



Californians for Energy Choice

1104 Polk Street - Suite 225 - San Francisco, CA 94109 - 415-756-8844

July 7, 2017

Senate Energy, Utilities & Communications Committee
State Capitol, Room 4035 Sacramento, CA 95814

Re: AB 920 (Aguiar-Curry) OPPOSE

Dear Senator:

Californians for Energy Choice writes to voice our strong opposition to AB 920, yet another heavy handed power grab by monopoly utilities, that would undermine local control of energy choices and community based clean energy competition.

Since 2010, our community based grassroots coalition has worked to support and expand California's Community Choice clean energy programs, and defend them against attacks like AB 920.

AB 920 seriously violates the intent of AB 117 (Migden 2002) by usurping local government decision-making around electricity supply and clean energy objectives. Its passage would enable the California Public Utilities Commission (which has been shown to be biased in favor of the fossil fuel based monopoly utilities) to impose restrictions on, and overrule decisions of local elected officials in running their Community Choice clean energy programs which directly compete with those monopoly utilities. AB 920 allows the CPUC to force Community Choice programs to follow one-size-fits-all restrictions, timelines, resource planning, and electricity procurement, and alarmingly states "If the commission finds this need is best met through long-term procurement commitments for resources, community choice aggregators shall also be required to make long-term commitments for resources."

Forcing local elected officials and administrators managing Community Choice programs to follow arbitrary top-down rulemaking, and worse, requiring Community Choice programs to enter into long term contracts at the behest of the CPUC, regardless of what those local officials decide is best and most fiscally responsible for their community, is a very dangerous breach of AB 117.

Worse still, AB 920 was recently amended to give the CPUC veto power over whether any Community Choice program can launch at all, based on the CPUC's subjective judgement, saying (*emphasis added*) "The commission **shall approve** proposals pursuant to this subdivision.." Addition of this CPUC "approval" power to AB 920 is a brazen attempt to reintroduce language specifically *removed* by direction of the Senate Energy, Utilities & Communications Committee from SB 618 (Bradford) which would have similarly allowed CPUC approval power over Community Choice resource plans. Why are we yet again this session seeing an attempt to take approval away from local accountable elected officials, and place it in the vast, slow-moving, state-level bureaucracy of the CPUC?

We've been down this road before and the Senate has said 'No'. In 2014, *Assemblymember* Steven Bradford authored AB 2145 a bill which contained similar anti democratic provisions designed to undermine Community Choice. And in 2015, San Diego Gas & Electric (SDG&E) attempted to sneak very similar language to AB 920 into the landmark SB 350 clean energy bill. In both cases, California Senators saw through these attacks on local clean energy democracy and soundly rejected both AB 2145, and SDG&E's amendment.

AB 920 is another in a long line of cynical attempts to undermine Community Choice competition with monopoly utilities. It would hinder local democratic decision making, local green jobs, and renewable energy installation, and place state-level bureaucratic red tape around California's ability to meet its climate goals, which are crucial to California's economy and the planetary environment.

We strongly urge you to OPPOSE AB 920!

Sincerely,

Eric Brooks, Co-Coordinator, Californians for Energy Choice