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## June McHuen

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**From:** Theresa Speiker  
**Sent:** Tuesday, October 13, 2015 8:31 AM  
**To:** June McHuen  
**Subject:** FW: 10/13/2015 meeting - Huge Thanks for including CCA on the agenda.

fyi

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**From:** Clerk of the Board  
**Sent:** Tuesday, October 13, 2015 8:11 AM  
**To:** dist1staff; District3; District5; SupervisorMitchoff; Candace Andersen  
**Cc:** David Twa; Theresa Speiker  
**Subject:** FW: 10/13/2015 meeting - Huge Thanks for including CCA on the agenda.

Forwarded to the board on October 13, 2015

**From:** Arvind Goel [<mailto:arvindgoel@gmail.com>]  
**Sent:** Monday, October 12, 2015 5:10 PM  
**To:** Clerk of the Board  
**Subject:** 10/13/2015 meeting - Huge Thanks for including CCA on the agenda.

Please forward this note to the BOS for inclusion in the 10/13 meeting.

Hello Board members.

My name is Arvind Goel. I am a San Ramon resident, and an active volunteer and advocate for bringing clean energy to our communities. I applaud and thank you for including CCA program to the agenda for this meeting. I am very excited to see the interest in discussing the CCA program. Marin county, and our neighbors in Alameda county have already made significant progress in establishing and running a CCA program, and we can leverage from their efforts and investments. I have personally met some of you to discuss CCA, and will remain available to offer any volunteer assistance I can provide in assessing and establishing a CCA for our county.

I wish you and everyone involved with CCA, my sincere wishes and support.

I am unable to attend in person and appreciate your accepting my message via this email.

Again, thanks much.

Arvind Goel

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## **RESOLUTION OF THE EXECUTIVE COUNCIL OF THE CALIFORNIA LABOR FEDERATION**

### **Truth in Marketing Clean Energy**

*Submitted by IBEW Local 1245*

**WHEREAS**, electric utilities have long been a source of unionized workers for working Californians: Union members are directly employed by the utilities, union members work for the contractors hired by utilities and third party energy generators whose electricity is purchased by utilities sign project labor agreements to build their generation facilities; and

**WHEREAS**, California's Renewables Portfolio Standard (RPS), first established in 2002, and then accelerated in 2006 and expanded in 2011, is one of the most ambitious and effective renewable energy standards in the country; and

**WHEREAS**, in 2002, AB 117 created Community Choice Aggregation (CCA), which permits the procurement of electricity by local governments for its residents and businesses; and

**WHEREAS**, under California law, electric utilities, electric service providers and community choice aggregators must increase procurement from eligible renewable energy resources to 33% of total procurement by 2020; and

**WHEREAS**, Governor Jerry Brown has called for increasing procurement of renewable energy to 50% RPS by 2030; and

**WHEREAS**, the high demand for renewable energy is creating opportunities for work in the development of new renewable energy through the building of renewable energy generation facilities in California and the Labor community is united in providing as much of this work to union members as is possible; and

**WHEREAS**, State policy is to generate as much renewable energy as possible. Existing CCA agencies and CCA proponents have made extensive use of Renewable Energy Certificates or RECs to meet renewable energy requirements. RECS are not energy – they are financial instruments and they do not create renewable energy or promote green jobs. Even past proponents of RECs, such as the City and County of San Francisco and Alameda County have acknowledged that RECs are not desirable as part of a true clean energy program; and

**WHEREAS**, energy that truly accomplishes the dual purpose of creating career opportunities for Californians and combating climate change is generated from California solar, wind, geothermal, small hydro-electric or other state certified green power sources; and

**WHEREAS**, CCAs seek to attract customers by advertising the source of their energy and currently, energy can be marketed to consumers by CCAs as “green” or “clean” even if it is not actually renewable or greenhouse gas emissions free; and

**WHEREAS**, the California Labor Federation is committed to promoting the increased procurement and production of truly renewable or greenhouse gas emissions free sources of energy while creating thousands of union jobs for Californians.

**THEREFORE, BE IT RESOLVED**, that the California Labor Federation hereby formally urges the San Francisco Board of Supervisors and the SFPUC Commissioners, and the Boards of Supervisors of Alameda, Santa Barbara, Contra Costa, Humboldt, Lake, Los Angeles, Marin, Mendocino, Monterey, Napa, Solano, San Diego, San Luis Obispo, San Mateo, Santa Clara, Sonoma and Ventura counties to adopt the attached principles for any energy marketed as “clean” or “green” by any Community Choice Aggregation entity doing business in their county; and

**BE IT FURTHER RESOLVED**, the California Labor Federation will oppose the efforts of any existing or proposed Community Choice Aggregation entity, including Marin Clean Energy and CleanPowerSF, unless these principles are adopted and applied because “going green” should benefit local communities by creating good local union jobs and promoting real clean energy.

*Adopted on July 8, 2015 by the California Labor Federation*

# Principles for Labor Friendly Community Choice Aggregation

In order to ensure the greatest transparency for consumers and the greatest opportunity for workers to benefit from local clean energy production jobs, the California Labor Federation has determined that the following Principles must be adopted by any Community Choice Aggregation entity, including those operating in San Francisco, Marin or Alameda.

**1. Energy Identification** – Any Community Choice Aggregation will inform customers of the percentage of renewable, greenhouse-gas-free electricity offered. Power may be labeled as “clean” or “green” if it comes from renewable energy generated from solar, wind, geothermal and other eligible renewable energy resources in California and defined by California law in the Public Utilities Code as Category 1.

**2. Exclude RECs** – Any Community Choice Aggregation must provide renewable energy from actual renewable sources customers can trust while creating union jobs in the community for local workers. Renewable Energy Certificates (RECs) undermine these goals. There is no guarantee power content that includes voluntary RECs is clean or green therefore it must not be marketed as “clean” or “green” so as not to mislead the public.

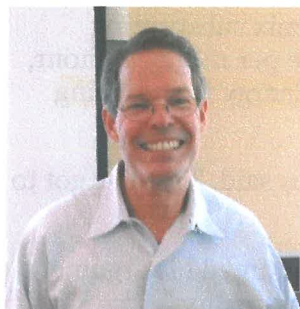
**3. Communication to Consumers** – The PUC will send at least three written notices to potential CCA customers, and each notice will include a description of the percentage of the power mix that comes from California solar, wind, geothermal, small hydro-electric or other state certified green power sources.

**4. Creating Union Jobs** – Any Community Choice Aggregation will procure Power from Union generated sources; employ unionized customer service representatives; sign Project Labor Agreements on each Power Generation Project and sign Project Labor Agreements on any Energy Efficiency Projects/Programs that the CCA Operates or signs onto.

**5. Community Benefits** - Any Community Choice Aggregation will sign Community Benefits Agreements to include local projects and local hiring.

*Adopted July 8, 2015 by the California Labor Federation*

# Critic of Marin Clean Energy presents his case to Marin Coalition



*Jim Phelps, an energy industry consultant, is photographed in San Rafael, Calif. on Wednesday, May 7, 2014. (Richard Halstead/Marin Independent Journal) Richard Halstead*

By Richard Halstead, Marin Independent Journal

<http://www.marinij.com/general-news/20140507/critic-of-marin-clean-energy-presents-his-case-to-marin-coalition>

POSTED: 05/07/14

An energy consultant who is one of the Marin Clean Energy Authority's most ardent critics got the chance to make his case against the authority unchallenged at a San Rafael meeting of the Marin Coalition on Wednesday.

➔ *Complete talk by energy expert Jim Phelps at the May 7, 2014 Marin Coalition Meeting held at Smith Ranch Country Club available at: <https://youtu.be/IssjISg34lU>*

"What's behind the green curtain?" asked Jim Phelps of Novato, who has worked as a consultant to the electric and petrochemical industries. "Lots of renewable energy certificates, lots of dirty power."

Dawn Weisz, Marin Clean Energy's executive officer, said, "We asked to be able to participate in dialogue with him today, and we were not allowed to be on the panel."

Basia Crane, a Marin Coalition board member, said no representatives from Marin Clean Energy were invited to participate due to a request from Phelps. The coalition, a community organization that holds forums on topical local issues, may invite a Marin Clean Energy representative to speak at a future meeting, a member said.

The authority, which consists of the county of Marin, all 11 of Marin's municipalities and the city of Richmond, serves as the retail electricity provider for 124,000 customers. The county of Napa and the cities of Albany and San Pablo have asked permission to join the authority, which could add another 27,000 customers. And a group of San Francisco supervisors has expressed interest in having the city, with its 475,000 residential and nonresidential electricity accounts, join the Marin agency.

The authority, which competes with the investor-owned Pacific Gas and Electric Co., was founded primarily to reduce greenhouse gas production by boosting the use of renewable energy sources. Fifty percent of the authority's energy comes from renewable sources, while renewable sources account for 20 percent of PG&E's energy.

Phelps focused his critique on Marin Clean Energy's use of renewable energy certificates, typically referred to as RECs. RECs are tradable commodities that certify that 1 megawatt-hour of electricity has been generated from an eligible renewable energy resource.

"These are just like going to the store buying a loaf of bread and getting a receipt," Phelps said.

He added, "Lots of big companies buy certificates because they feel like it helps the environment. They don't really know what is going on, that's just their own visceral sensibility."

Phelps asserted that clean-energy agencies such as Marin Clean Energy purchase RECs to cloak their use of "system power." He said system power, the mainstay of the electrical grid, consists

mainly of energy generated by burning natural gas and coal. That is important because coal and gas produce greenhouse gas emissions, while renewable energy sources don't.

"What happens is they buy a REC, and it is pasted on the front of this brown power," Phelps said. "Then they report to you, the consumers, that this is clean energy; but it's not."

Using this line of argument, Phelps analyzed the Marin authority's power mix substituting system power, which has an emission rate of 944 pounds of carbon dioxide per megawatt hour, for all of the authority's RECs. From that he concluded that **Marin Clean Energy is producing more greenhouse gas emissions than PG&E.**

"I don't give a hoot about PG&E; I could care less about those guys," Phelps said. "But I've got to talk about them because they're the de facto standard."

Asked about his assertions after the meeting, Weisz said, "The way he has framed his argument is not based on the regulatory environment or the market. It is not based on reality."

According to the federal Environmental Protection Agency, "An organization buying RECs can claim to be buying zero-emission, renewable electricity. RECs and utility green power are fundamentally equivalent environmental products."

And the California Public Utilities Commission, which regulates both PG&E and Marin Clean Energy, states, "A REC represents the environmental and renewable attributes of renewable electricity."

Phelps also criticized the authority for waiting more than a year to purchase 10,500 RECs that reduced its greenhouse gas emission rates in 2011.

**Phelps said, "What had happened was MCE's emission rate was higher than PG&E's so they went in the market afterwards and they bought those 10,500 instruments so they could undercut PG&E."**

Weisz responded to that issue when Phelps first raised it in December with Marin Supervisor Kathrin Sears, who is on Marin Clean Energy's board.

In a letter, Weisz wrote, "In the simplest of terms, MCE made a commitment to deliver a lower emission factor than PG&E, and that commitment was honored."

Weisz said one reason for the delay was that "large utilities require time to reconcile variations in energy deliveries within a calendar year with usage and to then create accurate reporting."

Phelps, who has written dozens of letters to the Independent Journal criticizing Marin Clean Energy over the past five years, said his wife is jealous of the amount of time he spends on the issue.

He has worked in the past for both PG&E and Shell Energy, one of the authority's major energy suppliers. But he kicked off his talk Wednesday with a disclaimer.

"I'm not here at anybody's behest. I'm not paid or have ever been paid by PG&E for any of the work that I do on community choice aggregation."

Contact Richard Halstead via e-mail at [rhalstead@marinij.com](mailto:rhalstead@marinij.com).