

VALLEY CLEAN ENERGY ALLIANCE

Staff Report – Item 7

To: Community Advisory Committee

From: Mitch Sears, Interim General Manager

Subject: List of Legislative Bills

Date: April 22, 2021

Pacific Policy Group, VCE's lobby services consultant, continues to track and work with Staff and the CAC's Legislative - Regulatory Task Group on several legislative bills. Below is a summary:

[SB 612](#) ([Portantino D](#)) **Electrical corporations and other load-serving entities: allocation of legacy resources.**

Current Text: Amended: 4/13/2021 [html](#) [pdf](#)

Summary:

Would require an electrical corporation, by July 1, 2022, and not less than once every 3 years thereafter, to offer an allocation of each product, as defined, arising from legacy resources, as defined, to its bundled customers and to other load-serving entities, defined to include electric service providers and community choice aggregators, serving departing load customers, as defined, who bear cost responsibility for those resources. The bill would authorize a load-serving entity within the service territory of the electrical corporation to elect to receive all or a portion of the vintaged proportional share of products allocated to its end-use customers and, if so, require it to pay to the electrical corporation the commission-established market price benchmark for the vintage proportional share of products received.

Position: Support

[AB 64](#) ([Quirk D](#)) **Electricity: long-term backup electricity supply strategy.**

Current Text: Amended: 3/23/2021 [html](#) [pdf](#)

Summary: Would require the PUC, Energy Commission, and State Energy Resources Conservation and Development Commission, in consultation with all balancing authorities, to additionally develop a strategy, by January 1, 2024, that achieves (1) a target of 5 gigawatthours of operational long-term backup electricity, as specified, by December 31, 2030, and (2) a target of at least an additional 5 gigawatthours of operational long-term backup electricity in each subsequent year through 2045. The bill would require the commission, by January 1, 2024, to submit the strategy developed in a report to the Legislature, and by January 1 of each 4th year thereafter, through January 1, 2044, would require the commission to submit a report to the Legislature detailing the progress made toward achieving the targets of the long-term backup electricity supply strategy.

[AB 339](#) ([Lee D](#)) **Local government: open and public meetings.**

Current Text: Amended: 4/15/2021 [html](#) [pdf](#)

Summary: The Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all

persons be permitted to attend and participate. Under existing law, a member of the legislative body who attends a meeting where action is taken in violation of this provision, with the intent to deprive the public of information that the member knows the public is entitled to, is guilty of a crime. This bill would require all meetings to include an opportunity for members of the public to attend via a telephonic option and an internet-based service option. The bill would require all meetings to include an in-person public comment opportunity, except in specified circumstances during a declared state or local emergency. The bill would require all meetings to provide the public with an opportunity to comment on proposed legislation in person and remotely via a telephonic and an internet-based service option, as provided, and would specify requirements for public comment registration.

[AB 361](#) ([Rivas, Robert D](#)) **Open meetings: local agencies: teleconferences.**

Current Text: Amended: 4/6/2021 [html](#) [pdf](#)

Summary: Would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting for the purpose of declaring or ratifying a local emergency, during a declared state of emergency or local emergency, as those terms are defined, when state or local health officials have imposed or recommended measures to promote social distancing, and during a declared local emergency provided the legislative body makes certain determinations by majority vote. The bill would require legislative bodies that hold teleconferenced meetings under these abbreviated teleconferencing procedures to give notice of the meeting and post agendas, as described, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment.

[AB 427](#) ([Bauer-Kahan D](#)) **Electricity: resource adequacy requirements.**

Current Text: Introduced: 2/4/2021 [html](#) [pdf](#)

Summary: Current law requires that the resource adequacy program achieve specified objectives, including to establish new or maintain existing demand response products and tariffs that facilitate the economic dispatch and use of demand response that can either meet or reduce an electrical corporation's resource adequacy requirements, as determined by the PUC. This bill would require the PUC, by July 1, 2022, and in furtherance of the above-described objective, to (1) establish rules that allow demand response programs and resources procured by a load-serving entity to meet the load-serving entity's resource adequacy requirements regardless of whether the program is integrated into the wholesale market overseen by the ISO, (2) adopt a baseline methodology that treats the charging of energy storage as load in baseline calculations for demand response programs, (3) allow customer-sited distributed eligible renewable energy resources and energy storage systems participating in a demand response program, or product developed pursuant to (1), to deliver electricity to the grid for purposes of providing resource adequacy, and (4) establish a capacity valuation methodology for customer-sited energy storage resources and customer-sited hybrid resources, as defined, in consultation with the ISO and the State Energy Resources Conservation and Development Commission, and ensure that the capacity valuation applies to demand response resources coupled with customer-sited hybrid or customer-sited storage resources for the 2023 resource adequacy year.

[AB 843](#) ([Aguiar-Curry D](#)) **California Renewables Portfolio Standard Program: renewable feed-in tariff: Bioenergy Market Adjusting Tariff program: community choice aggregators.**

Current Text: Amended: 4/12/2021 [html](#) [pdf](#)

Summary: The California Renewables Portfolio Standard Program requires every electrical corporation to file with the Public Utilities Commission a standard tariff for electricity generated

by an electric generation facility, as defined, that qualifies for the tariff, is owned and operated by a retail customer of the electrical corporation, and is located within the service territory of, and developed to sell electricity to, the electrical corporation. The commission refers to this requirement as the renewable feed-in tariff. This bill would provide that the renewable feed-in tariff would apply to a qualifying electric generation facility that is developed to sell electricity to the electrical corporation or, for a bioenergy electric generation facility, to an electrical corporation or a community choice aggregator within the electrical corporation's service territory.

Position: Support

[AB 1088](#) ([Mayes I](#)) California Procurement Authority.

Current Text: Introduced: 2/18/2021 [html](#) [pdf](#)

Summary: Would establish the California Procurement Authority as a central procurement entity to ensure that load-serving entities collectively have adequate electrical resources, both in the short run and long run, as are necessary to ensure resource adequacy and to achieve the purposes of the integrated resource planning process. The bill would require the Public Utilities Commission, in consultation with the Independent System Operator and the Office of the Ratepayer Advocate, to develop an implementing framework for the authority through a public process by January 1, 2023, and would require the commission to ensure that the authority is operational by January 1, 2024.

[AB 1161](#) ([Garcia, Eduardo D](#)) Electricity: eligible renewable energy and zero-carbon resources: state agencies: procurement.

Current Text: Amended: 4/13/2021 [html](#) [pdf](#)

Summary: Would enact the Clean Economy and Clean Jobs Stimulus Act of 2021 and would require the Department of Water Resources to procure newly developed eligible renewable energy resources or zero-carbon resources, and energy storage associated with those resources, in an amount that satisfies 100 percent of the electricity procured to serve all state agencies by December 31, 2030, as provided

[SB 67](#) ([Becker D](#)) Clean energy: California 24/7 Clean Energy Standard Program.

Current Text: Amended: 3/3/2021 [html](#) [pdf](#)

Summary: Current law establishes as policy of the state that eligible renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers and 100% of electricity procured to serve all state agencies by December 31, 2045. This bill would revise that policy to establish a goal that 100% of electrical load be supplied by eligible clean energy resources, as defined. The bill would establish the California 24/7 Clean Energy Standard Program, which would require that 85% of retail sales annually and at least 60% of retail sales within certain subperiods by December 31, 2030, and 90% of retail sales annually and at least 75% of retail sales within certain subperiods by December 31, 2035, be supplied by eligible clean energy resources, as defined.

[SB 99](#) ([Dodd D](#)) Community Energy Resilience Act of 2021.

Current Text: Amended: 4/12/2021 [html](#) [pdf](#)

Summary: This bill, the Community Energy Resilience Act of 2021, would require the commission to develop and implement a grant program for local governments to develop community energy resilience plans and expedite permit review of distributed energy resources. The bill would authorize a community choice aggregator or other regional energy collaborative to apply for funding and prepare a community energy resilience plan on behalf of one or more of the local governments it serves upon request of that local government. The bill would set forth guiding principles for plan development, including equitable access to reliable energy, as

provided. The bill would require plans to be consistent with the city, county, or city and county general plan and other local government planning documents.

Position: Support

[SB 204](#) ([Dodd D](#)) **Electricity: demand response.**

Current Text: Amended: 3/23/2021 [html](#) [pdf](#)

Summary: Current law requires the Public Utilities Commission to establish rules for how and when backup generation may be used within a demand response program and to establish reporting and data collection requirements to verify compliance with those rules. Pursuant to current law, the commission has authorized the state's 3 largest electrical corporations to offer reliability-based demand response programs, including the base interruptible program, which is available to qualifying nonresidential customers of an electrical corporation. This bill would require that the base interruptible program be available to qualifying commercial and industrial customers regardless of the load-serving entity that is that customer's supplier of electricity. The bill would require that the minimum incentive levels for program participation for the 2023 calendar year be those applicable within the service territory of each electrical corporation during 2018, adjusted for inflation using a price index determined by the commission to be appropriate.