



Board of Directors

Special & Regular Meeting

October 28, 2021



Special Meeting Agenda

Call to Order

Roll Call

Public Comments on Closed Session Items

Closed Session

1. Public Employee Appointment Pursuant to Government Code Section 54957

Title: Chief Executive Officer

2. Conference with Legal Counsel – Anticipated Litigation

Significant exposure to litigation pursuant to paragraph (3) of subdivision (d) of Section 54956.9: Two (2) potential cases

Report from Closed Session

Adjournment

Closed Session

Closed Session

- 1. Public Employee Appointment Pursuant to Government Code Section 54957**
Title: Chief Executive Officer
- 2. Conference with Legal Counsel – Anticipated Litigation**
Significant exposure to litigation pursuant to paragraph (3) of subdivision (d) of Section 54956.9:
Two (2) potential cases

Special Meeting Agenda

Report from Closed Session Adjournment

Regular Meeting Agenda

Welcome

Call to Order

Pledge of Allegiance

Roll Call

Items to be Added, Withdrawn, or Reordered on the Agenda

Public Comment for Items Not on the Agenda

Consent Agenda

- 5 Review of Draft Amended and Restated Joint Powers Agreement
- 6 Approval of Collections/Delinquency Policy
- 7 Approval of Phase 3 Net Energy Metering (NEM) Enrollment Schedule
- 8 Operations and Administration Report from the Interim Chief Executive Officer
- 9 Receive and File Treasurer's Report for 2022 Fiscal Year-to-Date period ended 8/31/21
- 10 Update on Phase 2 Marketing and Public Relations
- 11 Update on Regulatory and Legislative Affairs
- 12 Power Resources Monthly Update
- 13 Finance and Risk Management Committee Report
- 14 Update on CEO Search Ad Hoc Committee Efforts

Reports by Management and General Counsel

Director Comments

Adjournment



Consent Agenda

- 1. Approval of the minutes of the Regular Meeting of the Board of Directors of San Diego Community Power held on August 26, 2021**
- 2. Back Office Metrics/Dashboard Monthly Update**
- 3. Approval of Community Advisory Committee Fiscal Year 2021-2022 Work Plan**
- 4. Approval of Findings to Continue Holding Remote/Teleconference Meetings Pursuant to Assembly Bill 361**

Item 5

Review of Draft Amended and Restated Joint Powers Agreement

Recommendations:

Discuss draft Amended and Restated JPA Agreement and consider directing staff to provide SDCP Member Agencies, including anticipated new Member Agencies, with a copy of the draft Amended and Restated JPA Agreement and conforming changes to the SDCP Bylaws and place the Amended and Restated JPA Agreement and updated Bylaws on a future SDCP agenda for final approval.

Presenter:
General Counsel

History

- October 1, 2019 – JPA formation
- November 19, 2019 – JPA name change
- June 24, 2021 – *Ad hoc* committee formation

Procedures for Amending JPA or Bylaws

- Board to consider amendments at an open and public meeting
- Direct the CEO to provide written notice to the member agencies of the proposed amendments at least 30 days prior to adoption (*majority vote*)
- Notice would include County of San Diego and National City
- At least 30 days after notice, approve amendments (*2/3 vote*)

Proposed Amendments

- Incorporates the name change
- Updates the history of the JPA amendment (*Recital 1*)
- Adds template signature page and signatures pages of new member agencies (*Sec. 2.4.4; Exh. F*)
- Clarifies annual energy use used to calculate Voting Shares Vote is calendar year (*Sec. 4.11.3(a)*)

Proposed Amendments

- Updates Voting Shares Vote (Sec. 4.11.2(a))
- Currently – 3 or more Directors can request.
- Proposal – If there are 8 or more Directors, one less than a quorum of the Board (e.g., 8-9 Directors then 4 Directors must call for a VSV)
- VSV updated annually by March 1 and when new members added (Sec. 4.11.3(b))

Proposed Amendments

- Change election of Chair and Vice-Chair from beginning of FY to calendar year to better align with member appointments (Sec. 5.1)
- Chair and Vice-Chair to serve for one year or until successor is elected (Sec. 5.2)
- Clarify that alternate Directors may be appointed to serve on Finance and Risk Management Committee (Sec. 5.10.2)
- Clarifying changes will be made to Bylaws

Item 6

Approval of Collections/Delinquency Policy

Recommendation:

Approve the Collections/Delinquency Policy

Presenter:

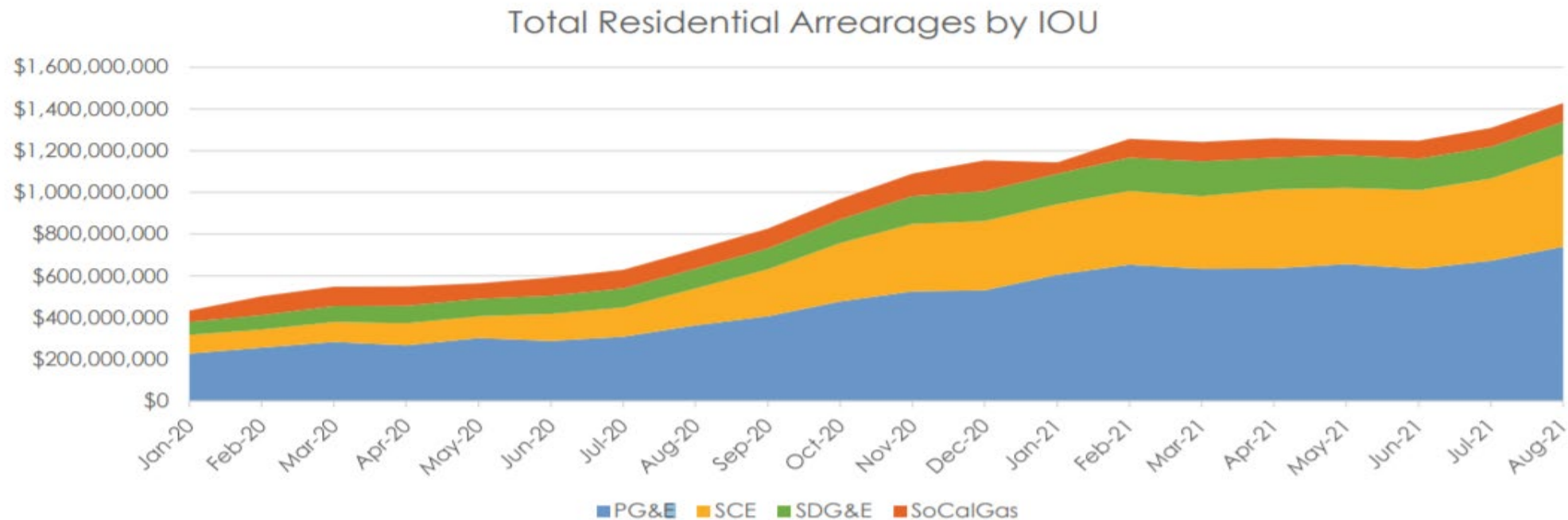
Lucas Utouh, Director of Data Analytics
and Account Services

Objectives of Collections/Delinquency Policy

- Provide a framework for SDCP staff and Back Office Service provider to better serve our customers, to treat them with respect and dignity, and to set clear expectations on the handling of past due customer charges (arrearages).
- Minimize and mitigate bad debts for the overall long term financial viability, resiliency and competitiveness of our organization.

State of Arrearages in Our Region

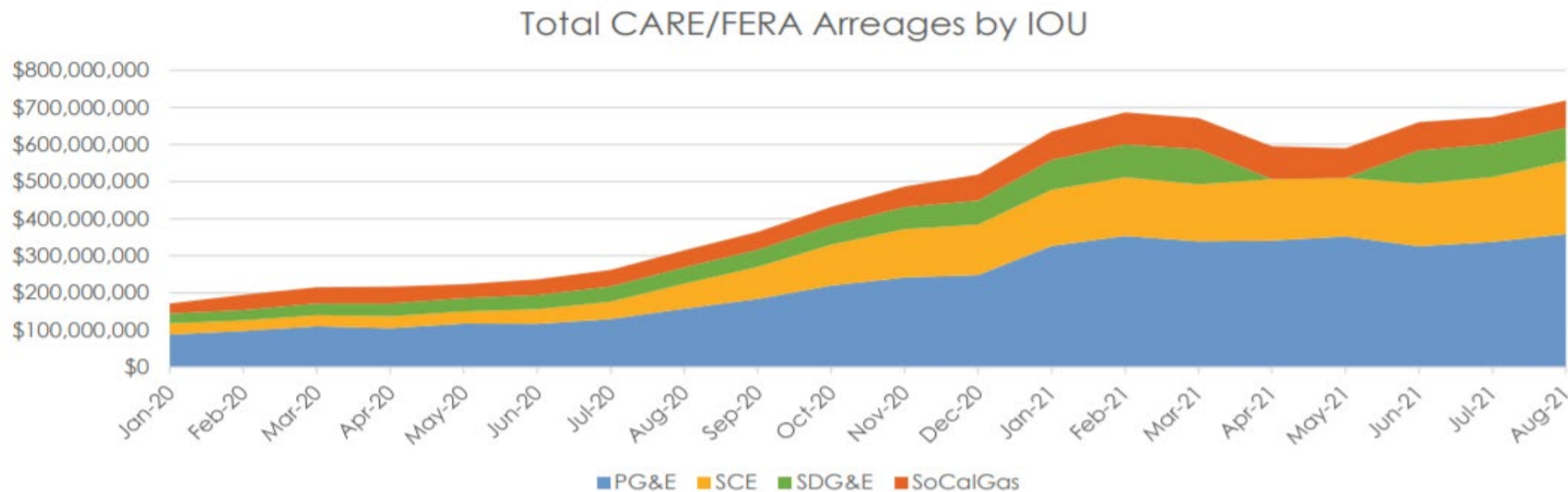
Arrearages during COVID-19 (all customers)



*Data from the California Public Utilities Commission (CPUC).

State of Arrearages in Our Region

Arrearages during COVID-19 (CARE/FERA)



- SDG&E has not yet reported CARE/FERA data for April and May 2021.

*Data from the California Public Utilities Commission (CPUC).

Programs to assist customers with Arrearages

1. Low-Income Home Energy Assistance Program (LIHEAP) program

- Federally funded and administered by the California Department of Community Service and Development (CSD), offers up to \$1,000 in financial aid for SDG&E customer bills.

2. Arrearage Management Payment (AMP) program

- Enrollee must be a current SDG&E residential customer and must participate in the CARE or FERA program.
- Customers with electric service must have a past due balance of \$500 or more.
- AMP will forgive a maximum of \$8,000 upon successful completion in the program.

3. California Arrearage Payment Program (CAPP)

- \$1 billion state budget allocation for past-due energy bills during COVID; \$694.5 million allocated for IOUs and CCAs
- Utilities will apply on behalf of customers and apply credits automatically for arrearages between 3/4/2020 and 6/15/2021.

Programs to assist customers with Arrearages

4. Percentage of Income Payment Plan (PIPP) pilot program.

- Allows a participant to pay a predetermined affordable percentage of their monthly income toward their electricity or natural gas bill.
- Participants will receive a monthly bill cap for current charges set at 4% of their household's income.

5. Automatic Extended Payment Plans.

- Ordered by the CPUC in June 2021 whereby:
 - Residential and small business customers
 - 24 month plans for residential customers, 24+ for small business customers
 - 5% for small business customers located in a Disadvantaged Community
 - Customers may miss up to 3 payments before the payment plan is considered broken

More details provided here: <https://sdcommunitypower.org/billing-rates/bill-payment-assistance/>

SDCP's Collections/Delinquency Policy Draft

Highlights for Active SDCP Customers' handling:

- Any active SDCP customer who has overdue SDCP charges that exceed \$250 depicted on their SDG&E bill will receive a late payment notification letter from SDCP.
 - Letter sent after being 60 days past due and a second letter at 90 days past due, will include avenues available to pay the overdue SDCP charges.
 - Customer will have 30 days after the second and final late payment notification letter is sent to either pay in full or installments.
 - If payment in full is not received within 30 days, or the terms are not fulfilled, the delinquent SDCP customer account will be closed and returned to SDG&E bundled generation service.
- * Customers already on any SDG&E payment arrangement plans who are meeting the payment plan requirements will be excluded from receiving late payment notifications and/or being subjected to our collections and delinquent accounts handling protocols.**

SDCP's Collections/Delinquency Policy Draft

Highlights for Non-Active SDCP Customers' handling:

- Any overdue SDCP charges (120 days or more past due) totaling \$20.00 or more which have not been paid by the customer who is no longer active with SDCP **may** be referred to a collections agency for settlement.
- Any overdue SDCP charges (120 days or more past due) totaling \$19.99 or less **may** be considered bad debt and written off.
- No accrued interest will be charged on any customer account.
- SDCP will select a local collections agency to enforce this policy.
- If a customer has not paid within 180 days following the initiation of the collections process, the collection agency **may** file credit reporting information on the customer with all applicable agencies.
- Under the guidance of SDCP, the collections agency may be authorized to pursue legal action on any customer with an outstanding balance of \$750 or more.

Item 7

Approval of Phase 3 Net Energy Metering (NEM) Enrollment Schedule

Recommendation:

Approve the Phase 3 NEM Enrollment Schedule

Presenter:

Lucas Utouh, Director of Data Analytics and Account Services

Background: Phase 3 Board Approved Enrollment Schedule

- In April 2021, the Board approved the following phase-in schedule for Phase 3 customer enrollment:
 - February 2020: Imperial Beach
 - March 2022: La Mesa
 - April 2022: Encinitas
 - May 2022: Chula Vista and San Diego
- Subsequently in May 2021, the Board approved updates to the Net Energy Metering (NEM) program and amended the NEM program policy wherein:
 - Under section D, the amendment called for us to phase in NEM customers into our service on a monthly basis. As stipulated in this section of the Board approved policy, the transition to our service will occur at the conclusion of a NEM customer's relevant period with SDG&E. This approach is to minimize any impacts from when the SDG&E NEM customers' true-ups occur and when SDCP's service begins.

The benefits of phasing in NEM customers on a monthly basis at the conclusion of their relevant period:

- Customer-centric enrollment to make transition into SDCP service as seamless as possible.
- Allows for customers to effectively complete the 12 months relevant period whereby they're able to use the credits accrued to offset the charges incurred throughout the period covering both Winter and Summer months.
- Allows for better logistics from a statutory mailing of customers' Pre and Post Enrollment notices.
- Overall provides for the best and seamless customer experience.

Proposed Overall Phase 3 Enrollment Schedule:

- By Member City
 - Feb 2022 – Imperial Beach
 - Mar 2022 – La Mesa
 - Apr 2022 – Encinitas
 - May 2022 – San Diego
Chula Vista

And,

- By NEM true-up month
starting February 2022; regardless
of member city.

Estimated counts as of 10/01/2021 based on Meter Read Date (MRD) month

Target Group	Feb 2022	Mar 2022	Apr 2022	May 2022	Jun 2022	Jul 2022	Aug 2022	Sep 2022	Oct 2022	Nov 2022	Dec 2022	Jan 2023	Total
Feb - Imperial Beach	9,781												9,781
Mar - La Mesa		22,842											22,842
Apr - Encinitas			20,465										20,465
May - San Diego, Chula Vista				556,052									556,052
Feb NEM	6,356												6,356
Mar NEM		7,559											7,559
Apr NEM			7,376										7,376
May NEM				7,825									7,825
Jun NEM					8,137								8,137
Jul NEM						7,849							7,849
Aug NEM							9,527						9,527
Sep NEM								8,392					8,392
Oct NEM									7,443				7,443
Nov NEM										8,243			8,243
Dec NEM											9,206		9,206
Jan NEM												7,299	7,299
Total	16,137	30,401	27,841	563,877	8,137	7,849	9,527	8,392	7,443	8,243	9,206	7,299	704,352

All customers included in Phase 3 mass enrollment will have vintage year 2021.

Item 8

Operations and Administration Report from the Interim Chief Executive Officer

Item 9

Receive and File Treasure's Report for 2022 Fiscal Year-to-Date period ended 8/31/21

YTD FY22 Budget v. Actual

Results for the period were positive compared to the budget:

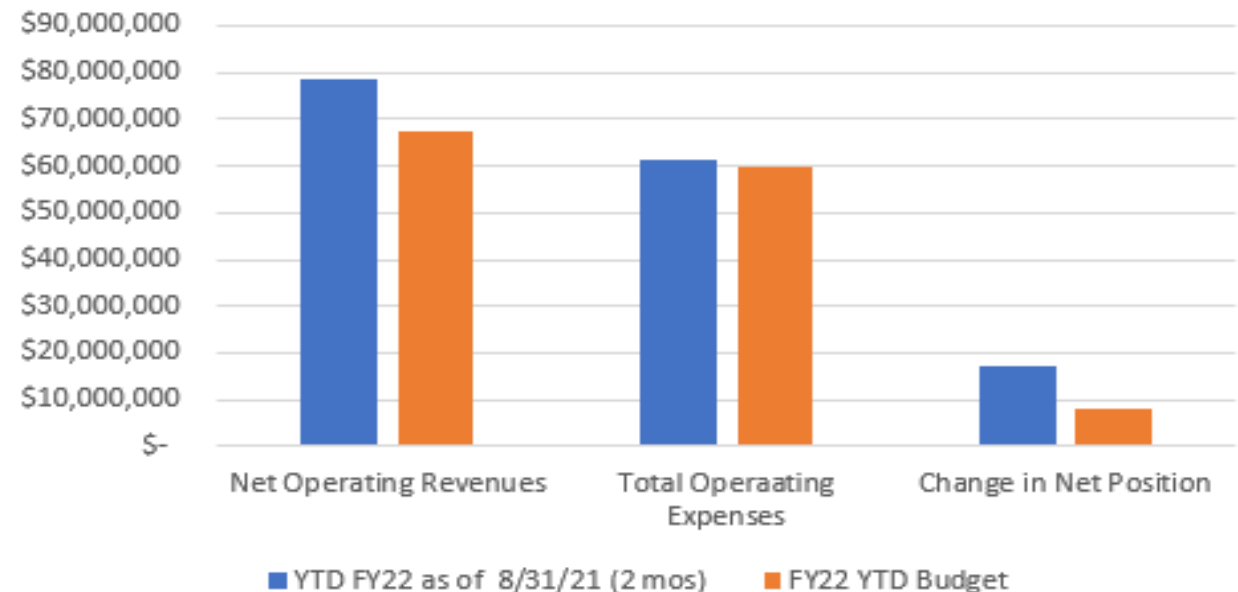
- Net operating revenues finished 17% ahead of budget
- Operating expenses came in 3% over budget driven by energy cost.

Financial results for the YTD FY22:

- \$78.8 million in net operating revenues
- \$61.5 million in total expenses (includes energy costs-\$60.4 million)
- \$17.3 million change in net position

	YTD FY22 as of 8/31/21 (2 mos)	Budget Comparison		Budget (%)
		FY22 YTD Budget	Budget Variance (\$)	
Net Operating Revenues	\$ 78,812,760	\$ 67,591,399	\$ 11,221,361	117
Total Expenses	\$ 61,534,106	\$ 59,625,706	\$ 1,908,400	103
Change in Net Position	\$ 17,278,654	\$ 7,965,693	\$ 9,312,961	

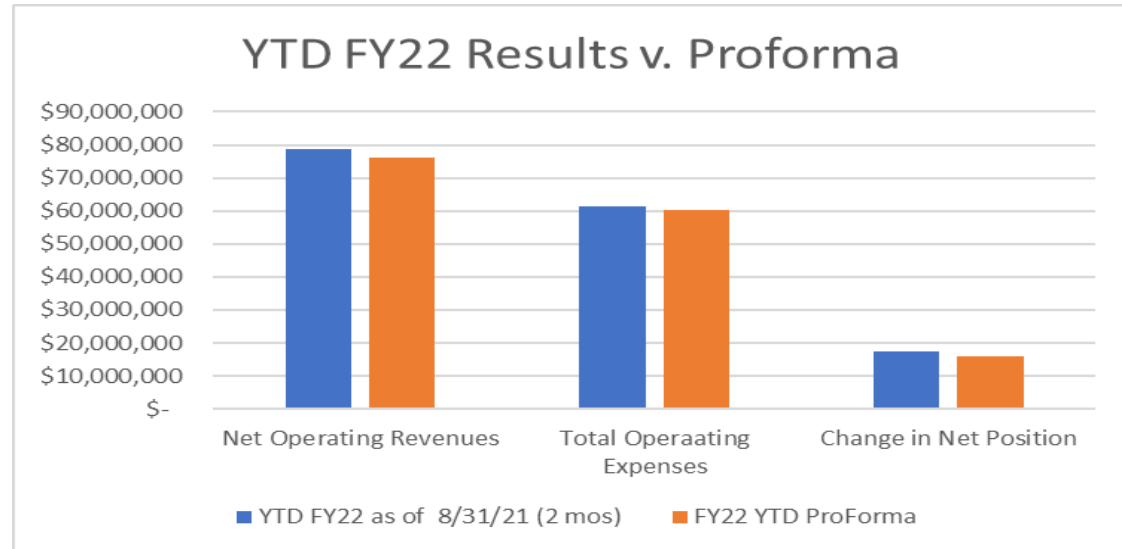
YTD FY22 Results



YTD FY22 Actual v. Proforma

- Overall, financial results for the period exceeded proforma
- Net operating revenues were \$2.5M over
- Total expenses were \$1.2M over
- Change in net position was \$1.3M over

		Proforma Comparison		
	YTD FY22 as of 8/31/21 (2 mos)	FY22 YTD ProForma	ProForma Variance (\$)	Proforma (%)
Net Operating Revenues	\$ 78,812,760	\$ 76,291,368	\$ 2,521,392	3.30%
Total Expenses	\$ 61,534,106	\$ 60,347,009	\$ 1,187,097	1.97%
Change in Net Position	\$ 17,278,654	\$ 15,944,359	\$ 1,334,295	8.37%



Item 10

Update on Phase 2 Marketing and Public Relations

Presenter:

Rita De la Fuente,
Director of External Relations

Marketing and Public Relations

Goals

- Establish awareness and trust of San Diego Community Power
- Minimize Opt-outs
- Drive landing page visits for commercial and industrial customers to learn more
- Support Key Account Outreach underway by the Account Services Team

Campaign Concepts

WIN – WIN – WIN

Our service not only provides more renewable energy, but also makes a positive impact in the community, while being competitively priced.

LOCAL PRIDE

With SDCP, San Diego companies can reach their renewable energy goals while knowing they're making a positive impact to their communities.

Media Channel	Language	June				July				August				Total Spend	Est. Impressions
		31	7	14	21	28	5	12	19	26	2	9	16		
San Diego Union Tribune: (Sponsored Content)	English			Week of 6/14						7/31				\$5,882	400,000
		\$2,614				\$2,614				\$654					
Voice & Viewpoint (1/2 Page)	English	6/3												\$2,414	25,000
		\$2,414													
KPBS Public Radio (:15 Audio)	English	6/1								7/31				\$10,500	311,500
		\$4,335				\$3,060				\$1,530					
San Diego Business Journal (Full Page)	English		6/7											\$2,647	11,000
		\$2,647													
Facebook / Instagram (Sponsored Posts)	English	Week of 5/31								7/31				\$3,556	366,869
		\$1,581				\$1,581				\$395					
Paid Search (Google)	English	Week of 5/31								7/31				\$2,912	56,542
		\$1,294				\$1,294				\$324					
LinkedIn (Sponsored Posts)	English	Week of 5/31								7/31				\$3,500	170,746
		\$1,556				\$1,556				\$389					
El Latino (Full Page)	Spanish			6/18										\$3,353	40,000
		\$3,353													
Univision	Spanish		6/7						7/25					\$8,235	427,000
		\$8,235													
PLAN TOTAL														\$43,000	1,114,369

San Diego Voice & Viewpoint



**Make a positive impact
in your community while
getting cleaner power at
competitive rates.**

That's a win-win-win.

We're your energy partners working with SDG&E to bring you competitively priced electricity from renewable sources. We focus on our community, to provide local control of energy choices and a proven path to affordable, 100% renewable power. **It's our priority to provide cleaner energy at competitive rates.**

Commercial and Industrial customers will have their service launch in June 2021 and Residential customers will begin rolling out service in February 2022.

Learn more at SDCommunityPower.org



San Diego Business Journal



There's a cleaner power option, who reinvests in your community.

Oh, hey, we're competitively priced too.

We're your energy partners working with SDG&E to bring you competitively priced electricity from renewable sources. We focus on our community, to provide local control of energy choices and a proven path to affordable, 100% renewable power. **It's our priority to provide cleaner energy at competitive rates.**

Commercial and Industrial customers will have their service launch in June 2021 and Residential customers will begin rolling out service in February 2022.

Learn more at SDCommunityPower.org



El Latino

Hay un nuevo proveedor
de electricidad que te
da energía más limpia y
que reinvierte en nuestras
comunidades.

¡Oh! Y también tenemos precios competitivos.



Manteniendo nuestras comunidades en cuenta, obtenemos energía más renovable a precios competitivos, y trabajamos con SDG&E para asegurar que la electricidad llegue a donde la necesite. Ahora tendrás control local sobre tus opciones de energía, creando un camino comprobado para llegar a un futuro de 100 por ciento energía renovable.

Este junio del 2021, San Diego Community Power lanzará servicio para los clientes comerciales e industriales y en febrero del 2022, lanzaremos servicio para clientes residenciales.

Obtenga más información en nuestra página web,
SDCommunityPower.org



Social Media

**San Diego Community Power**
Sponsored

...

We put our communities first, while helping you toward a more sustainable energy future.



Make a positive impact in your community while getting cleaner power at competitive rates.
That's a win-win-win.


SDCOMMUNITYPOWER.ORG
Commercial launch in June
It's time for change


LEARN MORE

 Like  Comment  Share





Instagram

**sdcommunitypwr**
Sponsored



There's a cleaner power option, who reinvests in your community.
Oh, hey, we're competitively priced too.

[Learn More](#)

♥ 127 likes

sdcommunitypwr Locally managed, we put our communities first, while helping you take a giant step toward a more sustainable energy future.

Co-marketing



Power100 Champions like the San Diego International Airport are helping secure our region's cleaner, greener future.

100% renewable,
100% carbon-free.

Power100 is our most effective tier to help you reduce your carbon footprint. **Power100 energy content is 100% renewable, 100% carbon-free - and eliminates your greenhouse gas production through electric energy use.** Service is available to commercial customers now and will launch for residential customers in February 2022.

San Diego Community Power is proud of our Power100 Champion Businesses. Learn how you can opt up: SDCommunityPower.org

To learn more about SAN's commitment to sustainability please visit sustain.san.org

Power100 CHAMPION
POWERED BY 100% RENEWABLE ENERGY
SAN DIEGO COMMUNITY POWER



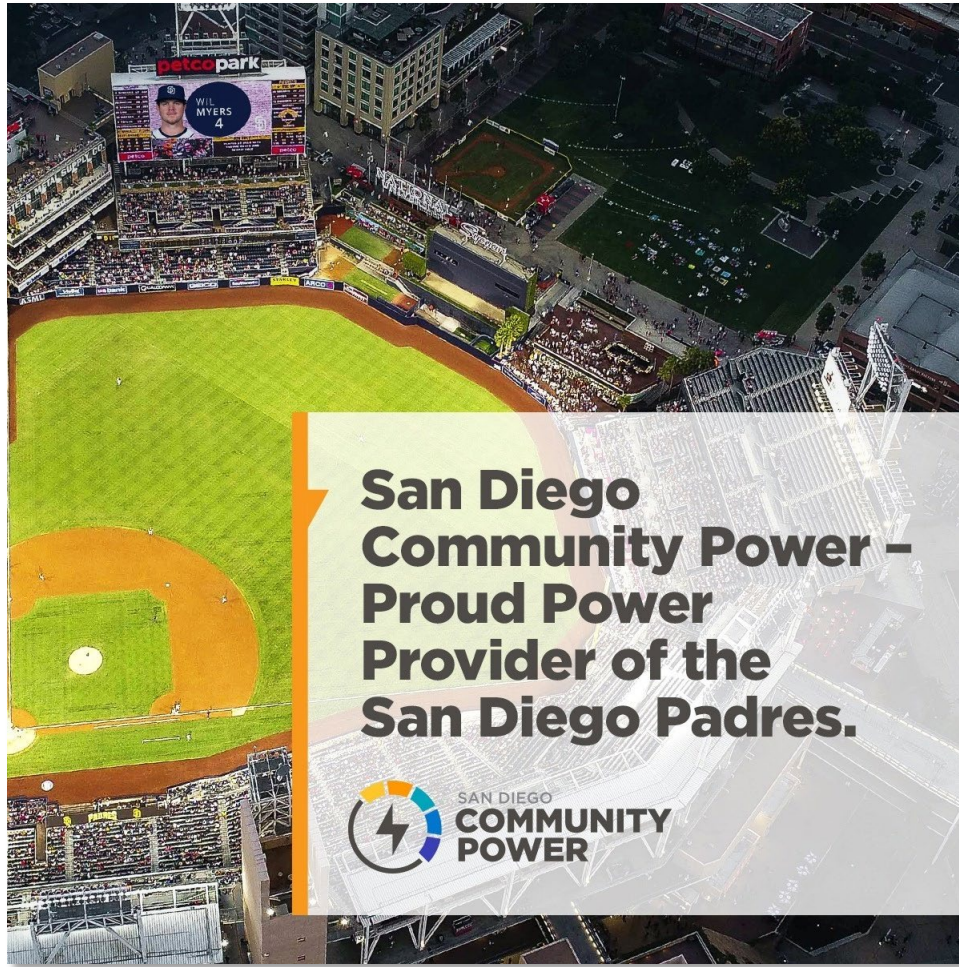
Power100 CHAMPION
POWERED BY 100% RENEWABLE ENERGY
SAN DIEGO COMMUNITY POWER

**100% renewable
100% carbon-free**

Provided by San Diego Community Power

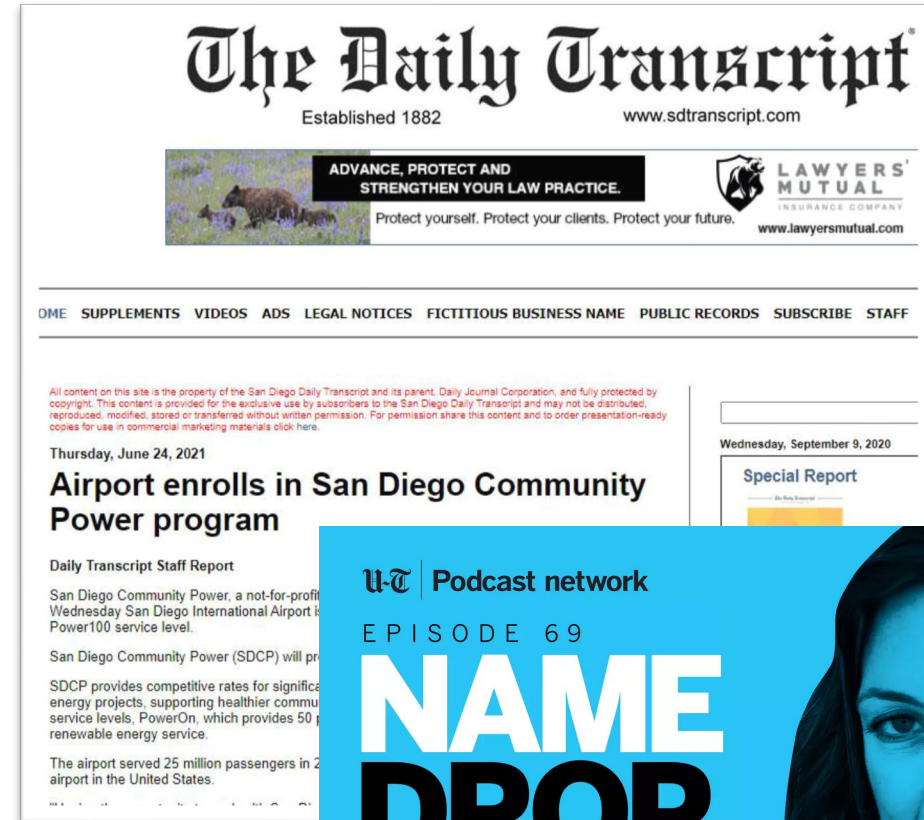
illumina®

Partnership with SD Padres, SD Loyal



Communications & Outreach

- Press:
 - Phase 2 Launch
 - RAI Energy/Viking Farms
 - BayWa r.e. Partnership
 - Power100Champions
 - River City Bank Newsletter
 - SD Union-Tribune Advertorial
- Local Podcasts
- Presentations to Businesses/Community



Direct Mail



Now is the time for cleaner energy choices, competitive electricity rates that are managed by the people who use them, and for programs that benefit you.

Welcome to San Diego Community Power.

Presorted
Standard
U. S. Postage
PAID
San Diego, CA
Permit No. 2256

San Diego Community Power



San Diego Community Power (SDCP) is here and we're happy to be serving your community! Being a part of San Diego Community Power gives you the choice of cleaner electricity at competitive rates. As a locally managed, not-for-profit agency, we focus on the needs of our communities first.

As of June 1, 2021*, San Diego Community Power became your new electric generation service provider.

Your Encinitas City Council knows you care about doing all you can to eliminate your carbon footprint through energy consumption and because of that you are now receiving 100% renewable energy thanks to our **Power100** service.



WANT TO KNOW YOUR OPTIONS?

You always have the choice to opt-down to our competitively priced **PowerOn** standard service, for 50% renewable electricity. Or, you can always choose to return to San Diego Gas & Electric (SDG&E) service, but we think you'll agree that staying with **Power100** is the most effective tool to help you reduce your carbon footprint.

To learn more about San Diego Community Power and our benefits, change your service level, or to opt out, visit: www.SDCommunityPower.org or call 1-888-382-0169

*June 2021 began enrollment for Commercial and Industrial accounts only. Residential accounts will begin enrollment starting in February 2022. For more information on enrollment please see the FAQ section of our website at www.SDCommunityPower.org/faq. The terms and conditions of our service can be found at www.SDCommunityPower.org/terms-and-conditions.

Here are the benefits that you can expect from San Diego Community Power:

- **Cleaner power at competitive prices** with tiered energy programs to support healthier communities
- **Locally managed and controlled** to prioritize people and rate transparency
- **Reinvestment of revenues into community programs** that support economic vitality
- **Local job creation** through funding of renewable energy projects close to home
- **Proven success**—more than 200 communities in the state are already saving money while reaching their climate action goals

Para obtener más información, visite nuestro sitio web, www.SDCommunityPower.org o llame al 1-888-382-0169

Terms & Conditions of Service

San Diego Community Power electric generation rates are managed with the intention of providing cleaner electricity at competitive rates. Any changes to SDCP rates will be adopted at duly noticed public hearings of the San Diego Community Power Board of Directors. Changes to SDG&E or SDCP rates will impact cost comparisons between SDCP and SDG&E. SDG&E charges SDCP customers a monthly Power Charge Indifference Adjustment (PCIA) and Franchise Fee Surcharge. SDCP has already accounted for these additional charges in calculating rates. View SDCP rates and SDG&E cost comparisons online at SDCommunityPower.org or by calling 1-888-382-0169.

BILLING: You will receive a single monthly bill from SDG&E that includes SDCP's electric generation charges. SDCP's electric generation charge replaces SDG&E's electric generation charge. SDCP's charge is not a duplicate charge or extra fee. SDG&E will continue to charge you for electric delivery services. If you opt-out of SDCP, SDG&E will resume charging you for electric generation.

ENROLLMENT: As the default electricity provider for the cities of Chula Vista, Encinitas, Imperial Beach, La Mesa, and San Diego, you will be automatically enrolled into San Diego Community Power service unless you opt out at least five business days before your meter read date during the enrollment month. Accounts will be enrolled in SDCP's Power100 on your regularly scheduled meter read on or after the first day of the enrollment month. You may choose to opt-down to PowerOn, which provides 50% renewable energy service at comparable rates.

To opt-down to the PowerOn, please visit SDCommunityPower.org or call SDCP at 1-888-382-0169.

For complete Terms and Conditions of Service, please visit SDCommunityPower.org or call SDCP at 1-888-382-0169.



Campaign Learnings

- Primary traffic generators: Paid Search, Social Media
- Impression and reach drivers: Radio/Print
- Consider a similar targeting approach and media mix for future campaigns
- Partnership outreach with key accounts such as the San Diego Regional Airport Authority created the highest level of buzz and business engagement
- Ongoing education through multiple channels will be required to reach business owners and consumers

Phase 3 Preview

My Reasons



“As an SDCP customer, I know I am doing my part to leave a better, more sustainable future, by using clean energy.”

- Dom R., Pacific Beach

[Learn More](#)

 SAN DIEGO
COMMUNITY
POWER

Oh, yeah and...



I know I'm making a difference because it's clean energy.

Same! We're helping protect our environment and create a better future for our kids 😊.

 SAN DIEGO
COMMUNITY
POWER

[Learn More >](#)

Item 11

Update on Regulatory and Legislative Affairs

Recommendation: Receive the update on regulatory and legislative affairs

- Disadvantaged Community Green Tariff (DAC-GT) and Community Solar Green Tariff (CSGT) Allocation Advice Letter Filed
- Percentage of Income Pilot Program
- Response to OhmConnect Petition for Modification



Presenter:

Laura Fernandez

Director of Regulatory and
Legislative Affairs

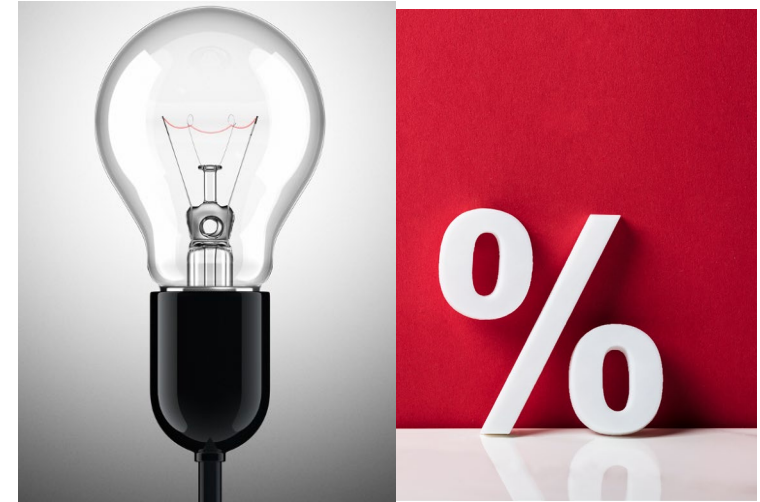
DAC-GT/CSGT Allocation Advice Letter Filed

- DAC-GT/CSGT are community solar programs that offer 100% solar energy to customers and provide a 20% discount on the electricity and delivery portion of the customers' bills
- SDCP requested 14.39 MW / 4 MW allocation via advice letter filing
- SDG&E supports request



Percentage of Income Payment Plan (PIPP) Pilot Program

- Recent decision orders three large utilities to implement PIPP pilot programs to reduce residential disconnections
 - Will cap participant utility bill payment at 4% of monthly income
- CCAs have option to participate in pilot
- Costs to be recovered through Public Purpose Program Charge



Response to OhmConnect Petition for Modification

- OhmConnect requests the CPUC raise the Maximum Cumulative Capacity Bucket Cap from 8.3% to 11.3%
- Argue cap has hampered growth in the Demand Response market and impedes the realization of the state's full Demand Response potential
- SDCP filed response in support of request
- Increasing the cap would enable more flexibility in meeting Resource Adequacy requirements



Item 12

Power Resources Monthly Update

Topics

- Resource Adequacy Year-Ahead Compliance Filing

Presenter:
Byron Vosburg,
Director of Power Services

Item 13

Finance and Risk Management Committee Report

Presenter:

Dr. Eric Washington
Chief Financial Officer

Item 14

Update on CEO Search Ad Hoc Committee Efforts

Presenters:

Directors Steve Padilla and
Bill Baber

Regular Meeting Agenda

**Reports by Management and
General Counsel**

Director Comments

Adjournment



Board of Directors

Next Regular Meeting
November 18, 2021

