Commission was schedule to vote on this case during the November 2, 2023, meeting; however, the vote was delayed by Commission staff request until the next meeting occurring on November 16, 2023.

If this matter gets delayed further, it may complicate the drafting of the PD on the PG&E 2024 rate adjustments in the ERRA Forecast proceeding because the outcome of the GRC Phase 1 will impact the rate calculations for 2024. If the GRC Phase 1 isn't resolved swiftly enough, the Commission could proceed with directing PG&E to adjust its rates on January 1, 2024, to adopt changes related to the ERRA case only to then direct PG&E to adjust its rates again (March 2024 would be the next opportunity for this) to incorporate further adjustments due to the resolution of the GRC Phase 1. Lastly, if the Commission grants PG&E's request in the 2024 ERRA Forecast case to collect revenue under-collections from the prior year in the first 6 months of 2024, this would result in the need for a July 1, 2024 rate adjustment by PG&E as well.

Integrated Resource Planning (IRP)

The Integrated Resources Planning process has entered the first phase of the two-year cycle of determining the Preferred System Portfolio, which is the CPUC's overall plan for the energy sector for the next ~15 years. The CPUC has agreed with Peninsula Clean Energy's longstanding calls to move to lower carbon targets and full decarbonization or close to it by 2045. This represents the lowest end of emissions planned for by the California Air Resources Board in the AB32 Scoping Plan. Overall, the aggregated plans of all jurisdictional LSEs are well on track to meet these targets, and many CCAs including Peninsula Clean Energy exceed the CPUC's decarbonization targets. There are early indications that there may be a need for additional procurement above the LSE plans in the early 2030s, but this will come clearer with time. There are proposals to extend some deadlines on the existing procurement orders, but these are problematic since they would require substitute procurement orders to backfill.

This Preferred System Plan will become the Transmission Planning Portfolio sent to CAISO as the basis for the next Transmission Planning Process. There are conflicting concerns that the aggressive decarbonization may give rise to a perceived shortfall, potentially giving the CPUC grounds to order procurement from the Department of Water Resources, but a less aggressive approach might leave the transmission planning process planning for too few resources. The next phase will be to develop a mechanism to ensure all LSEs are procuring their appropriate share of resources after 2028. The staff proposal is expected to be released by years' end and

will involve intensive work to ensure that CCA procurement autonomy is protected and cost shifting onto Peninsula Clean Energy customers is avoided.

In addition, there are ongoing regulatory efforts to ensure that the CPUC understands our procurement efforts and the unavoidable challenges that arise are handled appropriately within the IRP framework.

(Public Policy Objective A, Key Tactic 1, and Key Tactic 2; Public Policy Objective C, Key Tactic 3)

Resource Adequacy (RA)

In Resources Adequacy, the 2024 compliance year is the last year that will use the existing Effective Load Carrying Capacity approach as we shift to the hourly slice-of-day methodology for 2025. In addition, to ensure the reforms to the existing system work correctly this year, Peninsula Clean Energy is also working with CPUC staff to ensure a successful run of the "test year" for the slice-of-day methodology. While there are significant implementation hurdles, this effort is moving forward. Our regulatory agenda going forward for this year is focused on affordability measures to bring the costs of RA compliance down, including allowing hourly obligation trading to facilitate cost-effective, non-duplicative compliance, improved design of the Central Procurement Entity, including a shift to the residual model which Jeremy Waen was instrumental in developing some years ago, more attractive financial conditions for out-of-state generators offering unspecified capacity to California, and proposals for waivers when compliance is not feasible.

(Public Policy Objective A, Key Tactic 1, and Key Tactic 2; Public Policy Objective C, Key Tactic 3)

California Independent System Operator (CAISO)

The California Independent System Operator continues to implement stakeholder processes that are likely to have critical impacts on Peninsula Clean Energy's operations. Doug is actively participating in these areas. Timely updates from these processes include:

1. **Interconnection:** CAISO is aiming to develop a final proposal for a completely revamped interconnection process in which only viable and needed projects would be studied for interconnection. Currently, Doug Karpa is deeply involved in ensuring that the needs of LSEs and California as a whole are adequately taken into account in deciding which projects to move forward in the study process.
2. **Resource Adequacy (RA) Enhancements:** CAISO is beginning a comprehensive reform of CAISO's RA program (which is independent of the CPUC program and spans both CPUC jurisdictional LSEs and POUs which are not subject to CPUC jurisdiction). This is aimed at ensuring smooth interaction both with the CPUC's slice-of-day methodology and also with the new Western Resource Adequacy Program (WRAP).
3. **Deliverability:** Peninsula Clean Energy has successfully secured CalCCA engagement in a revision of CAISO's deliverability methodology, including hiring of technical consultants. If successful, a new methodology may result in more efficient use of the existing grid and greater availability of the deliverability status needed for generators to qualify as RA capacity. This should relieve some pressure on the RA market and bring prices down.

(Public Policy Objective A, Key Tactic 1, and Key Tactic 2; Public Policy Objective C, Key Tactic 3)

Regionalization

A new initiative called the West-Wide Governance Pathway Initiative has been created by a collection public utilities commissioners and other officials from multiple western states. Currently, efforts are focused on developing the scope and potential structure of an interstate organization that may manage interstate markets, interstate RA programs, and perhaps eventually become a regional transmission organization capable of planning transmission and operating the energy market for the west. This is to a certain degree an evolution of CAISO's Extended Day Ahead Market and Energy Imbalance Markets but with greater involvement from other states. Currently, CalCCA's General Counsel, Evelyn Kahl, is on the launch committee and Doug Karpa is participating in the team supporting those efforts to ensure CCA interests are protected in this process.

Load Management Standard (LMS)

Doug is a key advocate at the Energy Commission, along with Leslie Brown and Masha Doubrousvkaia, on the two elements of the Load Management Standard: First, Peninsula Clean Energy's time-variant rates were uploaded to the MIDAS database, although there are ongoing issues with implementation of the database by the California Energy Commission. Second, Peninsula Clean Energy is participating in an inter-CCA working group to develop a plan to implement marginal-cost-based time-dependent rates, where feasible, cost effective, and equitable. The plan should include both a plan to develop these rates and an analysis of each and is due to be submitted to the Peninsula Clean Energy Board by April 2024. If these rates are determined to not be a cost effective, feasible, or equitable approach to managing customer energy use to bring down overall costs, Peninsula Clean Energy may alternatively develop programs, such as the FLEXmarket, to provide similar options to customers. Opting to provide programs instead of rates will require a robust analysis demonstrating that marginal cost-based rates are not cost effective to justify relying on programs instead.

(Public Policy Objective A, Key Tactic 1, and Key Tactic 2; Public Policy Objective C, Key Tactic 3)

Demand Flexibility Though Rates

As included in the Board Memo for May 2023, there is an ongoing proceeding before the CPUC to enable widespread demand flexibility for all customer classes through the development and implementation of innovative rate designs. These new rates are meant to address several key concerns, such as enhance grid reliability, bill affordability, and enable widespread electrification. The CPUC is encouraging CCAs to develop rates of their own that are similar in design to enable the broadest benefit from this stakeholder process and acknowledging that for CCAs to implement such rates, they would require coordination with their respective Investor-Owned Utilities (IOUs). CalCCA is representing all of the CCAs in this proceeding and has convened a tiger team of CCA representatives to inform their advocacy.

Energy Division staff recently developed a proposal to allow a certain agricultural dynamic rate pilot jointly administered by Valley Clean Energy (VCE) and PG&E to be offered to all agricultural customers in PG&E's territory. This pilot is referred to as AgFIT, or Flexible Irrigation Technology, and is designed to enable agricultural customers with large pumping

loads to automate those pumps using technology incentives offered through the program and software to better manage the associated costs of that demand. It also provides participating customers with forecasted energy prices up to a week in advance to allow them to plan their pumping needs and minimize their costs. The AgFIT pilot is still in very early stages of deployment, though Energy Division staff believe it shows enough promise to be expanded to all other agricultural customers. Before that can happen, there are still many details to work out. For instance, the pilot structure would need to be modified for other agricultural loads.

The Energy Division, as part of that same proposal, suggested that the AgFIT structure could also be expanded to certain residential, commercial, and industrial customer rates. This is a far more complicated proposition as less of the current pilot could be neatly transferred to design a similar rate for these other customer classes. Other elements make this a difficult task, such as appropriate technology incentive levels, what technology should/could be automated, customer interactions with the price forecasting system, and repeating a complicated rate development process for several rates in each rate class rather than one or two rates in a singular rate class. In response, PG&E's submitted a proposal to create an AgFIT-like optional rate for all the rate classes included in Energy Division's proposal. PG&E has also proposed that any CCAs who wished to could piggy back off PG&E's work by developing their own generation rate elements and inputting them into PG&E's model. In that way, the CCAs could offer these rates to their own unbundled customers without performing all of the development work themselves. CCAs are collectively and individually considering the implications of following PG&E's lead.

The Energy Division's proposal was for these newly expanded rate pilots to be available by June 2024. PG&E requested that the CPUC issue a Decision adopting their proposal by the end of 2023 in order to provide enough lead time to meet the June 2024 target.

(Public Policy Objective A, Key Tactic 1, and Key Tactic 2; Public Policy Objective C, Key Tactic 3)

Disadvantaged Communities Green Tariff (DAC-GT) and Community Solar Green Tariff (CSGT)

Matthew continues to lead PCE's engagement in policy matters related to PCE's DAC-GT and CSGT programs, and PCE continues to collaborate with fellow CCAs who administer their own DAC-GT and CSGT programs to engage on these policy matters. In the proceeding at hand, the CPUC is assessing whether a suite of customer renewable subscription programs meet certain mandatory criteria, whether the programs should be modified or discontinued, and whether the CPUC should adopt a new community renewable energy program. The four existing programs that are up for review in this proceeding are DAC-GT, CSGT, Enhanced Community Renewables (ECR), and Green Tariff Shared Renewables (GTSR). The latter two programs are only offered by the IOUs.

As mentioned in prior Board memos, the primary goal of the Joint CCAs is for the CPUC to preserve the DAC-GT and CSGT programs and make certain adjustments to make the programs easier to administer and expand their size so more customers can participate. Customer participation is limited to those that are both (1) on certain income-qualified rates, and (2) live in state designated Disadvantaged Communties (DACs). Participants receive 100% solar energy from a distributed solar facility as well as an additional 20% discount on the entire electric portion of their monthly bill.

PCE, as well as representatives from a few other CCAs, have had multiple *ex parte* meetings with Commissioners' advisors, who work directly with the Commissioners on key issues. The CCAs' *ex partes* have been largely positive, and indications are that at a minimum the DAC-GT and CSGT programs are unlikely to be negatively impacted. The record in the docket is now complete and it is anticipated that a Proposed Decision will be issued by the CPUC this November.

(Public Policy Objective A, Key Tactic 1, Key Tactic 2, and Key Tactic 3)

Stakeholder Outreach

Doug Karpa hosted Peninsula Clean Energy's regular monthly call with environmental justice and environmental advocates and other CCA staff on October 25, 2023 on the CPUC's Integrated Resources Planning proposals and next steps in that space.

Doug Karpa is also a member of the steering committee for a new CCA stakeholder forum to discuss key affordability issues in the electricity sector with rate payer and equity advocates across the state. That forum is expected to launch by the end of 2023.

(Public Policy Objective A, Key Tactic 2)

COMMONLY USED ACRONYMS AND KEY TERMS

AB xx – Assembly Bill xx
ALJ – Administrative Law Judge
AMP- Arrears Management Plans
AQM – Air Quality Management
BAAQMD – Bay Area Air Quality Management District
BLPTA – Buyer Liability Pass Through Agreement
CAC – Citizens Advisory Committee
CAISO – California Independent System Operator
CalCCA – California Community Choice Association
CAM – Cost Allocation Mechanism
CAP – Climate Action Plan
CAPP – California Arrearage Payment Program
CARB – California Air Resources Board, or California ARB
CARE- California Alternative Rates for Energy Program
CBA – California Balancing Authority
3CE- Central Coast Community Energy (Formerly Monterey Bay Community Power-MBCP)
CCA – Community Choice Aggregation (aka Community Choice Programs (CCP) or
CCE – Community Choice Energy (CCE)
CCP – Community Choice Programs
CEC – California Energy Commission
CPP- Critical Peak Pricing
CPSF – Clean Power San Francisco
CPUC – California Public Utility Commission (Regulator for state utilities) (Also PUC)
CSD – California Department of Community Services and Development
CSGT - Community Solar Green Tariff
DA – Direct Access
DAC-GT - Disadvantaged Communities Green Tariff
DER – Distributed Energy Resources
DG – Distributed Generation
DOE – Department of Energy
DR – Demand Response
DRP – Demand Response Provider
DRP/IDER – Distribution Resources Planning / Integrated Distributed Energy Resources
EBCE – East Bay Community Energy
ECOplus – PCE's default electricity product, 50% renewable and 50% carbon-free (in 2021)
ECO100 – PCE's 100% renewable energy product
EDR – Economic Development Rate
EE – Energy Efficiency
EEI – Edison Electric Institute; Standard contract to procure energy & RA
EIR – Environmental Impact Report
ELCC – Effective Load Carrying Capability
ESP – Electric Service Provider

ESS – Energy Storage Systems
ESSA – Energy Storage Services Agreement
ERRA – Energy Resource Recovery Account
EV – Electric Vehicle
EVSE – Electric Vehicle Supply Equipment (Charging Station)
FERA- Family Electric Rate Assistance Program
FERC – Federal Energy Regulatory Commission
FFS – Franchise Fee Surcharge
GHG – Greenhouse gas
GHG-Free – Greenhouse gas free
GTSR – Green Tariff Shared Renewables
GWh – Gigawatt Hours (Energy) = 1000 MWh
IDER – Integrated Distributed Energy Resources
IOU – Investor-Owned Utility (e.g. PG&E, SCE, SDG&E)
IRP – Integrated Resource Plan
IVR – Interactive Voice Response
ITC – Investment Tax Credit (it's a solar tax credit)
JCC – Joint Cost Comparison
JPA – Joint Powers Authority
JRC – Joint Rate Comparison
JRM – Joint Rate Mailer
kW – kilowatt (Power)
kWh – Kilowatt-hour (Energy)
LDS – Long Duration Storage
LDES – Long Duration Energy Storage
LIHEAP- Low Income Home Energy Assistance Program
Load Shaping – changing when grid energy is used
LSE – Load Serving Entity
MCE – Marin Clean Energy
Methane Gas - formerly known as 'natural gas'
Microgrid – building or community energy system
MW – Megawatt (Power) = 1000 kW
MWh – Megawatt-hour (Energy) = 1000 kWh
MUD – Multi-unit Dwelling
NBCs – non-bypassable charges
NEM – Net Energy Metering
NERC – North American Electric Reliability Corporation
NDA – Non-Disclosure Agreement
NG – Natural Gas
OBF – On-bill Financing
OBR – On-bill Repayment
OES – Office of Emergency Services
OIR – Order Instituting Rulemaking
PACE – Property Assessed Clean Energy
PCC – Portfolio Content Category (aka "buckets") – categories for RPS compliance
PCC1 – Portfolio Content Category 1 REC (also called bucket 1 REC)
PCC2 – Portfolio Content Category 2 REC (also called bucket 2 REC)
PCC3 – Portfolio Content Category 3 REC (also called bucket 3 REC or unbundled REC)

PCE – Peninsula Clean Energy Authority
PCIA – Power Charge Indifference Adjustment
PCL – Power Content Label
PLA – Project Labor Agreement
POU – Publicly Owned Utility
PPA – Power Purchase Agreement
PPSA – Project Participation Share Agreement (CC Power)
PSPS – Public Safety Power Shutoff
PV – Photovoltaics (solar panels)
RA – Resource Adequacy
RE – Renewable Energy
REC – Renewable Energy Credit/Certificate
RICAPS - Regionally Integrated Climate Action Planning Suite
RPS – California Renewable Portfolio Standard
SB xx – Senate Bill xx
SCP – Sonoma Clean Power
SJCE – San Jose Clean Energy
SJVAPCD - San Joaquin Valley Air Pollution Control District
SMD – Share My Data, interval meter data
SQMD – Settlement Quality Meter Data
SVCE – Silicon Valley Clean Energy
TEF – Transportation Electrification Framework (CPUC Proceeding)
TNCs – Transportation Network Companies (ridesharing companies)
TOB – Tariff on Bill
TOU RATES – Time of Use Rates
VGI – Vehicle-Grid Integration
V2G – Vehicle-to-Grid
VPP – Virtual Power Plant
WECC – Western Energy Coordinating Council
WREGIS – Western Renewable Energy Generation Information System
WSPP – Western Systems Power Pool; standard contract to procure energy and RA

PENINSULA CLEAN ENERGY AUTHORITY
JPA Board Correspondence

DATE: November 10, 2023
MEETING DATE: November 23, 2023
VOTE REQUIRED: Majority Vote

TO: Honorable Peninsula Clean Energy Authority Board of Directors

FROM: Shawn Marshall, Chief Executive Officer

SUBJECT: Approve a Resolution for a One-Time $300 Rebate for California Alternate Rates for Energy Program (CARE) and Family Electric Rate Assistance Program (FERA) Customers

RECOMMENDATION

Approve a one-time $300 rebate for CARE/FERA customers prior to the holiday season as a result of a Fiscal Year End 2024 surplus funds allocation.

BACKGROUND

In July 2023, Peninsula Clean Energy (PCE) formed a staff-led ad-hoc committee comprised of Board, staff, and Community Advisory Committee (CAC) members focused on the allocation of fiscal year end 2024 budget surplus funds, hereafter referred to as the Surplus Funds Committee. The Surplus Funds Committee has met five times between the months of August and October to establish evaluative criteria and discuss ideas and opportunities to reallocate ~$67.8M in surplus revenues in support of PCE customers, its member communities, and enhanced energy programs. The funding options were sorted within four categories, which has served as a framework for thoughtful discussion and decision-making:

1. Days Cash on Hand/PCE Reserve Targets
2. Customer Rebates/Discounts
3. Energy Programs
4. Funding for Local Power Projects

The Committee is nearly done with its deliberations, but requires one or two more meetings before finalizing the full package of surplus fund recommendations. We anticipate that a full list of recommendations will come to the CAC, Executive Committee and the Board of Directors at their December meetings, or January at the latest.

DISCUSSION

As noted above, the Surplus Funds Committee has not yet concluded discussion and decision-making for the full roster of recommendations that will emerge from the fiscal year end 2024 surplus funds effort, thus requiring one to two additional meetings. However, one

funding recommendation for a $300 customer rebate to PCE's California Alternate Rates for Energy Program (CARE) and Family Electric Rate Assistance Program (FERA) customers has received unanimous committee support, and was determined to be time sensitive due to the desire to issue the rebate to our most economically vulnerable customers in time for the holiday season. The proposed one-time rebate would be issued as a bill credit on the customer's PG&E bill and, importantly, supported by a separate mailer from PCE to ensure that our customers know that the rebate is coming from PCE, just in time for the holiday season.

For background and context, the CARE/FERA rebate idea emerged within the category of customer rebates and rate discounts. Staff provided data on current customer rates and discounts noting that a subset of customers in Los Banos are receiving a higher than 5% discount due to PCIA credits currently in effect for Vintage 2021 customers while the majority of PCE customers are receiving our standard 5% discount. Staff also provided information on the financial impact of a one-time rebate for all PCE customers commensurate with their load size/energy usage. In both cases, the Committee felt that the financial impact/benefit to customers would be either too diluted (e.g. under $20 for residential customers) or not noticed at all in the case of a further percentage discount on rates. As a result, the Committee determined that the highest need and greatest opportunity for impact would be focused on providing a one-time rebate to a subset of our customers: ~41,525 residential customers enrolled in income-qualified CARE or FERA programs. The cost for this rebate allocation is ~$12,457,500 (~18%) out of a total of $67.8 million in surplus revenues to be reallocated.

The Committee discussed a rebate range from a high of $500 per customer to a low of $250 per customer, eventually settling on $300 with the caveat that the bill credit would be provided before the holidays, a traditionally economically difficult time for lower income customers and heading into winter, which is a high cost period for energy. As noted above, the bill credit will be supported by a separate mailer to CARE/FERA customers from PCE notifying them that the credit is coming from PCE.

FISCAL IMPACT

The funds for this proposed one-time CARE/FERA customer rebate are part of a fiscal year end 2024 surplus funds allocation estimated to cost $12,457,500.

RESOLUTION NO. _____

PENINSULA CLEAN ENERGY AUTHORITY, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

APPROVE A RESOLUTION FOR A ONE-TIME $300 REBATE FOR CALIFORNIA ALTERNATE RATES FOR ENERGY PROGRAM (CARE) AND FAMILY ELECTRIC RATE ASSISTANCE PROGRAM (FERA) CUSTOMERS

RESOLVED, by the Peninsula Clean Energy Authority of the County of San Mateo, State of California, that

WHEREAS, Peninsula Clean Energy created a staff-led ad-hoc committee called the Surplus Funds Committee in July 2023 for the purpose of evaluating and reallocating surplus revenue from the fiscal year-end 2024 budget; and,

WHEREAS, The Surplus Funds Committee has met five times between the months of August and October 2023 to discuss ideas and opportunities to reallocate ~$67.8M in surplus revenues in support of Peninsula Clean Energy customers, its member communities, and enhanced energy programs; and,

WHEREAS, the Surplus Funds Committee has not yet concluded its discussions and decision-making for the full roster of surplus fund recommendations, but unanimously supports funding of a $300 one-time customer rebate to Peninsula Clean Energy's ~41,525 California Alternate Rates for Energy Program (CARE) and Family Electric Rate Assistance Program (FERA) customers prior to the holiday season; and,

WHEREAS, the proposed one-time rebate will be issued as a bill credit on the customer's PG&E bill in December-January, and will be supported by a separate mailer from Peninsula Clean Energy to ensure that our customers know the rebate is coming from PCE; and,

WHEREAS, the cost for this rebate is ~$12,457,500 out of a total of $67.8 million in surplus FYE 2024 revenues to be reallocated.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the Board approve a one-time $300 rebate for California Alternate Rates for Energy (CARE) and Family Electric Rate Assistance (FERA) program customers prior to the 2023 holiday season as a result of a Fiscal Year End 2024 surplus funds allocation.

PENINSULA CLEAN ENERGY AUTHORITY
JPA Board Correspondence

DATE: November 10, 2023
MEETING DATE: November 23, 2023
VOTE REQUIRED: Majority Vote

TO: Honorable Peninsula Clean Energy Authority Board of Directors

FROM: Shawn Marshall, Chief Executive Officer

SUBJECT: Approval of Consulting Contract Amendment with Andrew Stern to Extend the Term of Services Through January 31, 2024

RECOMMENDATION

Approve the Consulting Contract Amendment with Andrew Stern to Extend the Term of Services Through January 31, 2024.

BACKGROUND

Peninsula Clean Energy (PCE) signed an agreement with Andrew Stern on April 18, 2023 to provide services as the Interim Chief Financial Officer and Treasurer. That agreement was amended on May 5, 2023 to increase the scope of services and increase the monthly retainer. The agreement had an end date of October 19, 2023.

Mr. Stern's services are still required after the stated end date to continue to provide the same services until a permanent CFO is hired which is expected on November 16, 2023. Following that date, it is anticipated that Mr. Stern will provide training and transition for the permanent CFO for some period of time. The expected term of that transition is through January 31, 2024. If additional services are required and agreed to thereafter, Mr. Stern will shift to an hourly consulting contract which shall not exceed the Board approval threshold of $100,000 in any given year.

ATTACHMENTS:
2nd Amendment to Agreement with Andrew Stern (Redline).pdf
2nd Amendment to Agreement with Andrew Stern (Clean).pdf

RESOLUTION NO. _____

PENINSULA CLEAN ENERGY AUTHORITY, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

APPROVAL OF CONSULTING CONTRACT AMENDMENT WITH ANDREW STERN TO EXTEND THE TERM OF SERVICES THROUGH JANUARY 31, 2024

RESOLVED, by the Peninsula Clean Energy Authority of the County of San Mateo, State of California, that

WHEREAS, Peninsula Clean Energy signed a consulting agreement (the "Agreement") with Andrew Stern on April 18, 2023 to serve as Interim Chief Financial Officer and Treasurer, and

WHEREAS, the Agreement was amended on May 5, 2023 to adjust the services description and compensation to reflect the assumption of additional services beyond the original scope envisioned in the Agreement, and

WHEREAS, the Agreement expired on October 19, 2023, and

WHEREAS, Peninsula Clean Energy wishes to continue the services through January 31, 2024 to assist in transition of permanent Chief Financial Officer, and

WHEREAS, Peninsula Clean Energy's Joint Powers Agreement requires that a person be named and serving as Treasurer at all times.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the Board delegates authority to the Chief Executive Officer to execute the amendment with Andrew Stern to increase the amount payable under the Agreement and to extend the termination date through January 31, 2024 in a form approved by the General Counsel.

* * * * * *

AMENDMENT NO. ~~1~~2 TO THE AGREEMENT BETWEEN THE PENINSULA CLEAN ENERGY AUTHORITY AND ANDREW STERN

This AMENDMENT No. 2 TO THE AGREEMENT, is entered into this October 19,~~May 5,~~ 202~~43~~, by and between the PENINSULA CLEAN ENERGY, a joint powers authority of the state of California, hereinafter called "PCE," and Andrew Stern hereinafter called "Contractor."

WITNESSETH:

WHEREAS, the parties entered into an Agreement on April 21, 2023 for the purpose of Contractor providing consulting serves and serving as the Interim Chief Financial Officer (CFO) and Interim Treasurer for PCE ("Agreement"); and

WHEREAS, the parties ~~wish~~ entered into Amendment No. 1 on May 5, 2023 to amend the Agreement to replace Exhibit A with a ~~the attached~~ revised Exhibit A thereby increasing the number of hours worked by Contractor to 25-30 hours per week;

WHEREAS, the parties wish to amend the Agreement to extend the term of the Agreement and replace Exhibit A with the attached revised Exhibit A;

WHERAS, the parties wish to amend the Agreement to replace Exhibit B with the attached revised Exhibit B ~~thereby increasing Contractor's monthly rate from $10,000 to $15,000 due to Contractor's increased workload and time required to complete the tasks described by Exhibit A~~.

NOW, THEREFORE, IT IS HEREBY AGREED BY THE PARTIES HERETO AS FOLLOWS:

1. "Exhibit A" is hereby replaced in its entirety with the revised "Exhibit A" attached hereto.

2. "Exhibit B" is hereby replaced in its entirety with the revised "Exhibit B" attached hereto

3. Section 4 of the Agreement is hereby modified to replace the original date of October 19, 2023 with a revised date of January 31, 2024.

~~2.~~4. Section 3 of the Agreement is hereby modified to replace "exceed sixty-thousand dollars" with "exceed one hundred thirty-three thousand five hundred dollars".

~~3.~~5. Except as expressly amended herein, all other provisions of the Agreement shall remain in full force and effect.

~~4.~~6. This Amendment No. ~~1~~2 shall take effect upon the date of execution by both parties.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as set forth below.

Peninsula Clean Energy Authority

By: _____

~~Janis C. Pepper~~Shawn Marshall, CEO

Dated: _____

By: _____

Name: _____

Title:_____

Dated: _____

Exhibit A

In consideration of the payments set forth in Exhibit B, Contractor shall provide the following services:

For the period from October 20, 2023 through November 15, 2023,

Contractor shall serve as Interim Chief Financial Officer, including Interim Treasurer, for Peninsula Clean Energy Authority.

Contractor expects that the Services under this Agreement will require an average of **25-30** hours per week, although this may vary dependent on the direction of Peninsula Clean Energy Authority. The following Services will be provided under the Agreement; however, this list is not exclusive:

- Accounts Payable/Invoices
- Monitor receipt of invoices
- Review all invoices in Bill.com and approve daily/weekly
- Solicit input from department heads and employees on invoice questions or clarifications

Wiring of Cash Payments

• Ensure wires are input/set-up on a timely basis and are accurate

• Provide first-level approval of all invoices (or final approval as requested/required)

Cash Management

• Monitoring of all bank balances to ensure adequate operating cash and reasonable investment returns

• Transfer funds between bank accounts as required

• Prepare and submit Lockbox Distribution Certificate, if required

Budget Approval/Monitoring

• Oversee budget process with target of Board approval no later than June 30, 2023

• Monitor monthly financial performance against budget and highlight variances for management attention and action, if necessary

Rating Agency Activity

• Assist with process to gain initial rating from S&P including participation in meetings, as necessary, and responses to inquiries

• Respond to annual/periodic review from and provide primary liaison to other rating agencies

Annual Audit

• Oversee annual audit process ensuing that Maher Accountancy and internal Staff are meeting obligations to meet target date of final audit on time

Board Meetings and Audit Committee Meetings

• Attend Board meetings and Audit Committee meetings

• Provide primary input and presentation of meeting materials

Staff/Internal Meetings

• Attend Staff meetings as necessary

• Meet with other Internal Staff as necessary

Payroll

• Review and approve bi-weekly payroll

For the period from November 16, 2023 through December 31, 2023,

Contractor shall serve as support for the to-be-hired, permanent Chief Financial Officer providing training and support as needed to assist the permanent Chief Financial Officer.

For the period from January 1, 2024 through January 31, 2024,

Contractor shall serve as support for the to-be-hired, permanent Chief Financial Officer providing training and support as needed to assist the permanent Chief Financial Officer as needed at the reduced monthly retainer rate shown in Exhibit B.

Exhibit B

In consideration of the services provided by Contractor described in Exhibit A and subject to the terms of the Agreement, PCEA shall pay Contractor based on the

following fee schedule and terms:

April 19, 2023 to April 30, 2023 = $6,000~~/ month~~

May 1, 2023 through ~~September~~ December 31,

2023~~30~~, 2023 = $15,000 / month

~~October 1, 2023 to October 19, 2023 = $9,000 / month~~

January 1, 2024 to January 31, 2024 = $7,500

AMENDMENT NO. 2 TO THE AGREEMENT BETWEEN THE PENINSULA CLEAN ENERGY AUTHORITY AND ANDREW STERN

This AMENDMENT No. 2 TO THE AGREEMENT, is entered into this October 19, 2024, by and between the PENINSULA CLEAN ENERGY, a joint powers authority of the state of California, hereinafter called "PCE," and Andrew Stern hereinafter called "Contractor."

WITNESSETH:

WHEREAS, the parties entered into an Agreement on April 21, 2023 for the purpose of Contractor providing consulting serves and serving as the Interim Chief Financial Officer (CFO) and Interim Treasurer for PCE ("Agreement"); and

WHEREAS, the parties entered into Amendment No. 1 on May 5, 2023 to amend the Agreement to replace Exhibit A with a revised Exhibit A thereby increasing the number of hours worked by Contractor to 25-30 hours per week;

WHEREAS, the parties wish to amend the Agreement to extend the term of the Agreement and replace Exhibit A with the attached revised Exhibit A;

WHERAS, the parties wish to amend the Agreement to replace Exhibit B with the attached revised Exhibit B.

NOW, THEREFORE, IT IS HEREBY AGREED BY THE PARTIES HERETO AS FOLLOWS:

1. "Exhibit A" is hereby replaced in its entirety with the revised "Exhibit A" attached hereto.

2. "Exhibit B" is hereby replaced in its entirety with the revised "Exhibit B" attached hereto

3. Section 4 of the Agreement is hereby modified to replace the original date of October 19, 2023 with a revised date of January 31, 2024.

4. Section 3 of the Agreement is hereby modified to replace "exceed sixty-thousand dollars" with "exceed one hundred thirty-three thousand five hundred dollars".

5. **Except as expressly amended herein, all other provisions of the Agreement shall remain in full force and effect.**

6. **This Amendment No. 2 shall take effect upon the date of execution by both parties.**

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as set forth below.

Peninsula Clean Energy Authority

By: _____
Shawn Marshall, CEO

Dated: _____

By: _____

Name: _____

Title:_____

Dated: _____

Exhibit A

In consideration of the payments set forth in Exhibit B, Contractor shall provide the following services:

For the period from October 20, 2023 through November 15, 2023,

Contractor shall serve as Interim Chief Financial Officer, including Interim Treasurer, for Peninsula Clean Energy Authority.

Contractor expects that the Services under this Agreement will require an average of **25-30** hours per week, although this may vary dependent on the direction of Peninsula Clean Energy Authority. The following Services will be provided under the Agreement; however, this list is not exclusive:

- Accounts Payable/Invoices
- Monitor receipt of invoices
- Review all invoices in Bill.com and approve daily/weekly
- Solicit input from department heads and employees on invoice questions or clarifications

Wiring of Cash Payments

• Ensure wires are input/set-up on a timely basis and are accurate

• Provide first-level approval of all invoices (or final approval as requested/required)

Cash Management

• Monitoring of all bank balances to ensure adequate operating cash and reasonable investment returns

• Transfer funds between bank accounts as required

• Prepare and submit Lockbox Distribution Certificate, if required

Budget Approval/Monitoring

• Oversee budget process with target of Board approval no later than June 30, 2023

• Monitor monthly financial performance against budget and highlight variances for management attention and action, if necessary

Rating Agency Activity

• Assist with process to gain initial rating from S&P including participation in meetings, as necessary, and responses to inquiries

• Respond to annual/periodic review from and provide primary liaison to other rating agencies

Annual Audit

• Oversee annual audit process ensuing that Maher Accountancy and internal Staff are meeting obligations to meet target date of final audit on time

Board Meetings and Audit Committee Meetings

• Attend Board meetings and Audit Committee meetings

• Provide primary input and presentation of meeting materials

Staff/Internal Meetings

• Attend Staff meetings as necessary

• Meet with other Internal Staff as necessary

Payroll

• Review and approve bi-weekly payroll

For the period from November 16, 2023 through December 31, 2023,

Contractor shall serve as support for the to-be-hired, permanent Chief Financial Officer providing training and support as needed to assist the permanent Chief Financial Officer.

For the period from January 1, 2024 through January 31, 2024,

Contractor shall serve as support for the to-be-hired, permanent Chief Financial Officer providing training and support as needed to assist the permanent Chief Financial Officer as needed at the reduced monthly retainer rate shown in Exhibit B.

Exhibit B

In consideration of the services provided by Contractor described in Exhibit A and subject to the terms of the Agreement, PCEA shall pay Contractor based on the following fee schedule and terms:

April 19, 2023 to April 30, 2023 = $6,000

May 1, 2023 through December 31, 2023, 2023 = $15,000 / month

January 1, 2024 to January 31, 2024 = $7,500

PENINSULA CLEAN ENERGY AUTHORITY
JPA Board Correspondence

DATE: November 3, 2023
MEETING DATE: November 23, 2023
VOTE REQUIRED: Majority Vote

TO: Honorable Peninsula Clean Energy Authority Board of Directors

FROM: Roy Xu, Director of Power Resources

SUBJECT: Approval of a Resolution Delegating Authority to Chief Executive Officer to Execute an Agreement with Customized Energy Solutions, LTD. for Scheduling Coordinator, Battery Storage Optimization, Short-term Forecasting, and Congestion Revenue Rights Portfolio Management with terms consistent with those presented, in a form approved by the Deputy County Attorney, and for a term of three years, in an amount not to exceed $2,700,000

RECOMMENDATION

Approve Resolution Delegating Authority to Chief Executive Officer to Execute an Agreement with Customized Energy Solutions, LTD. with terms consistent with those presented, in a form approved by the Deputy County Attorney, and for a term of three years in an amount not to exceed $2,700,000.

BACKGROUND

Peninsula Clean Energy (PCE) supplies load and resources in the wholesale electricity market, requiring support from a Scheduling Coordinator (SC) which operates a 24-hour trading desk.

In June 2016, the Board authorized an agreement with Direct Energy to provide load Scheduling Coordinator services, Congestion Revenue Requirement (CRR) portfolio management, and short-term load forecasting. In June 2019, Peninsula Clean Energy executed a contract with Boston Energy Trading and Marketing LLC (BETM) for a one-year term to provide Scheduling Coordinator services for the Wright solar resource, and subsequently in May 2020, the Board authorized an Amendment to this agreement with BETM to provide Scheduling Coordinator services for six of PCE's resources through September 30, 2021.

More recently, in December 2020, the Board authorized an agreement with ZGlobal to provide load and resources Scheduling Coordinator services, CRR portfolio management, and short-term load forecasting starting in February of 2021. The agreement between Peninsula Clean Energy and ZGlobal will expire in January 2024, which prompted issuance of an updated

service RFP that was issued in July of this year.

DISCUSSION

As staff continues to work towards PCE's Strategic Priority of delivering 100% renewable energy annually by 2025 and on a 99% time-coincident basis by 2027, one of the key objectives that becomes increasingly important is Power Operations: "Manage power portfolio to ensure performance consistent with contractual requirements, regulatory compliance, and internal strategies". A critical component of power operations is effectively scheduling PCE's load and resources into the wholesale electricity market and optimizing their values through market participation. To achieve this objective, PCE needs to partner with an experienced Scheduling Coordinator to perform a suite of services.

In July 2023, in anticipation of the expiration of PCE's current Scheduling Coordinator contract and to prepare for a number of new battery storage resources that will come online in 2024, staff issued a solicitation to seek proposals for a list of Scheduling Coordinator services, including: load and resources scheduling, battery storage optimization, short-term load and price forecasting, and CRR portfolio management. Bidders were required to have Scheduling Coordinator certification with the California Independent System Operator (CAISO) as well as a backup facility to support the 24/7 operating responsibility.

Peninsula Clean Energy received ten proposals in total -- five for all solicited services, another five for various individual services. After a thorough first round screening, staff shortlisted four respondents with the best qualifications and experience to provide all requested services, and conducted in-depth interviews with each. While staff was impressed by a number of respondents' technical expertise in various areas, Customized Energy Solutions, LTD. (CES) was selected as the winning bid for its best overall value to PCE. Specially, CES was chosen based on its:

- Proven experience in scheduling both load and resources in the CAISO,
- Battery storage operating and optimization skills for hybrid, co-located and standalone projects,
- Extensive knowledge and involvement in the CAISO market design and ongoing initiatives,
- Competitive offerings relative to other similar proposals,
- Motivation to be PCE's partner and advisor on all CAISO-related matters, and to support PCE in both procurement and operations, and
- Excellent reference recommendations.

The term of the agreement with CES will be three years, beginning on January 15, 2024 through January 14, 2027. The agreement provides the flexibility for PCE to add new resources to its operating portfolio at pre-determined prices, as PCE continues to sign contracts with new renewable and storage resources that will require Scheduling Coordinator services. Staff is requesting approval of this agreement, in an amount not to exceed $2,700,000 for services covering both PCE's current operating portfolio of resources as well as contracted projects that are expected to come online in the next few years. The agreement also allows the option to extend the contract term by one year if mutually agreed upon by both parties near the end of the three-year term. If for any reason Peninsula Clean Energy becomes unsatisfied with Customized Energy Solutions, LTD.'s service, the agreement can be terminated with sufficient advance notice. In addition to the standard insurance requirements

and PCE's right to withhold payment, the agreement also allows PCE to retain a $500,000 performance security to ensure quality of services. At this time, the contract terms have been substantially agreed upon, with details of some administrative issues still needing to be addressed before execution.

Customized Energy Solutions, LTD. is expected to begin preparing for the Scheduling Coordinator transition soon after execution of this agreement. Staff anticipates a period of overlapping services between the current and new Scheduling Coordinators to guarantee a smooth and successful vendor transition.

FISCAL IMPACT

The fiscal impact of the contract with Customized Energy Solutions, LTD. will not exceed $2,700,000 over the 3-year term of the agreement.

STRATEGIC PLAN

The agreement with Customized Energy Solutions, LTD. supports the following priorities and key objectives in Peninsula Clean Energy's strategic plan:

- Priority 1: Deliver 100% renewable energy annually by 2025 and on a 99% time-coincident basis by 2027
- Power Resources Goal 1: Secure sufficient, low-cost, clean sources of electricity that achieve Peninsula Clean Energy's priorities while ensuring reliability and meeting regulatory mandates
  - Objective C: Operations
    Manage power portfolio to ensure performance consistent with contractual requirements, regulatory compliance, and internal strategies
    - Key Tactic #4:
      Scheduling: Work with scheduling coordinator agent to manage Peninsula Clean Energy's CAISO activity to minimize cost and risk consistent with risk management policies

RESOLUTION NO. _____

PENINSULA CLEAN ENERGY AUTHORITY, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

APPROVAL OF A RESOLUTION DELEGATING AUTHORITY TO CHIEF EXECUTIVE OFFICER TO EXECUTE AN AGREEMENT WITH CUSTOMIZED ENERGY SOLUTIONS, LTD. FOR SCHEDULING COORDINATOR, BATTERY STORAGE OPTIMIZATION, SHORT-TERM FORECASTING, AND CONGESTION REVENUE RIGHTS PORTFOLIO MANAGEMENT WITH TERMS CONSISTENT WITH THOSE PRESENTED, IN A FORM APPROVED BY THE DEPUTY COUNTY ATTORNEY, AND FOR A TERM OF THREE YEARS, IN AN AMOUNT NOT TO EXCEED $2,700,000

RESOLVED, by the Peninsula Clean Energy Authority of the County of San Mateo, State of California ("Peninsula Clean Energy" or "PCE"), that

WHEREAS, PCE was formed on February 29, 2016; and

WHEREAS, launch of service for Phase I occurred in October 2016, and launch of service for Phase II occurred in April 2017; and

WHEREAS, in June 2016, PCE signed an agreement ("Agreement_1") with Energy America, LLC ("Direct Energy") to provide scheduling coordinator and other services and the Agreement expired on December 31, 2020; and

WHEREAS, in June 2019, PCE executed a contract with Boston Energy Trading and Marketing LLC (BETM) ("Agreement_2") for a one-year term to provide scheduling coordinator services for the Wright solar resource; and

WHEREAS, in May 2020, the Board authorized an Amendment to Agreement_2 to provide scheduling coordinator services for six of PCE's resources through September 30, 2021; and

WHEREAS, in December 2020, the Board authorized an agreement with ZGlobal, Inc. ("Agreement_3") to provide scheduling coordinator and other services for its load and resources; and

WHEREAS, Agreement_3 is set to expire on January 31, 2024; and

WHEREAS, on July 5, 2023, PCE issued a request for proposals ("RFP") for Scheduling Coordinator and Related Services, and received ten competitive proposals; and

WHEREAS, PCE selected Customized Energy Solutions, LTD. as the new service provider for scheduling coordinator services, battery energy storage system optimization, forecasting services, and CRR portfolio management services; and

WHEREAS, PCE needs to execute a new Agreement with Customized Energy Solutions, Inc.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the Board approves the authorization of the Chief Executive Officer to execute an agreement with Customized Energy Solutions, LTD. to provide Load and Resource Scheduling Coordinator Services, Battery Storage Optimization & Performance Measurements, Load and Price Forecasting Services, and Congestion Revenue Rights Portfolio Management with a not-to-exceed amount of $2,700,000.

PENINSULA CLEAN ENERGY AUTHORITY
JPA Board Correspondence

DATE: November 9, 2023
MEETING DATE: November 23, 2023
VOTE REQUIRED: Majority Vote

TO: Honorable Peninsula Clean Energy Authority Board of Directors

FROM: Nelly Wogberg, Board Clerk

SUBJECT: Approval of the 2024 Board of Directors Schedule of Meetings

RECOMMENDATION

Approve the 2024 Board of Directors Schedule of Meetings.

BACKGROUND

Every year, the Peninsula Clean Energy Authority Board of Directors approves a schedule of regular meetings for the upcoming year. Generally, the PCE Board of Directors meets on the fourth Thursday of each month at 6:30 p.m., but due to holidays there are sometimes exceptions to this meeting schedule. The schedule of meetings presented creates a regular meeting schedule with those adjustments noted. Please note, this schedule does not preclude any Special meetings that may be needed throughout the year.

DISCUSSION

In the 2024 Schedule of Meetings the exceptions from the general meeting date on the fourth Thursday of the month are as follows:

- October 24, 2024 will be the 2024 Board Retreat. This meeting will start at 5:30 p.m.
- November 21, 2024 is a meeting on the third Thursday due to the Thanksgiving holiday
- December 19, 2024 is a meeting on the third Thursday due to the Christmas holiday

ATTACHMENTS:

2024 BOD Meeting Schedule.pdf

PENINSULA CLEAN ENERGY

2024 Board of Directors Meeting Schedule

Location: Video/Teleconference/PCEA Lobby/Check Agenda

Meeting Date:	Time:	Location:
January 25, 2024	6:30 pm	Video/Teleconference/PCEA Lobby/Check Agenda
February 22, 2024	6:30 pm	Video/Teleconference/PCEA Lobby/Check Agenda
March 28, 2024	6:30 pm	Video/Teleconference/PCEA Lobby/Check Agenda
April 25, 2024	6:30 pm	Video/Teleconference/PCEA Lobby/Check Agenda
May 23, 2024	6:30 pm	Video/Teleconference/PCEA Lobby/Check Agenda
June 27, 2024	6:30 pm	Video/Teleconference/PCEA Lobby/Check Agenda
July 25, 2024	6:30 pm	Video/Teleconference/PCEA Lobby/Check Agenda
August 22, 2024	6:30 pm	Video/Teleconference/PCEA Lobby/Check Agenda
September 26, 2024	6:30 pm	Video/Teleconference/PCEA Lobby/Check Agenda
October 24, 2024 (**Retreat**)	5:30-9:30pm	Video/Teleconference/PCEA Lobby/Check Agenda
November 21, 2024 (**3rd Thursday**)	6:30 pm	Video/Teleconference/PCEA Lobby/Check Agenda
December 19, 2024 (**3rd Thursday**)	6:30 pm	Video/Teleconference/PCEA Lobby/Check Agenda

PENINSULA CLEAN ENERGY AUTHORITY
JPA Board Correspondence

DATE: November 6, 2023
MEETING DATE: November 23, 2023
VOTE REQUIRED: Majority Vote

TO: Honorable Peninsula Clean Energy Authority Board of Directors

FROM: Rafael Reyes, Director of Energy Programs
Phillip Kobernick, Senior Programs Manager

SUBJECT: Approval of EV Ready Program Fund Reservation Agreement, Providing $120,000 in Customer Incentives

RECOMMENDATION

Approval of Fund Reservation Agreement, which will provide an expected total of $120,000 in customer incentives to install EV charging infrastructure, as part of the EV Ready Program.

BACKGROUND

In December 2018, the Board approved a 4-year $16 million EV charging infrastructure program intended to accelerate EV adoption in San Mateo County. The funds include $12 million in incentives, technical assistance, workforce development, and other program costs, and was named the “EV Ready Program.”

The EV Ready Program provides incentives and technical assistance to eligible property types, which include: 1) Affordable Housing, 2) Multi-Unit Dwellings (such as apartments and condominiums), 3) Employee Charging, including fleet, and 4) All Publicly Accessible, Non-Residential Locations. The program provides incentives for several different EV charging types as part of the program's “Right-Speeding” strategy to install cost-effective charging options, depending on the use case. These incentivized charging options include: 1) Level 1 or Level 2 outlets, 2) Level 2 EV charging stations, 3) Make-Ready parking spaces, to encourage future-proofing, and 4) panel updates for multi-family property sites. These incentives range from $1,000 to $5,500 per charger, depending on property type, retrofit vs new build projects, and charging type.

Customers apply for EV Ready incentives through an online form, which is reviewed and approved by Peninsula Clean Energy staff. Once approved, a Fund Reservation Agreement, which outlines the various EV Ready Program standards and requirements, is distributed via DocuSign and executed by the customer and Peninsula Clean Energy's CEO. Fund Reservation Agreements are presented to the Board of Directors prior to execution when individual Agreements are valued at $100,000 or more.

The Fund Reservation Agreement secures funding for the customer's project, allowing them to budget for and proceed with their EV charging installation project. Once the customer has completed their project, they file for reimbursement, which is reviewed and approved by Peninsula Clean Energy staff in accordance with program rules.
Over 600 chargers have been installed to date in the EV Ready program, with an additional 3,500+ chargers in process. Over 200 properties are currently receiving design assistance through our program's free Technical Assistance offering. In addition, staff is planning significant customer outreach campaigns for 2024 to further increase program usage and volume.

DISCUSSION

In the prior month, Peninsula Clean Energy has received one EV Ready application from ChargeLink on behalf of a local hotel, in which the Fund Reservation Agreement is expected to exceed $100,000. The prepared Fund Reservation Agreement is included as an attachment to this agenda item. Following approval by the Board of Directors, the Fund Reservation Agreement will be executed by the Peninsula Clean Energy CEO.

Details of the Fund Reservation Agreement are included below. This project is seeking to install 30 EV chargers at a hotel in Redwood City and the application is led by ChargeLink, a Bay-Area based EV charging developer and operator.

Property Type	Total Expected Reserved Funds	Total Charge Ports Expected	City
All Publicly Accessible Non-Residential Locations (Hotel)	$120,000	30	Redwood City

FISCAL IMPACT

Funding for this project is included in the Board-approved EV Ready Program.

STRATEGIC PLAN

Goal 3 – Community Energy Programs:

- Objective A: Develop market momentum for electric transportation
  - Key Tactic 1: Drive personal electrified transportation to majority adoption
- Objective B: Deliver tangible benefits throughout our diverse communities
  - Key Tactic: Expand charging access and equity to low income communities

ATTACHMENTS:
EVRP_FundReservationAgmt_V121622.docx (7).pdf

RESOLUTION NO. _____

PENINSULA CLEAN ENERGY AUTHORITY, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

APPROVAL OF EV READY PROGRAM FUND RESERVATION AGREEMENT, PROVIDING $120,000 IN CUSTOMER INCENTIVES

RESOLVED, by the Peninsula Clean Energy Authority of the County of San Mateo, State of California, that

WHEREAS, Peninsula Clean Energy was formed on February 29, 2016; and

WHEREAS, expanding access to charging increases adoption of electric vehicles to reduce greenhouse gasses and is part of Peninsula Clean Energy's program roadmap approved by the Board; and

WHEREAS, in December 2018, the Peninsula Clean Energy Board of Directors approved $16 million in funds for a 4-year EV charging infrastructure program, which came to be called the "EV Ready" program; and

WHEREAS, eligible applicants are approved for EV Ready program incentives, subject to the EV Ready Program Standards & Requirements; and

WHEREAS, approved applicants in the EV Ready program are required to execute a Fund Reservation Agreement to secure their financial incentives; and

WHEREAS, per Peninsula Clean Energy policy, Agreements valued at or above $100,000 require approval by the Peninsula Clean Energy Board of Directors; and

WHEREAS, one EV Ready incentive application whose Fund Reservation Agreement is expected to be valued at or above $100,000 in value was received by Peninsula Clean Energy in the prior month; and

WHEREAS, the Board wishes to delegate to the Chief Executive Officer authority to finalize and execute the Fund Reservation Agreement in the EV Ready program to provide incentives.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the Board delegates authority to the Chief Executive Officer to execute a customer Fund Reservation Agreement in the EV Ready program to provide incentives for an expected total of approximately $120,000 in a form approved by the General Counsel.

Peninsula Clean Energy
Electric Vehicle Ready Program
Fund Reservation Agreement

Applicant First Name	Anatoly
Applicant Last Name	Corp
Title	Owner
Organization	ChargeLink
Email	anatoly@mychargelink.com
Phone Number	(510) 988-7538
Proposed Site Address	2526 EL CAMINO REAL,
City	REDWOOD CITY
Zip Code	94061
Service Agreement ID	2551488960
Project ID	PROJ-181023-9870

EV Charging Infrastructure Project Description:

Project Type	Existing All Publicly Accessible Non-Residential Locations

	Level 1 Outlets	Level 2 Outlets	Level 2 Charge Ports	Make Ready Ports
Submitted # Ports	0	10	20	0
Reserved Funds	$ .00	$ 20000.00	$ 100000.00	$ .00

Panel Upgrade	$ .00

Total Reserved Funds 120000.00

Notes

Peninsula Clean Energy Authority ("PCEA") cannot guarantee rebate funds beyond what was reserved nor can rebate funds exceed 100% of the total project costs. Final projects with less ports than projected will only receive rebates for installed ports, up to the amount reserved.

By signing below, the site owner ("Site Owner") or, if the property is owned by a commercial or corporate entity, the representative of the ownership entity ("Owner Representative") agrees to the "Electric Vehicle (EV) Ready Program" ("Program") Terms & Conditions. If neither Site Owner nor Owner Representative executes the Agreement, the applicant ("Applicant") certifies that a

Designated Applicant Assignment form was completed and submitted to PCEA to verify that the Site Owner or Owner Representative has designated the applicant ("Designated Applicant") authority to represent the Site Owner in the Program and execute all legal agreements as required by the Program.

The undersigned here is the: [ ] Site Owner or Owner Representative OR [X] Designated Applicant

DocuSigned by:
5EF4FAEC50AD4C8...

[DocuSign] 10/19/2023

Applicant Signature Date

Peninsula Clean Energy Representative Signature Title Date

Peninsula Clean Energy EV Ready Program Terms and Conditions

1. **ELIGIBILITY**: Peninsula Clean Energy Authority offers a rebate to eligible PCEA customers or their designees (Applicant) installing EV Charging Infrastructure through the EV Ready Program. Applicants eligible to receive rebates under the Program must (1) abide by the terms and conditions listed herein; (2) have the EV charging port(s) metered through a PCEA account number; (3) comply with Program Standards and Requirements ("Program Requirements") in Appendix A; (4) provide PCEA with Required Installation Verification Documents as specified in the Program Requirements upon completion of the project.

2. **REBATE RESERVATION TERM AND AMOUNT**: The amounts of the rebates for which qualifying projects are eligible are outlined in Program Requirements. Rebate funds are reserved upon execution of this Agreement up to the maximum amount identified in the Program Requirements based on the "EV Charging Infrastructure Project Description" (hereinafter, the Project, *see* page 1 above). The funds are reserved according to the Fund Reservation Period timelines outlined in the Program Requirements and any modifications to the timelines are at the discretion of PCEA. Rebates will be paid to eligible Rebate Recipient once installation is verified as complete by PCEA. The final amount of the rebates will be the actual eligible costs of verified EV Charging Infrastructure installed or the maximum amount reserved, whichever is less.

3. **DISCRETION ON VERIFICATION**: Determinations regarding verification pursuant to paragraph (1) and paragraph (2) of these Terms and Conditions, shall be determined at PCEA's complete and exclusive discretion.

4. **REBATE RECIPIENT**: The Applicant may direct the rebate funds to any Rebate Recipient, who is a single vendor or service provider incurring costs for the Project up to the amount of documented costs incurred by that Rebate Recipient. The Rebate Recipient shall be identified in the Installation Verification Form submitted upon project completion to request disbursement of the rebate.

5. **NO GUARANTEES**: PCEA makes no guarantee, representations or warranties, expressed or implied, regarding the implementation or use of EV Charging Infrastructure and equipment purchased or installed pursuant to this PCEA Program. Customer is solely responsible for any liability, legal or otherwise, arising from the installation, operation, and maintenance of its selected EV Charging Infrastructure.

6. **EVSE PACKAGE:** Upon approval of the Funds Reservation Agreement by PCEA, for Level 2 EV Charging Ports, as defined in Appendix A, Program Requirements, the Customer shall select and procure EV Supply Equipment (EVSE), software, and network services as required and in compliance with the Equipment Requirements outlined in the Program Requirements. Customer shall install, operate and maintain the number and type of the EVSE unit(s) (defined in Program Requirements), associated equipment, and signage as selected by Customer and approved by PCEA. Customer acknowledges that:

    a. For all Level 2 EV charging port(s) included in the project, the Customer agrees to purchase a) a minimum 2-year software and networking service agreement and b) a maintenance contract or a 3-year warranty with the Electric

Vehicle Servicer Provider (EVSP) or Original Equipment Manufacturer (OEM) providing the EVSE to the Customer.

7. **ADDITIONAL SERVICES FROM ELECTRIC VEHICLE SERVICE PROVIDER (EVSP):** Separate and apart from the Funds Reservation Agreement and PCEA's obligations under the Program, the EVSP may offer and contract directly with the Customer to provide any additional or complementary services, as long as these services do not interfere with the objectives of the Program. PCEA is not responsible for the costs of additional EVSP services or any cost related to operations and maintenance of any additional EVSP services.

8. **INSTALLATION OF EV CHARGING INFRASTRUCTURE:** Customer is responsible for covering all upfront costs of the installation of the EV Charging Infrastructure. Upon completion of installation of the EV Charging Infrastructure, Site Owner understands it is responsible for the operation and maintenance of the EV charging port(s) installed.

9. **CONTRACTOR REQUIREMENTS**: All work performed on projects under this agreement shall be done by contractors who hold a valid California C-10 license. PCEA reserves the right to amend and change contractor requirements at any point during the program.

10. **EV DRIVERS RIGHT TO ACCESS:** Customer may limit the availability of the EV Charging Infrastructure to its employees or tenants. Under the Program, Customer may elect to make the EV Charging Infrastructure available for use by the general public. Customer shall not restrict access to use of the EV Charging Infrastructure for reasons including, but not limited to, race, color, religion, age, sex, national origin, ancestry, physical or mental disability, or any basis prohibited by applicable law.

11. **APPLICABLE LAWS**: Customer is solely responsible for ensuring that the EV Charging Infrastructure is installed and operated in compliance with all applicable local, state, and federal laws.

12. **EV CHARGING PORT(S) OPERATION AND MAINTENANCE:** Customer will pay all ongoing costs associated with the EV Charging Infrastructure. Customer shall maintain a consistent uptime for the EV Charging Port(s) installed. Customer shall maintain the common area immediately surrounding the EV Charging Infrastructure in good condition, ordinary wear and tear accepted, and will promptly notify PCEA of any problems it is aware of related to the EV Charging Infrastructure. Such maintenance by Customer of the immediately surrounding common areas shall include, but not be limited to, pavement maintenance. Customer shall promptly notify PCEA if Customer will no longer maintain the installed EV Charging Infrastructure and/or the installed EV Charging Infrastructure is being removed from Customer's site. Uninterrupted service is not guaranteed, and Pacific Gas & Electric (PG&E) may interrupt service and access to the EV Charging Infrastructure when necessary to ensure safety or to perform maintenance as dictated by utility easement agreements and requirements.

13. **PERMISSION TO USE DATA:** For all EV Charging Infrastructure installed that are capable of collecting and reporting usage and utilization data, Site Owner agrees to allow PCEA and its authorized Contractors to access, collect, use, and report EV Charging Infrastructure usage and utilization data gathered as a part of the Program for use in regulatory reporting, ordinary business use, industry forums, case studies, or other similar activities, in accordance with applicable laws and regulations. PCEA and its authorized Contractors shall have access to the EV Charging Infrastructure usage and utilization data indefinitely and in accordance with all applicable laws, including but not limited to PCEA privacy guidelines and relevant regulatory decisions.

14. **DEMAND RESPONSE and LOAD SHAPING PROGRAMS:** Customer agrees that PCEA may, at its discretion enroll all networked EV charging port(s) units installed under the Program in any future demand response, grid optimization, and/ or load shaping programs implemented by PCEA. Future load shaping program will, by design, not incur any additional costs or expenses to Customer. The load shaping program will aim to curtail energy usage for each charging port during a predefined period established by PCEA. These curtailments will be designed to minimally impact EV drivers that are charging during these times whenever possible. Customers will be provided an appropriate mechanism to opt-out before the program is implemented.

15. **TAX LIABILITY and CREDITS**: PCEA is not responsible for any taxes which may be imposed on Customer as a result of the rebates provided within the Program. Site Owners receiving incentives from either the Program and/or other regional organizations, including, but not limited to, the Bay Area Air Quality Management District, that have been facilitated through assistance from PCEA are required to designate their Low Carbon Fuel Standard (LCFS) credits to PCEA. Customer attests they are releasing their rights to report and claim credits in the LCFS and are designating credits in the LCFS to PCEA

(FEIN 81-2708786) on an ongoing basis. Customer will inform third-party entities when necessary, including CARB, that the LCFS credits generated by their installed EVSE are designated to PCEA on an ongoing basis. Customer will provide the EVSE usage and electricity data to PCEA for LCFS reporting pursuant to CARB sections 95483.2(b)(8), 95491 and 95491.1. Customer will provide PCEA with ongoing access to EV charging data through the use of a login to the online account and/or an application program interface (API), a dashboard with exportable data files, or other means to access the charging data.

16. **DISPUTES**: Except where otherwise limited by law, PCEA reserves the right, at its sole discretion, to make final determinations regarding any disputed issues about the Program, including but not limited to eligibility and rebate amounts. In the event of a dispute that cannot be remedied by the parties, any court filings and/or proceedings shall be venued in San Mateo County, California. PCEA shall in no case be responsible for the legal costs of Site Owner and/or Designated Applicant.

17. **PROGRAM CHANGES**: PCEA reserves the right to change, modify, or terminate the Program at any time without any liability except as expressly stated herein. PCEA will honor all written commitments made in the Funds Reservation Agreement provided to Customers prior to the date of any change, modification or termination of this program, provided that project installations are fully completed within the timeframe specified within the Program Requirements.

18. **PROGRAM EXPIRATION:** The Program will expire upon the earliest to occur: (i) December 31st, 2024, (ii) when funds are depleted, or (iii) when the program is terminated by PCEA.

19. **INDEMNIFICATION:** Applicant agrees to indemnify, defend, and hold PCEA, its employees, officers, and agents, harmless from any and all liabilities including, but not limited to, litigation costs and attorney's fees arising from any and all claims and losses to anyone who may be injured or damaged by reason of Customer's negligence, recklessness or willful misconduct while participating in the PCEA Program.

20. **ACKNOWLEDGEMENTS:** Customer shall acknowledge PCEA as a funding source of the installed EV Charging Infrastructure each time Customer's activities related to the EV Charging Infrastructure are published in any news media, press release, brochures, or other type of public communication or promotional material. The acknowledgement of PCEA's support as a funding source, whether in whole or in part, shall include language such as: "Funding for [Customer Site Name]'s charging station(s) provided by Peninsula Clean Energy." If Customer is receiving funding from multiple organizations, Customer may use one statement conforming to the format listed above and include all organizations from which funding is received. PCEA also reverses the right to install stickers, signage, or other advertisement mechanism on the EV charging port(s) funded or facilitated by PCEA.

21. **CUSTOMER DISCLOSURE AUTHORIZATION:** By signing the Funds Reservation Agreement, Applicant confirms they are the authorized representative for the electric account holder identified in the Funds Reservation Agreement and authorized PCEA to disclose Customer's account status and participation in the PCEA Program. If Applicant is not the authorized representative for the electric account holder identified in the Funds Reservation Agreement, the Applicant certifies that they have submitted a Third Party Designated Applicant Assignment Form to verify that the Site Owner has delegated authority to the Applicant to represent the Site Owner and execute the Funds Reservation Agreement.

PENINSULA CLEAN ENERGY AUTHORITY
JPA Board Correspondence

DATE: November 10, 2023
MEETING DATE: November 23, 2023
VOTE REQUIRED: None

TO: Honorable Peninsula Clean Energy Authority Board of Directors

FROM: Shawn Marshall, Chief Executive Officer

SUBJECT: 2023 Board Retreat

RECOMMENDATION

Engage in strategic feedback and discussion with PCE staff leadership pertaining to the five retreat segments listed below. The Board retreat portion of this meeting will be discussion only and will not include specific action items.

BACKGROUND

Peninsula Clean Energy (PCE) has held annual Board Retreats since its first one in September 2017. The retreat location, length and agendas have evolved over the years, most recently focusing on PCE's performance against the Agency's five-year (2020-2025) strategic plan and its two priority goals:

1. Deliver 100% renewable energy annually by 2025 and on a 99% time-coincident basis by 2027.
2. Contribute to Peninsula Clean Energy member jurisdictions reaching the State's 2045 goal to be 100% greenhouse-gas free for transportation and building electrification by 2035.

Since the development of the strategic plan in late 2019, the two priority goals have been periodically amended to reflect more achievable outcomes as a result of post pandemic market conditions or, as in the case of the decarbonization goal, create an accelerated timeline ahead of the State's target.

As noted above, Peninsula Clean Energy's first primary goal is to "deliver 100% renewable energy annually by 2025 and on a 99% time-coincident basis by 2027." For historical context, this goal originated as an ambitious goal to "by 2025, deliver 100% renewable energy each and every hour of the day" (renewable energy is defined as resources that meet California's renewable portfolio standard, excluding biomass). In the ensuing years, staff developed and leveraged a new 24/7 clean energy procurement modeling tool called MATCH, and at the November 17, 2022 Board of Directors Meeting, the Board of Directors adopted Staff's recommendation to "deliver 100% renewable energy annually on a 99% time-coincident basis

by 2025". However, further modeling and analysis of available resources and market conditions indicated that meeting a 99% time-coincident renewable target by 2025 would be cost prohibitive and could lead to non-optimal long-term portfolio positions; so, at the June 22, 2023 Board of Directors meeting, the Board adopted staff's amended recommendation to update this strategic priority to "delivering 100% renewable energy annually by 2025 and on a 99% time-coincident basis by 2027."

June 22, 2023 Board of Directors Meeting Agenda Item Number 9

White Paper Part I

White Paper Part II

As noted above, Peninsula Clean Energy's second priority goal is to "contribute to Peninsula Clean Energy member jurisdictions reaching the state's 2045 goal to be 100% greenhouse-gas free for transportation and building electrification by 2035." For some historical context, the goal originated as, "contribute to San Mateo County reaching the state's goal to be 100% greenhouse gas-free by 2045." During the September 25, 2021 Board of Directors Retreat, the Citizens Advisory Committee (now the Community Advisory Committee) made a recommendation to the Board to move the goal up to 2035, citing the urgency of the climate crisis. At that same meeting, the Board adopted the new target supporting the region in reaching 100% decarbonization in buildings and transportation by 2035 and directed staff to analyze the feasibility of that target and return with an assessment and action plan. At the September 22, 2023 Board of Directors Retreat, prgrams staff presented a summary overview of the 2035 Decarbonization Feasibility Analysis & Plan. Staff's analysis and presentations are available with the meeting materials for the September 22, 2022 meeting.

2035 Decarbonization Feasibility and Plan

Summary Presentation

Full Presentation

DISCUSSION

This year, the Board retreat will be held in-person at PCE's offices in lieu of a standard Board meeting. In addition, we are trying out a new retreat format that includes our Director team as active discussion participants and balancing a futures orientation along with a nearer-term check in and discussion of PCE's key priorities. The retreat portion of the meeting will be facilitated by staff and professional facilitators from the Potrero Group, a Bay Area consulting firm that PCE has retained to lead us in a nine-month organizational development effort focused on successful executive leadership transitions and Board and staff alignment as the organization evolves into its next phase.

The goals of this year's Board retreat are:

- Board and staff alignment on where we are and where we're going with respect to our two key agency goals -- 24/7 time coincident by 2027 and supporting regional decarbonization by 2035;
- Discussion about the dimensions of organizational growth and what it means to shift to a

customer-centric focus; and,
- Agreement of a proposed process to continue strategic discussions that we won't have time for at this retreat; likely to be 45-50 minute segments added to Board meeting agendas over the coming year.

The retreat agenda will be broken down into 5 segments as follows. PCE Staff suggests that Board Members take time to reflect on the bulleted questions below and attached pre-read document in preparation for the meeting:

Segment 1: Introductory Question/Futures Discussion: PCE has been in exponential growth since its inception and is now moving into its next stage of organizational maturity.
- What does and/or should growth mean or look like for PCE in the next 5-7 years? Discussions will focus in three areas: electricity, customer impact, and industry/market impact.

Segment 2: Brief Overview of Organizational Development Evaluation and Feedback from Staff Retreat
- Please see included PDF - Board Retreat Pre-Read

Segment 3: Update and Discussion of Key Goal #1: Procurement Priorities and 24/7 99% Time-Coincident Goal
- How do we balance industry leadership, innovation, and what is possible within current market constraints and economic realities?

Segment 4: Update and Discussion of Key Goal #2: Support Decarbonization of Member Agency Communities by 2035; please note that the retreat discussion will focus on demand response and distributed energy resource components of this goal.
- What innovative strategies can we deploy to meet our 2035 decarb goal, with focus on demand response and DER's and solutions that meet load modification and reliability goals?

Segment 5: What does it mean to shift to a more customer centric approach across our Agency?

Next Steps:

Staff recognizes that four hours is not enough time to capture all the topics that could benefit from a strategic, futures-focused discussion with the Board. Staff recommends that time on future Board agendas be allocated at regular intervals (perhaps every-other-month) to discuss additional strategic topics related to the Agency's future and departmental policy direction.

ATTACHMENTS:

Board Retreat Pre-read.pdf

November 16, 2023

Board Retreat Pre-Read

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II. Staff Retreat Insights

a. Illuminate the Path Forward

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c. Inspiration and Commitments

III. Board Retreat - Strategic Questions

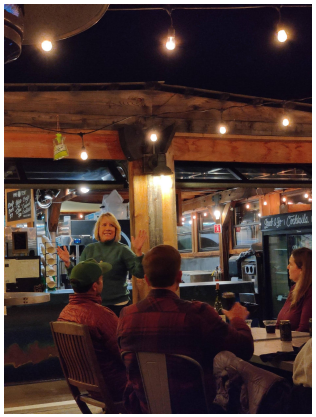
Preface

The content of this pre-read reflects brainstorming and analysis done prior to and during a 1.5 day Peninsula Clean Energy (PCE) staff retreat in September.

The following information provides initial key data points that will support further exploration and analysis and the creation of a plan for PCE organizational development.

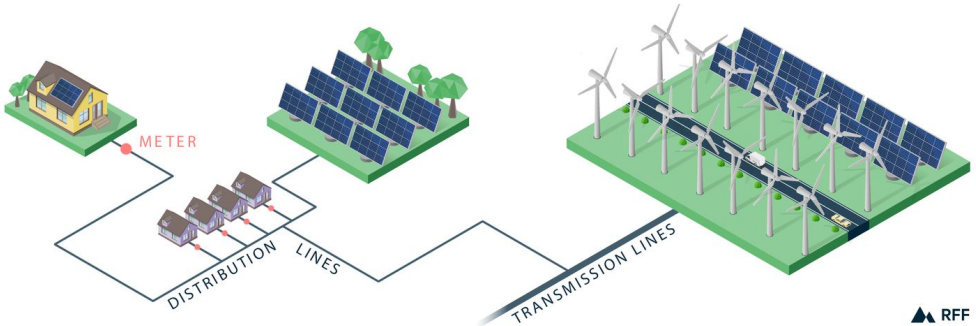
Staff Retreat
September 2023

Staff Retreat



Illuminate the Path Forward

Illuminate the Path Forward is an exercise adapted from an integrative, systems-thinking approach that maps how an organization's needs and strengths could **create pathways to achieve internal and external goals and impact.**



Goals
(Transmission)

- What could be our organizational development goals?

(Distribution)

- How could our organizational growth impact our field and the communities we serve?

Strengths
(Battery)

- What are your individual and team strengths?
- How do we build upon each others' strengths?

Needs
(Power Source)

- What are your individual and team needs?
- What energizes you? How do you recharge?
- How do you want others to show up for you?

Illuminate the Path Forward

Read left-right to see how addressing needs could feed into organizational strengths and support **possible goals.*

Needs
(Power Source)

Individual
- Work-life balance
- Professional growth

Teams
- Cohesion
- Communication
- Strategic discussion
- Inclusive leadership

Organizational
- Shared passion and alignment on mission
- Learning and creative problem-solving across departments

Strengths
(Battery)

- Analytical, problem-solving culture
- Innovative and entrepreneurial approach
- Highly specialized and high-functioning teams
- Diverse expertise and experiences
- Proactive approach to growth
- Collective passion and goal orientation

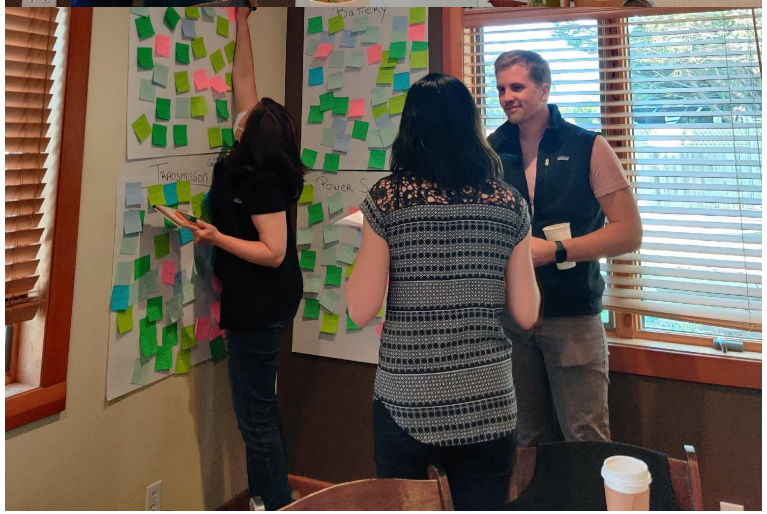
Internal Goals
(Transmission)

1. People and talent growth
2. Technology for operations and marketing
3. Develop cross-collaboration systems and processes

External Goals
(Distribution)

1. Reach all community members and provide energy solutions and benefits equitably
2. Transform the energy sector at a national scale
3. Build momentum for electrification and decarbonization efforts at a regional/statewide scale

Museum of the Future



Staff worked in groups to create tangible descriptions of what 2030 might look like if PCE achieved its goals.

Museum of the Future (Year 2030)

Possible Organizational Growth Achieved

Customer-centric approach and operational integration

- Customer-centric approach, with every department aligned in its efforts
- Designed and implemented customer care touchpoints, such as mobile apps and call centers, that enhance communication and service quality

Invested in clean energy infrastructure

- Invested in clean energy infrastructure, secured funding from various sources (CPUC and low-interest rate taxpayer bonds)
- Expanded EV charging stations, integrated Distributed Energy Resources (DERs) into Power Resource planning, and developed reliable backup power storage and distribution

Elevated organizational culture and environment

- Cross-collaboration and innovation in energy solutions
- Further transparency in senior staff and executive decision making and opportunities for input
- Possible new departments/staff as needed dedicated to energy reliability, resilience, risk management, support staff, and community relations

Staff have reached maturity in their professional careers and contribute to the energy world after leaving PCE

- Staff reached maturity in their careers, enabling them to contribute to the broader energy sector
- Alumni maintain relationships with PCE, offering partnership opportunities

Museum of the Future (Year 2030)

Possible Organizational Impact Achieved

PCE's influence has scaled as a state/national leader

- Advocacy roadshow, extending its expertise and support to other states to facilitate the development of Community Choice Aggregators
- PCE serves as an advisor to the Department of Energy, providing insights into best practices and innovative energy solutions
- Partnerships with government agencies, facilitating initiatives like setting up microgrids at public libraries and extending community outreach

Energy solutions have resolved affordability and accessibility barriers

- Overcame affordability and accessibility barriers by implementing tailored solutions beyond socioeconomic considerations
- Equitable distribution of rebates to customers has become a reality
- DEAI continues to be an internal organizational priority

Community-owned Distribution and Energy Supply

- Invested in decentralizing power distribution and ensuring grid reliability and quality of renewable power sources
- Local communities become more active in decision making and policymaking, resulting in gain of ownership and control over energy supply

Inspiration and Commitments

Evolve From Past Success and Failure

Ex: "Ground our future in our past."
Ex: "Don't tear down the fence until you understand why it was built."

Collective Creativity

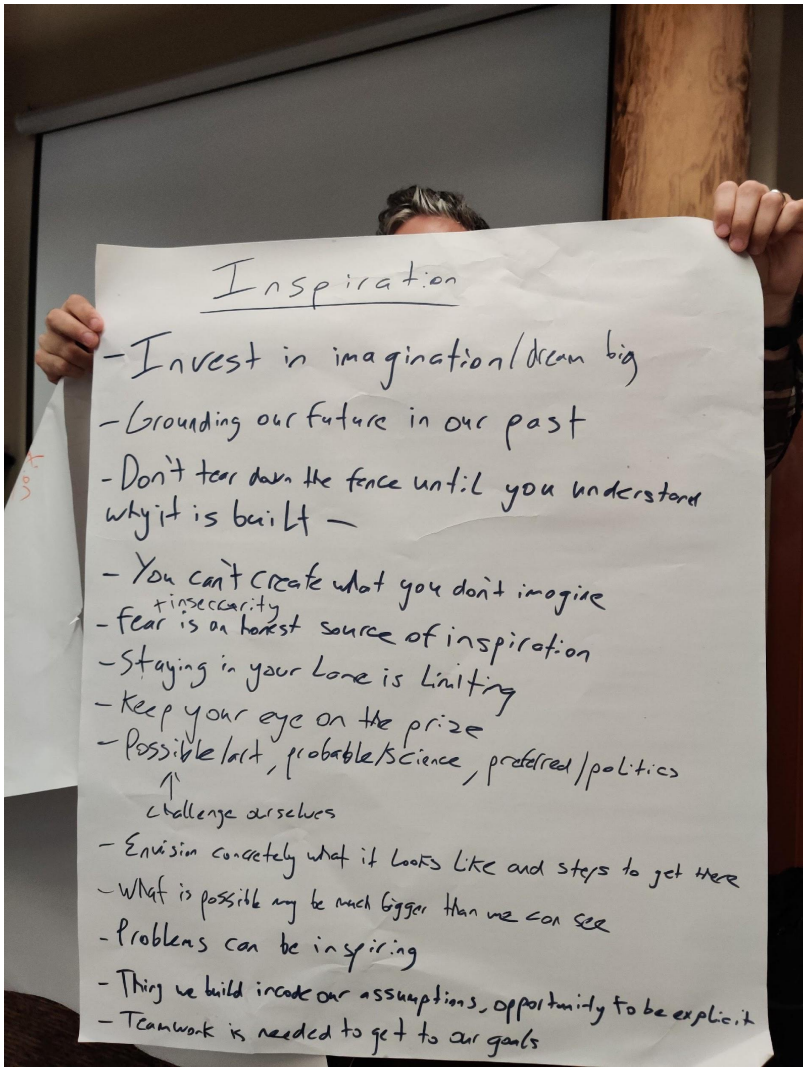
Ex: "Embrace the "I wonder, what if, let's try!" mindset."
Ex: "Staying in your lane is limiting"
Ex: "Unconference committee"

Believe in the Possible

Ex: "Possible (art), probable (science), and preferred (politics).
Ex: "You can't create what you don't imagine."
Ex: "Believe in a better way."

Tenacious Ambition

Ex: "Tenacity in pursuing long-term goals and overcoming challenges."
Ex: "Keep your eye on the prize."



Board Retreat-
Strategic Questions

Please Be Prepared to Discuss

1. **PCE has been in exponential growth since its inception and is now moving into its next stage of organizational maturity.** What does and/or should growth mean or look like for PCE in the next 5-7 years? Consider electricity, customer impact, and industry/market impact.

2. **Regarding PCE's Key Priority #1: Procurement Priorities and 24/7 99% Time-Coincident Goal.** How do we balance industry leadership, innovation, and what is possible within current market constraints and economic realities?

3. **Regarding PCE's Key Priority #2: Support Decarbonization of Member Agency Communities by 2035.** What innovative strategies can we deploy to meet our 2035 decarb goal, with focus on demand response and distributed energy resources (DERs), and solutions that meet load modification and reliability goals?

4. **What does it mean to shift to a more customer-centric approach across our Agency?**

The Potrero Group Contacts

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PENINSULA CLEAN ENERGY AUTHORITY
JPA Board Correspondence

DATE: November 2, 2023
MEETING DATE: November 23, 2023
VOTE REQUIRED: None

TO: Honorable Peninsula Clean Energy Authority Board of Directors

FROM: Shawn Marshall, Chief Executive Officer

SUBJECT: CEO Report

DISCUSSION

This report is provided monthly to the Board of Directors and is informational only.

Surplus Funds Ad-Hoc Subcommittee

The Surplus Funds staff-led committee met for the fifth time on October 30, 2023 and spent this meeting reviewing all the proposed ideas and allocations across the four funding categories identified earlier in the process: 1) Days Cash on Hand/PCE Reserves, 2) Customer Rebates/Rate Discounts, 3) Energy Programs, and 4) Funding for Local Power Projects.

The committee is nearly done with its deliberations but requires one or two more meetings before finalizing the full package of FYE 2024 surplus fund recommendations. However, one funding recommendation for a one-time $300 customer rebate to PCE's ~41,525 CARE/FERA customers received unanimous committee support and was determined to be time sensitive due to the desire to issue the rebate to our most economically vulnerable customers in time for the holiday season.

The committee has placed authorization for the CARE/FERA customer rebate on the November 16, 2023 Board agenda and will reconvene to complete the full roster of funding recommendations in late November.

PCE Staffing Update

We are thrilled to announce that on November 16, 2023 CCA industry veteran Shalini Swaroop will join PCE as our new Chief Operating Officer and energy finance veteran Nick Bijur will join as our new Chief Financial Officer. Please see the attached press release for more information about our new executives and feel free to check out their profiles on LinkedIn. Both Shalini and Nick will be on hand at our Board retreat to introduce themselves. Please welcome them to the team!

Special thanks goes to Andy Stern, our interim CFO, who has served PCE so well these past years. Andy has agreed to stay on for a short period while Nick transitions into the CFO role. We are deeply grateful to Andy for his support and leadership and wish him well in his next chapter.

Please join me in congratulating Carlos Moreno on our energy programs team who was promoted to Programs Analyst and Vanessa Chin on our marketing and community outreach team who was promoted to a Senior Specialist!

Posted Positions - Please help us spread the word!
Sr/Manager Power Resources - Market Operations
Information Technology Specialist / Senior Specialist

Industry Events and PCE in the Community

On November 3-4, **Shawn Marshall**, CEO, attended a symposium sponsored by California Community Power (CCPower) entitled Getting it Built Right, which focused on opportunities for collaboration with various labor unions and current challenges for project development, project labor agreements, interconnection issues, etc. Past Board member Rick Bonilla and other union partners attended the meeting and participated on a panel called Strategies for Getting Things Built and Built Right.

On November 3, **Doug Karpa**, Regulatory Counsel, presented his paper entitled “Empowering CCA Leadership: Overcoming Legal and Policy Barriers to a 24/7 Renewable Decarbonization Strategy” at the McAllister Symposium on Climate and Energy Law in San Diego, CA.

On November 8, **Phillip Kobernick**, Senior Programs Manager, Transportation, presented at the California Pollution Control Officers Association (CAPCOA) Annual Symposium on EV Reach Codes.

On November 8, **Rafael Reyes**, Director of Energy Programs, presented at the California Efficiency and Demand Management Council and on November 13 at the Heat Pump Summit. Rafael will also present at the Buildings Electrification - Challenges and Solutions meeting on November 29, 2023.

CEO, Shawn Marshall, also attends monthly Cal-CCA and California Community Power (CCPower) Board meetings.

ATTACHMENTS:

Peninsula Clean Energy Hires New COO, CFO .pdf

Peninsula Clean Energy Hires New COO, CFO

Community energy, utility, environmental justice veterans round out senior management team at pivotal time for the organization, region

REDWOOD CITY, CA – November 14, 2023 – Peninsula Clean Energy has hired a new chief operating officer (COO) and chief financial officer (CFO), filling out the agency's senior management team at a pivotal time in its efforts to expand affordable renewable power and decarbonization programs across its service territory.

PCE's new COO is **Shalini Swaroop**, former chief legal and policy officer at MCE Clean Energy, the first Community Choice Aggregation agency in California.

Nick Bijur joins Peninsula Clean Energy as CFO. Nick previously worked at Pacific Gas and Electric Company (PG&E), where he was vice president of finance and treasurer.

"As PCE continues to lead in the rapid transition to affordable clean energy, we are well positioned for the future with long-time community energy veteran and environmental justice champion Shalini Swaroop and energy utility finance expert Nick Bijur rounding out our new leadership team," **Peninsula Clean Energy CEO Shawn Marshall** said.

As COO, Swaroop will help lead internal efforts toward meeting Peninsula Clean Energy's strategic plan and will oversee the agency's regulatory and legislative affairs, energy programs and marketing/community outreach departments. She will also provide executive leadership for the agency's recently adopted diversity, equity, access and inclusion plan.

During her tenure with MCE, Swaroop led the agency's legal and policy teams, overseeing litigation, compliance, municipal law, and policy advocacy at state regulatory agencies, the California Legislature and U.S. Congress. She negotiated dozens of landmark California climate action bills, securing federal funds for storage, EV chargers, and building electrification upgrades, and advocated on behalf of low-income constituents and communities of color.

Following MCE, Swaroop was interim deputy executive director at the Initiative for Energy Justice, leading national policy and programs.

Swaroop received her Juris Doctorate from Berkeley Law School, and completed a federal judicial clerkship at the High Court of American Samoa. Swaroop previously sat on the board of GRID Alternatives - Bay Area, and held leadership positions on the boards of the ACLU of Northern California, the San Francisco Public Utilities Commission's Citizens' Advisory Committee, and the Conference of California Public Utility Counsel. She also co-founded the Bay Area Women of Color Attorney Network.

"The transition to clean energy is crucial for our planet." **Swaroop** said. "But the transition must be equitable to those communities who have been most impacted by the legacy of fossil fuels. Peninsula Clean Energy is at the forefront of this transformation and has demonstrated a

replicable model of leadership for other communities throughout California and beyond. I'm excited to continue my role in the growing community choice industry at PCE."

As PCE's new CFO, Nick Bijur will manage the agency's more than $350 million annual operating budget and investment portfolio, stand up a new enterprise risk management function and help the agency balance decarbonization goals with the mandate of affordable clean energy at competitive rates. That includes continuing to implement electric generation rates that are at least five percent lower than generation rates charged by PG&E, while also leading efforts to maintain and improve Peninsula Clean Energy's investment grade credit ratings.

At PG&E, Nick led a variety of finance functions during his 15-year tenure, including treasury, business finance, market & credit risk management, and strategic investments. Immediately prior to joining PCE, Nick was vice president of corporate FP&A at Bloom Energy. He also worked at Williams-Sonoma as vice president and treasurer, and was an investment banker at Morgan Stanley. Bijur received his M.B.A. from the UCLA Anderson School of Management and a B.A. from Bucknell University.

"I am thrilled to join Peninsula Clean Energy and work with the talented and dedicated team that is successfully providing energy choice and helping create a more sustainable planet," **Bijur** said.

About Peninsula Clean Energy
Peninsula Clean Energy is a Community Choice Aggregation agency. It is the official electricity provider for San Mateo County and for the City of Los Banos. Founded in 2016 with a mission to reduce greenhouse gas emissions, the agency serves a population of 810,000 by providing more than 3,600 gigawatt hours annually of electricity that is 50 percent renewable, 100 percent clean and at lower cost than PG&E. As a community-led, not-for-profit agency, Peninsula Clean Energy makes significant investments in its communities to expand access to sustainable and affordable energy solutions. Peninsula Clean Energy is on track to deliver electricity that is 100 percent renewable by 2025. Follow us at PenCleanEnergy.com, Twitter, Facebook and LinkedIn.

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PENINSULA CLEAN ENERGY AUTHORITY
JPA Board Correspondence

DATE: November 2, 2023
MEETING DATE: November 23, 2023
VOTE REQUIRED: None

TO: Honorable Peninsula Clean Energy Authority Board of Directors

FROM: Cheryl Schaff, Community Advisory Committee Chair

SUBJECT: Community Advisory Committee Report

DISCUSSION

At the November 2 meeting, the Community Advisory Committee made the following recommendation related to the budget surplus:

The CAC supports funding the following concepts:

- High-visibility projects that position Peninsula Clean Energy as a leader and innovator, such as microgrids and a demonstration center
- Maximizing the on-bill financing program
- Rebate for CARE/FERA customers. When identifying customers who qualify for the energy bill rebate, evaluate customers who have been previously enrolled in CARE/FERA in addition to currently enrolled CARE/FERA customers
- Enhance and expand the low-income Home Upgrade Program
- For the Water Heater Loaner program, prioritize using heat pump water heaters over gas water heaters

PENINSULA CLEAN ENERGY AUTHORITY
JPA Board Correspondence

DATE: November 3, 2023
MEETING DATE: November 23, 2023
VOTE REQUIRED: None

TO: Honorable Peninsula Clean Energy Authority Board of Directors

FROM: Roy Xu, Director of Power Resources

SUBJECT: Energy Supply Procurement Report

BACKGROUND

In January 2020, the Board approved the following Policy Number 15 – Energy Supply Procurement Authority.

Policy: "Energy Procurement" shall mean all contracting for energy and energy-related products for PCE, including but not limited to products related to electricity, capacity, energy efficiency, distributed energy resources, demand response, and storage. In Energy Procurement, Peninsula Clean Energy Authority will procure according to the following guidelines:

1. Short-Term Agreements:

a. Chief Executive Officer has authority to approve Energy Procurement contracts with terms of twelve (12) months or less, in addition to contracts for Resource Adequacy that meet the specifications in section (b) and in Table 1 below.

b. Chief Executive Officer has authority to approve Energy Procurement contracts for Resource Adequacy that meet PCE's three (3) year forward capacity obligations measured in MW, which are set annually by the California Public Utilities Commission and the California Independent System Operator for compliance requirements.

c. Chief Financial Officer has authority to approve any contract for Resource Adequacy with a term of twelve (12) months or less if the CEO is unavailable and with prior written approval from the CEO.

d. The CEO shall report all such agreements to the PCE board monthly.

Table 1

Product	Year-Ahead Compliance Obligation	Term Limit
Local Resource Adequacy	In years 1 & 2, must demonstrate capacity to meet 100% of monthly local obligation for years 1 and 2 and 50% of monthly local obligation for year 3 by November 31st of the prior year	Up to 36 months
System Resource Adequacy	In year 1, must demonstrate capacity to meet 90% of system obligation for summer months (May – September) by November 31st of the prior year	Up to 12 months
Flexible Resource Adequacy	In year 1, must demonstrate capacity to meet 90% of monthly flexible obligation by November 31st of the prior year	Up to 12 months

2. Medium-Term Agreements:
Chief Executive Officer, in consultation with the General Counsel, the Board Chair, and other members of the Board as CEO deems necessary, has the authority to approve Energy Procurement contracts with terms greater than twelve (12) months but not more than five (5) years, in addition to Resource Adequacy contracts as specified in Table 1 above. The CEO shall report all such agreements to the PCE board monthly.

3. Intermediate and Long-Term Agreements:
Approval by the PCE Board is required before the CEO enters into Energy Procurement contracts with terms greater than five (5) years.

4. Amendments to Agreements:
Chief Executive Officer, in consultation with the General Counsel and the Board Chair, or Board Vice Chair in the event that the Board Chair is unavailable, has authority to execute amendments to Energy Procurement contracts that were previously approved by the Board

DISCUSSION

This memo summarizes energy procurement agreements entered into by the Chief Executive Officer since the last regular Board meeting in August. This summary is provided to the Board for information purposes only.

Execution Month	Purpose	Counterparty	Term
June*	Purchase of Resource Adequacy	Dynegy Marketing and Trade, LLC	24 months**
June*	Purchase of Resource Adequacy	Dynegy Marketing and Trade, LLC	24 months**
June*	Purchase of Resource Adequacy	Dynegy Marketing and Trade, LLC	12 months

August	Purchase of Resource Adequacy	Marin Clean Energy	1 month
August	Purchase of Resource Adequacy	High Desert Power Project, LLC	12 months
August	Purchase of Resource Adequacy	Midway Peaking, LLC	1 month
August	Purchase of Resource Adequacy	Orange County Power Authority	1 month
August	Purchase of Resource Adequacy	Calpine Energy Services, L.P.	4 months
August	Purchase of Resource Adequacy	Shell Energy North America (US), L.P.	5 months
August	Purchase of Energy Hedge	Morgan Stanley Capital Group Inc.	12 months
August	Purchase of Energy Hedge	Calpine Energy Services, L.P.	12 months
August	Purchase of Energy Hedge	TransAlta Energy Marketing (U.S.) Inc.	3 months
August	Purchase of Energy Hedge	TransAlta Energy Marketing (U.S.) Inc.	3 months
August	Purchase of Energy Hedge	TransAlta Energy Marketing (U.S.) Inc.	12 months
August	Purchase of Energy Hedge	Morgan Stanley Capital Group Inc.	12 months
September	Purchase of Resource Adequacy	City of Riverside	6 months
September	Sale of Resource Adequacy	City of Riverside	6 months
September	Sale of Resource Adequacy	City of Riverside	12 months
September	Purchase of Resource Adequacy	City of Colton	2 months
September	Sale of Resource Adequacy	East Bay Community Energy Authority	1 month
September	Purchase of Resource Adequacy	NextEra Energy Marketing, LLC	12 months
September	Purchase of Resource Adequacy	East Bay Community Energy Authority	5 months
September	Sale of Resource Adequacy	East Bay Community Energy Authority	5 months
September	Purchase of Resource Adequacy	Morgan Stanley Capital Group Inc.	6 months
September	Purchase of Resource Adequacy	East Bay Community Energy Authority	1 month
September	Sale of Resource Adequacy	Calpine Energy Services, L.P.	1 month

September	Purchase of Resource Adequacy	Calpine Energy Services, L.P.	1 month
September	Purchase of Resource Adequacy	NRG Business Marketing, LLC	6 months
September	Purchase of Resource Adequacy	Central Coast Community Energy	1 month
September	Purchase of Resource Adequacy	East Bay Community Energy Authority	2 months
September	Sale of Resource Adequacy	East Bay Community Energy Authority	2 months
September	Purchase of Resource Adequacy	Saavi Energy Solutions	24 months**
September	Purchase of Resource Adequacy	NRG Business Marketing, LLC	1 month
September	Purchase of Resource Adequacy	Pilot Power Group, LLC	1 month
September	Sale of Resource Adequacy	Pilot Power Group, LLC	1 month
September	Purchase of Resource Adequacy	NRG Business Marketing, LLC	4 months
September	Sale of Resource Adequacy	NRG Business Marketing, LLC	4 months
October	Purchase of Import Allocation Rights for Resource Adequacy	Sunrise Power Company, LLC	12 months
October	Purchase of Resource Adequacy	ConocoPhillips Company	6 months
October	Sale of Resource Adequacy	East Bay Community Energy Authority	1 month
October	Sale of Resource Adequacy	NextEra Energy Marketing, LLC	1 month
October	Purchase of Resource Adequacy	San Diego Gas & Electric Company	2 months
October	Sale of Resource Adequacy	San Diego Community Power	1 month
October	Purchase of Resource Adequacy	San Diego Community Power	1 month
October	Purchase of Resource Adequacy	Calpine Energy Services, L.P.	2 months
October	Purchase of Resource Adequacy	Calpine Energy Services, L.P.	1 month
October	Sale of Resource Adequacy	Calpine Energy Services, L.P.	3 months
October	Sale of Resource Adequacy	San Jose Clean Energy	3 months

October	Purchase of Resource Adequacy	San Jose Clean Energy	3 months
October	Purchase of Resource Adequacy	East Bay Community Energy Authority	2 months

* These transactions were dated in June after final execution in September.

** The 24-month transactions were approved by the Board Chair and the General Counsel per Policy 15.

STRATEGIC PLAN

The above contracts executed in June, August, September, and October support the Power Resources Objective 2 for Procurement: Procure power resources to meet regulatory mandates and internal priorities at affordable cost.

PENINSULA CLEAN ENERGY AUTHORITY
JPA Board Correspondence

DATE: November 2, 2023
MEETING DATE: November 23, 2023
VOTE REQUIRED: None

TO: Honorable Peninsula Clean Energy Authority Board of Directors

FROM: Jeremy Waen, Senior Director of Regulatory Policy

SUBJECT: Regulatory Policy Team Quarterly Report

BACKGROUND

Jeremy continues to direct the team, overseeing the department along with key proceedings relating to the Power Charge Indifference Adjustment (PCIA) and annual rate adjustments.

Doug has been heavily focused on Resource Adequacy and Integrated Resources Planning at the California Public Utilities Commission (CPUC). He has also engaged with the California Independent System Operator on issues of Resources Adequacy, Transmission Planning, Interconnection, and Deliverability.

Matthew has continued his work in supporting PCE's programmatic efforts through Transportation Electrification, Building Decarbonization, Resiliency, Supplier Diversity, Demand Flexibility, Demand Response, and DAC-Green Tariff matters.

Zsuzsanna worked with the Power Resources and the Programs team on coordinating the filings due in July and August. She is also focused on the future challenges on the Green-e program and issues related to privacy risk-management and contract management.

Jenna joined the PCE regulatory team on September 18, 2023. She will be assisting Matthew and Doug with regulatory policy advocacy, and she will be directly managed by Matthew. The team is very excited to have her join us!

DISCUSSION

Power Charge Indifference Adjustment (PCIA) and 2024 Rate Outlook

As discussed during the October board meeting, Commission process seems to remain on track for January 1, 2024, rate change for PG&E's bundled generation and PCIA rates. Based on present (very high-level analysis) 2024 rates will adjust such that PCE's competitive margin (i.e., the difference between PG&E's generation rates and the applicable PCIA rates) will have a small change relative to present 2023 rates. There are two main uncertainties that prevent us from having a clearer 2024 rate outlook: 1) the Commission has yet to issue the Proposed

Decision (PD) within PG&E's 2024 Energy Resource Recovery Account (ERRA) Forecast proceeding, and 2) the Commission has yet to vote to adopt either the PD or the Alternate Proposed Decision (APD) within PG&E's pending General Rate Case (GRC) Phase 1.

PG&E's 2024 ERRA Forecast case is the main proceeding for adjusting PG&E's generation and PCIA rates. Within this case there remain some contentious items that will impact the rate adjustments, such as whether PG&E's generation rate revenue under-collections from prior year will be collected over 6 or 12 months within 2024. Until the PD is issued and then voted on, we will not have certainty around future rate outlook.

PG&E's GRC Phase 1 case is somewhat further along than the 2024 ERRA Forecast in that the PD was issued; however, there is disagreement between the Assigned Law Judge (ALJ) and the Assigned Commissioner that has resulted in the issuance of an APD from the Commissioner's office. The two proposals disagree over roughly $500 million in proposed revenue requirements by PG&E. The Commission was schedule to vote on this case during the November 2, 2023, meeting; however, the vote was delayed by Commission staff request until the next meeting occurring on November 16, 2023.

If this matter gets delayed further, it may complicate the drafting of the PD on the PG&E 2024 rate adjustments in the ERRA Forecast proceeding because the outcome of the GRC Phase 1 will impact the rate calculations for 2024. If the GRC Phase 1 isn't resolved swiftly enough, the Commission could proceed with directing PG&E to adjust its rates on January 1, 2024, to adopt changes related to the ERRA case only to then direct PG&E to adjust its rates again (March 2024 would be the next opportunity for this) to incorporate further adjustments due to the resolution of the GRC Phase 1. Lastly, if the Commission grants PG&E's request in the 2024 ERRA Forecast case to collect revenue under-collections from the prior year in the first 6 months of 2024, this would result in the need for a July 1, 2024 rate adjustment by PG&E as well.

Integrated Resource Planning (IRP)

The Integrated Resources Planning process has entered the first phase of the two-year cycle of determining the Preferred System Portfolio, which is the CPUC's overall plan for the energy sector for the next ~15 years. The CPUC has agreed with Peninsula Clean Energy's longstanding calls to move to lower carbon targets and full decarbonization or close to it by 2045. This represents the lowest end of emissions planned for by the California Air Resources Board in the AB32 Scoping Plan. Overall, the aggregated plans of all jurisdictional LSEs are well on track to meet these targets, and many CCAs including Peninsula Clean Energy exceed the CPUC's decarbonization targets. There are early indications that there may be a need for additional procurement above the LSE plans in the early 2030s, but this will come clearer with time. There are proposals to extend some deadlines on the existing procurement orders, but these are problematic since they would require substitute procurement orders to backfill.

This Preferred System Plan will become the Transmission Planning Portfolio sent to CAISO as the basis for the next Transmission Planning Process. There are conflicting concerns that the aggressive decarbonization may give rise to a perceived shortfall, potentially giving the CPUC grounds to order procurement from the Department of Water Resources, but a less aggressive approach might leave the transmission planning process planning for too few resources. The next phase will be to develop a mechanism to ensure all LSEs are procuring their appropriate share of resources after 2028. The staff proposal is expected to be released by years' end and

will involve intensive work to ensure that CCA procurement autonomy is protected and cost shifting onto Peninsula Clean Energy customers is avoided.

In addition, there are ongoing regulatory efforts to ensure that the CPUC understands our procurement efforts and the unavoidable challenges that arise are handled appropriately within the IRP framework.

(Public Policy Objective A, Key Tactic 1, and Key Tactic 2; Public Policy Objective C, Key Tactic 3)

Resource Adequacy (RA)

In Resources Adequacy, the 2024 compliance year is the last year that will use the existing Effective Load Carrying Capacity approach as we shift to the hourly slice-of-day methodology for 2025. In addition, to ensure the reforms to the existing system work correctly this year, Peninsula Clean Energy is also working with CPUC staff to ensure a successful run of the "test year" for the slice-of-day methodology. While there are significant implementation hurdles, this effort is moving forward. Our regulatory agenda going forward for this year is focused on affordability measures to bring the costs of RA compliance down, including allowing hourly obligation trading to facilitate cost-effective, non-duplicative compliance, improved design of the Central Procurement Entity, including a shift to the residual model which Jeremy Waen was instrumental in developing some years ago, more attractive financial conditions for out-of-state generators offering unspecified capacity to California, and proposals for waivers when compliance is not feasible.

(Public Policy Objective A, Key Tactic 1, and Key Tactic 2; Public Policy Objective C, Key Tactic 3)

California Independent System Operator (CAISO)

The California Independent System Operator continues to implement stakeholder processes that are likely to have critical impacts on Peninsula Clean Energy's operations. Doug is actively participating in these areas. Timely updates from these processes include:

1. **Interconnection:** CAISO is aiming to develop a final proposal for a completely revamped interconnection process in which only viable and needed projects would be studied for interconnection. Currently, Doug Karpa is deeply involved in ensuring that the needs of LSEs and California as a whole are adequately taken into account in deciding which projects to move forward in the study process.
2. **Resource Adequacy (RA) Enhancements:** CAISO is beginning a comprehensive reform of CAISO's RA program (which is independent of the CPUC program and spans both CPUC jurisdictional LSEs and POUs which are not subject to CPUC jurisdiction). This is aimed at ensuring smooth interaction both with the CPUC's slice-of-day methodology and also with the new Western Resource Adequacy Program (WRAP).
3. **Deliverability:** Peninsula Clean Energy has successfully secured CalCCA engagement in a revision of CAISO's deliverability methodology, including hiring of technical consultants. If successful, a new methodology may result in more efficient use of the existing grid and greater availability of the deliverability status needed for generators to qualify as RA capacity. This should relieve some pressure on the RA market and bring prices down.

(Public Policy Objective A, Key Tactic 1, and Key Tactic 2; Public Policy Objective C, Key Tactic 3)

Regionalization

A new initiative called the West-Wide Governance Pathway Initiative has been created by a collection public utilities commissioners and other officials from multiple western states. Currently, efforts are focused on developing the scope and potential structure of an interstate organization that may manage interstate markets, interstate RA programs, and perhaps eventually become a regional transmission organization capable of planning transmission and operating the energy market for the west. This is to a certain degree an evolution of CAISO's Extended Day Ahead Market and Energy Imbalance Markets but with greater involvement from other states. Currently, CalCCA's General Counsel, Evelyn Kahl, is on the launch committee and Doug Karpa is participating in the team supporting those efforts to ensure CCA interests are protected in this process.

Load Management Standard (LMS)

Doug is a key advocate at the Energy Commission, along with Leslie Brown and Masha Doubrousvkaia, on the two elements of the Load Management Standard: First, Peninsula Clean Energy's time-variant rates were uploaded to the MIDAS database, although there are ongoing issues with implementation of the database by the California Energy Commission. Second, Peninsula Clean Energy is participating in an inter-CCA working group to develop a plan to implement marginal-cost-based time-dependent rates, where feasible, cost effective, and equitable. The plan should include both a plan to develop these rates and an analysis of each and is due to be submitted to the Peninsula Clean Energy Board by April 2024. If these rates are determined to not be a cost effective, feasible, or equitable approach to managing customer energy use to bring down overall costs, Peninsula Clean Energy may alternatively develop programs, such as the FLEXmarket, to provide similar options to customers. Opting to provide programs instead of rates will require a robust analysis demonstrating that marginal cost-based rates are not cost effective to justify relying on programs instead.

(Public Policy Objective A, Key Tactic 1, and Key Tactic 2; Public Policy Objective C, Key Tactic 3)

Demand Flexibility Though Rates

As included in the Board Memo for May 2023, there is an ongoing proceeding before the CPUC to enable widespread demand flexibility for all customer classes through the development and implementation of innovative rate designs. These new rates are meant to address several key concerns, such as enhance grid reliability, bill affordability, and enable widespread electrification. The CPUC is encouraging CCAs to develop rates of their own that are similar in design to enable the broadest benefit from this stakeholder process and acknowledging that for CCAs to implement such rates, they would require coordination with their respective Investor-Owned Utilities (IOUs). CalCCA is representing all of the CCAs in this proceeding and has convened a tiger team of CCA representatives to inform their advocacy.

Energy Division staff recently developed a proposal to allow a certain agricultural dynamic rate pilot jointly administered by Valley Clean Energy (VCE) and PG&E to be offered to all agricultural customers in PG&E's territory. This pilot is referred to as AgFIT, or Flexible Irrigation Technology, and is designed to enable agricultural customers with large pumping

loads to automate those pumps using technology incentives offered through the program and software to better manage the associated costs of that demand. It also provides participating customers with forecasted energy prices up to a week in advance to allow them to plan their pumping needs and minimize their costs. The AgFIT pilot is still in very early stages of deployment, though Energy Division staff believe it shows enough promise to be expanded to all other agricultural customers. Before that can happen, there are still many details to work out. For instance, the pilot structure would need to be modified for other agricultural loads.

The Energy Division, as part of that same proposal, suggested that the AgFIT structure could also be expanded to certain residential, commercial, and industrial customer rates. This is a far more complicated proposition as less of the current pilot could be neatly transferred to design a similar rate for these other customer classes. Other elements make this a difficult task, such as appropriate technology incentive levels, what technology should/could be automated, customer interactions with the price forecasting system, and repeating a complicated rate development process for several rates in each rate class rather than one or two rates in a singular rate class. In response, PG&E's submitted a proposal to create an AgFIT-like optional rate for all the rate classes included in Energy Division's proposal. PG&E has also proposed that any CCAs who wished to could piggy back off PG&E's work by developing their own generation rate elements and inputting them into PG&E's model. In that way, the CCAs could offer these rates to their own unbundled customers without performing all of the development work themselves. CCAs are collectively and individually considering the implications of following PG&E's lead.

The Energy Division's proposal was for these newly expanded rate pilots to be available by June 2024. PG&E requested that the CPUC issue a Decision adopting their proposal by the end of 2023 in order to provide enough lead time to meet the June 2024 target.

(Public Policy Objective A, Key Tactic 1, and Key Tactic 2; Public Policy Objective C, Key Tactic 3)

Disadvantaged Communities Green Tariff (DAC-GT) and Community Solar Green Tariff (CSGT)

Matthew continues to lead PCE's engagement in policy matters related to PCE's DAC-GT and CSGT programs, and PCE continues to collaborate with fellow CCAs who administer their own DAC-GT and CSGT programs to engage on these policy matters. In the proceeding at hand, the CPUC is assessing whether a suite of customer renewable subscription programs meet certain mandatory criteria, whether the programs should be modified or discontinued, and whether the CPUC should adopt a new community renewable energy program. The four existing programs that are up for review in this proceeding are DAC-GT, CSGT, Enhanced Community Renewables (ECR), and Green Tariff Shared Renewables (GTSR). The latter two programs are only offered by the IOUs.

As mentioned in prior Board memos, the primary goal of the Joint CCAs is for the CPUC to preserve the DAC-GT and CSGT programs and make certain adjustments to make the programs easier to administer and expand their size so more customers can participate. Customer participation is limited to those that are both (1) on certain income-qualified rates, and (2) live in state designated Disadvantaged Communties (DACs). Participants receive 100% solar energy from a distributed solar facility as well as an additional 20% discount on the entire electric portion of their monthly bill.

PCE, as well as representatives from a few other CCAs, have had multiple *ex parte* meetings with Commissioners' advisors, who work directly with the Commissioners on key issues. The CCAs' *ex partes* have been largely positive, and indications are that at a minimum the DAC-GT and CSGT programs are unlikely to be negatively impacted. The record in the docket is now complete and it is anticipated that a Proposed Decision will be issued by the CPUC this November.

(Public Policy Objective A, Key Tactic 1, Key Tactic 2, and Key Tactic 3)

Stakeholder Outreach

Doug Karpa hosted Peninsula Clean Energy's regular monthly call with environmental justice and environmental advocates and other CCA staff on October 25, 2023 on the CPUC's Integrated Resources Planning proposals and next steps in that space.

Doug Karpa is also a member of the steering committee for a new CCA stakeholder forum to discuss key affordability issues in the electricity sector with rate payer and equity advocates across the state. That forum is expected to launch by the end of 2023.

(Public Policy Objective A, Key Tactic 2)

COMMONLY USED ACRONYMS AND KEY TERMS

AB xx – Assembly Bill xx
ALJ – Administrative Law Judge
AMP- Arrears Management Plans
AQM – Air Quality Management
BAAQMD – Bay Area Air Quality Management District
BLPTA – Buyer Liability Pass Through Agreement
CAC – Citizens Advisory Committee
CAISO – California Independent System Operator
CalCCA – California Community Choice Association
CAM – Cost Allocation Mechanism
CAP – Climate Action Plan
CAPP – California Arrearage Payment Program
CARB – California Air Resources Board, or California ARB
CARE- California Alternative Rates for Energy Program
CBA – California Balancing Authority
3CE- Central Coast Community Energy (Formerly Monterey Bay Community Power-MBCP)
CCA – Community Choice Aggregation (aka Community Choice Programs (CCP) or
CCE – Community Choice Energy (CCE)
CCP – Community Choice Programs
CEC – California Energy Commission
CPP- Critical Peak Pricing
CPSF – Clean Power San Francisco
CPUC – California Public Utility Commission (Regulator for state utilities) (Also PUC)
CSD – California Department of Community Services and Development
CSGT - Community Solar Green Tariff
DA – Direct Access
DAC-GT - Disadvantaged Communities Green Tariff
DER – Distributed Energy Resources
DG – Distributed Generation
DOE – Department of Energy
DR – Demand Response
DRP – Demand Response Provider
DRP/IDER – Distribution Resources Planning / Integrated Distributed Energy Resources
EBCE – East Bay Community Energy
ECOplus – PCE's default electricity product, 50% renewable and 50% carbon-free (in 2021)
ECO100 – PCE's 100% renewable energy product
EDR – Economic Development Rate
EE – Energy Efficiency
EEI – Edison Electric Institute; Standard contract to procure energy & RA
EIR – Environmental Impact Report
ELCC – Effective Load Carrying Capability
ESP – Electric Service Provider

ESS – Energy Storage Systems
ESSA – Energy Storage Services Agreement
ERRA – Energy Resource Recovery Account
EV – Electric Vehicle
EVSE – Electric Vehicle Supply Equipment (Charging Station)
FERA- Family Electric Rate Assistance Program
FERC – Federal Energy Regulatory Commission
FFS – Franchise Fee Surcharge
GHG – Greenhouse gas
GHG-Free – Greenhouse gas free
GTSR – Green Tariff Shared Renewables
GWh – Gigawatt Hours (Energy) = 1000 MWh
IDER – Integrated Distributed Energy Resources
IOU – Investor-Owned Utility (e.g. PG&E, SCE, SDG&E)
IRP – Integrated Resource Plan
IVR – Interactive Voice Response
ITC – Investment Tax Credit (it's a solar tax credit)
JCC – Joint Cost Comparison
JPA – Joint Powers Authority
JRC – Joint Rate Comparison
JRM – Joint Rate Mailer
kW – kilowatt (Power)
kWh – Kilowatt-hour (Energy)
LDS – Long Duration Storage
LDES – Long Duration Energy Storage
LIHEAP- Low Income Home Energy Assistance Program
Load Shaping – changing when grid energy is used
LSE – Load Serving Entity
MCE – Marin Clean Energy
Methane Gas - formerly known as 'natural gas'
Microgrid – building or community energy system
MW – Megawatt (Power) = 1000 kW
MWh – Megawatt-hour (Energy) = 1000 kWh
MUD – Multi-unit Dwelling
NBCs – non-bypassable charges
NEM – Net Energy Metering
NERC – North American Electric Reliability Corporation
NDA – Non-Disclosure Agreement
NG – Natural Gas
OBF – On-bill Financing
OBR – On-bill Repayment
OES – Office of Emergency Services
OIR – Order Instituting Rulemaking
PACE – Property Assessed Clean Energy
PCC – Portfolio Content Category (aka "buckets") – categories for RPS compliance
PCC1 – Portfolio Content Category 1 REC (also called bucket 1 REC)
PCC2 – Portfolio Content Category 2 REC (also called bucket 2 REC)
PCC3 – Portfolio Content Category 3 REC (also called bucket 3 REC or unbundled REC)

PCE – Peninsula Clean Energy Authority
PCIA – Power Charge Indifference Adjustment
PCL – Power Content Label
PLA – Project Labor Agreement
POU – Publicly Owned Utility
PPA – Power Purchase Agreement
PPSA – Project Participation Share Agreement (CC Power)
PSPS – Public Safety Power Shutoff
PV – Photovoltaics (solar panels)
RA – Resource Adequacy
RE – Renewable Energy
REC – Renewable Energy Credit/Certificate
RICAPS - Regionally Integrated Climate Action Planning Suite
RPS – California Renewable Portfolio Standard
SB xx – Senate Bill xx
SCP – Sonoma Clean Power
SJCE – San Jose Clean Energy
SJVAPCD - San Joaquin Valley Air Pollution Control District
SMD – Share My Data, interval meter data
SQMD – Settlement Quality Meter Data
SVCE – Silicon Valley Clean Energy
TEF – Transportation Electrification Framework (CPUC Proceeding)
TNCs – Transportation Network Companies (ridesharing companies)
TOB – Tariff on Bill
TOU RATES – Time of Use Rates
VGI – Vehicle-Grid Integration
V2G – Vehicle-to-Grid
VPP – Virtual Power Plant
WECC – Western Energy Coordinating Council
WREGIS – Western Renewable Energy Generation Information System
WSPP – Western Systems Power Pool; standard contract to procure energy and RA