

# local power

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## Put That Efficiency & Conservation Money Back into California's "Community Choice" Energy Bill

AB48x (2001), AB117 (2002) Would Allow California Cities & Counties to Find Alternative Electricity Services for Their Residents, Businesses & Public Agencies: Will The California Legislature Still Give Utility Monopolies Control Over Ratepayer-Financed Energy Efficiency & Conservation Funds?

### The President of San Francisco's City and County Board of Supervisors Said,

"The City and County of San Francisco passed a resolution asking for this legislation in July of 1999, and we are very please to see it sponsored in Sacramento by a member of our delegation (Carole Migden)...from the viewpoint of our efforts to build the world's largest solar power system in San Francisco, it is critical that the state energy efficiency surcharge funds be made available to cities that are implementing Community Choice: the best chance California has to get out of the energy crisis." - **Board President Tom Ammiano, San Francisco Board of Supervisors (and City Council), 2001.**

### The Mayor of Oakland Added,

"Community Choice is an obvious structural solution to the California energy crisis.... Community Choice also encourages community-based energy sustainability. I encourage (the legislature) to include the language in AB48x that will make municipalities eligible for a pro rata share of state energy efficiency surcharge funds." - **Mayor Jerry Brown, 2001.**

### California League of Women Voters Implored You,

"Allowing communities to administer energy efficiency and conservation programs addresses the widely held concern that an investor-owned utility's need to maximize profits conflicts with the public's need for conservation." - **Gail D. Dryden, President, League of Women Votes of California, 2001.**

## "The 2001 California Community Choice Bill

# AB48x

Sponsored by California Assemblywoman Carole Migden, which **passed the California Assembly unanimously in 2001**, contained provisions allowing cities attempting Community Choice to apply to the state to manage their own energy efficiency and conservation programs with state-collected bill surcharge funds that are now mostly administered by PG&E, Edison and Sempra. The quotations on this page are from California local officials and organizations explaining why it is so important that the original bill's "Community Choice of Conservation" provisions be restored to:

# AB117

the 2002 Community Choice Bill re-filed by Assemblymember Migden and passed by the Assembly in January 2002, left out the original language, with new language that gives the utilities control over these funds. Local Power is now depending on the Senate Utilities Committee to approve our Friendly Amendment to AB117, which will restore the original 2001 bill's commitment to community-based energy efficiency & conservation. - **Paul Fenn, author of AB48x, the original 1997 Massachusetts Community Choice Law; advised in drafting '99 Ohio CC Law.**

## The Mayor of Culver City as well as Executive Director of a Joint Powers Authority” Reminded you,

“Considering the recent bad news on Climate Change from the United Nations, the California legislature must take notice of a policy that could deliver the 5.5% greenhouse gas reductions promised by the Kyoto Protocol. With this in mind, we also urge you to preserve language in AB48x to make all state energy efficiency surcharge funds available on a pro-rata basis to Community Choice cities.” – **Culver City Mayor Albert Vera, Exec. Dir. Southern California Cities Joint Powers Consortium, 2001.**

## Santa Cruz’s Vice Mayor Pointed Out,

“We would particularly ask that (the legislature) preserve language in the (Community Choice) bill that gives communities the opportunity to apply to the state for moneys paid by their communities into the state energy efficiency and renewables surcharge funds, as these are essential to making Community Choice work for cities in the current dysfunctional wholesale market.” -**Vice Mayor Christopher Krohn, Santa Cruz, 2001.**

## Public Citizen’s Energy Director Observed,

“I heartily support your sponsorship and advocacy of AB48x, the California Community Choice bill, authorizing and establishing procedures for local governments to aggregate their communities into city-negotiated energy contracts, and giving communities control of funds paid by their communities into the state energy efficiency surcharge fund.” - **Wenohan Hauter, Critical Mass Energy Project, 2001.**

## Greenpeace’s Solar Advocate Informed You,

“There are significant needed opportunities for sustainable economic development inherent in implementing (the Kyoto treaty) initiatives....In this spirit we urge (the legislature) to protect the Community Choice of conservation provisions in AB48x that allow municipalities to apply for a pro rata share of state energy efficiency and renewables surcharge funds for community-based sustainability programs.” -**Phil Radford, Greenpeace Solar Program, 2001.**

## Marin County’s Board of Supervisors President Agreed,

“With critical efforts such as the Cities for Climate Protection campaign in mind, I urge you to preserve the language in AB48x which makes local governments entitled to a pro rata share of state energy efficiency funds, which will prove key to their conservation efforts in coming years.” -**Harold C. Brown, Jr., President of the Marin County Board of Supervisors, 2001.**

## A Berkeley City Councilor Then Concluded,

“As a member of the Cities for Climate Protection campaign, the city of Berkeley is particularly concerned that you include language in AB48x which makes municipalities eligible to apply for a pro rata share of state energy efficiency and renewables surcharge funds.” - **City Council Member Linda Maio, Berkeley 2001.**

**T**hese are excerpts from

written endorsements for the 2001 Community Choice Bill, supporting the idea that cities doing Community Choice, should be allowed to control the customer-financed Energy Efficiency & Conservation funds that are paid in every monthly utility bill, rather than continuing to give PG&E, Edison and Sempra control. If the California Senate Utilities Committee accepts a “friendly amendment” recently submitted to Assemblywoman Migden by **Local Power**, what is absent in Assembly Bill 117 will be restored, answering quality control questions (raised by **NRDC**) with provisions requiring cities implement energy efficiency and conservation services contracts according to California Public Utilities Commission (CPUC) guidelines: cities wishing to design new programs must use standard procedures to petition the CPUC for approval.

**AB48x of 2001** provided for Community Choice-implementing city governments the right (rather *PG&E, Edison and Sempra* which currently control the rights) to directly administer these funds, collected by the state from their communities for energy efficiency and conservation programs, for decades have remained under control by utility monopolies.

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