

AGENDA

ORANGE COUNTY POWER AUTHORITY MEETING OF THE LEGISLATIVE AND REGULATORY COMMITTEE

**Thursday, February 29, 2024
10:00 a.m.**

This meeting will proceed as an in-person meeting at **3349 Michelson Drive, Irvine, CA 92612, Snyder Room (M-08) in Suite 200**. In addition, as a convenience to the public, the Orange County Power Authority is also providing an option for members of the public to remotely view and participate in the meeting. Further details are below. Please note that, in the event of a technical issue causing a disruption in the remote participation option, the meeting may continue unless otherwise required by law.

Note: Any member of the public may provide comments to the Committee on any agenda items by requesting to speak during Item 4, or on any matter not appearing on the agenda but within the jurisdiction of the Committee by requesting to speak during Item 5. When providing comments to the Committee, it is requested that you provide your name and city of residence for the record. Commenters are requested to address their comments to the Committee as a whole through the Chair. Comments may be provided in the following manner:

To provide comments during the meeting, in-person attendees, please fill out the public speaker slip and provide it to the clerk at the beginning of the meeting. Before Items 4 and 5, the Chair or Clerk will ask members of the public to join the queue to provide public comment. The queue will remain open for a reasonable amount of time to allow members of the public sufficient time to request to speak and inform the Committee of the number of speakers. After such time, the queue will be closed and the members of the public who have joined the queue to speak will be recognized at the appropriate time may speak. To join the queue on Zoom video conference by computer or mobile phone, use the “Raise Hand” feature. If joining the meeting using the Zoom dial-in number, you can raise your hand and join the queue by pressing *9. Members of the public will not be shown on video but will be able to speak when called upon.

Comments shall generally be limited to three minutes when speaking, provided that the Chair may equally reduce each speaker’s time to accommodate a large number of speakers or a large number of agenda items. If you have anything that you wish to be distributed to the Committee, please provide it via comments@ocpower.org, who will distribute the information to the Members.

The public may participate using the following remote options:

ZOOM WEBINAR

Please click the link below to join the webinar:

[Launch Meeting - Zoom](#)

Dial-in: 1-669-900-6833

Webinar ID: 863 3137 7459

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

4. **PUBLIC COMMENTS ON AGENDA ITEMS**

Opportunity for members of the public to address the Committee on any items on the agenda.

5. **PUBLIC COMMENTS ON NON-AGENDA ITEMS**

Opportunity for members of the public to address the Committee on any items not on the agenda but within the jurisdiction of the Committee.

6. **COMMITTEE MEMBER ANNOUNCEMENTS**

Committee Members may briefly provide information to other members of the Committee and the public, ask questions of staff, or report on conferences, events, or activities related to Authority business. There is to be no discussion or action taken on comments made by Committee Members unless authorized by law.

7. **CONSENT CALENDAR**

All items listed under the Consent Calendar are considered to be routine and may be enacted by one motion. Prior to the motion to consider any action by the Legislative and Regulatory Committee, any public comments on any of the Consent Items will be heard. There will be no separate action unless members of the Legislative and Regulatory Committee request specific items be removed from the Consent Calendar.

1. **MINUTES FOR THE LEGISLATIVE AND REGULATORY COMMITTEE MEETING OF SEPTEMBER 8, 2023**

Recommended Action:

Approve as submitted.

8. **REGULAR CALENDAR**

The following items call for discussion or action by the Committee. The Committee may discuss and/or take action on any item listed below if the Committee is so inclined.

1. **ADOPT 2024 CALENDAR**

Recommended Action:

Adopt 2024 Calendar.

2. **REGULATORY AND LEGISLATIVE UPDATE**

Recommended Action:

Receive and file.

9. **ADJOURNMENT**

Compliance with the Americans with Disabilities Act

OCPA meetings comply with the protections and prohibitions of the Americans with Disabilities Act. Individuals with a disability who require a modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may contact 949-263-2612. Requests for disability-related modifications or accommodations require different lead times and should be provided at least 72-hours in advance of the public meeting.

Availability of Documents

Copies of the agenda and agenda packet are available at www.ocpower.org. Late-arriving documents related to a Committee meeting item which are distributed to a majority of the Committee prior to or during the Committee meeting are available for public review as required by law. Public records, including agenda-related documents, can be requested electronically at clerk@ocpower.org or by mail to 15642 Sand Canyon Avenue, P.O. Box 54283, Irvine, CA 92619-4283. The documents may also be posted at the above website. Such public records are also available for inspection, by appointment, at 3349 Michelson Drive, Suite 200, Irvine, CA 92612. Please contact clerk@ocpower.org to arrange an appointment.



**MINUTES
REGULAR MEETING
LEGISLATIVE AND REGULATORY COMMITTEE
ORANGE COUNTY POWER AUTHORITY**

Friday, September 8, 2023

1. CALL TO ORDER

Chair Jung called to order the Regular Meeting of the Legislative and Regulatory Committee at 10:02 a.m. on Friday, September 8, 2023.

2. PLEDGE OF ALLEGIANCE

Chair Jung led the Pledge of Allegiance.

3. ROLL CALL

Present:	Chair Fred Jung Director Susan Sonne	City of Fullerton City of Buena Park
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4. PUBLIC COMMENTS ON AGENDA ITEMS

None

5. PUBLIC COMMENTS ON NON-AGENDA ITEMS

None

6. COMMITTEE MEMBER ANNOUNCEMENTS

None

7. CONSENT CALENDAR

**1. MINUTES FOR THE LEGISLATIVE AND REGULAR MEETING OF
APRIL 7, 2023**

Moved by Director Sonne and seconded by Chair Jung to approve the April 7, 2023, Minutes.

The motion carried unanimously by the following vote:

Ayes:	Chair Jung, Director Sonne
Noes:	None
Absent:	None

7. **REGULAR CALENDAR**

1. **LEGISLATIVE UPDATE**

Regulatory and Legislative Manager, Steven Halligan, provided a summary of the presentation on this item.

Action Taken:

Received and Filed.

3. **REGULATORY UPDATE**

Regulatory and Legislative Manager, Steven Halligan, provided a summary of the presentation on this item.

Action Taken:

Received and Filed.

8. **ADJOURNMENT**

There being no further business to come before the Committee, Chair Jung adjourned the meeting at 10:28 a.m. The next OCPA Legislative and Regulatory Regular meeting will be on November 3, 2023.

Submitted by:

Pat Jacquez-Nares, Board Authority Secretary

ORANGE COUNTY POWER AUTHORITY
Staff Report – Item 8.1

To: Orange County Power Authority Legislative and Regulatory Committee

From: Steven Halligan, Regulatory and Legislative Manager

Subject: ADOPT 2024 CALENDAR

Date: February 29, 2024

RECOMMENDED ACTION

Adopt 2024 Calendar.

BACKGROUND

After an extensive review of holidays, and meeting dates and times of member agencies, staff recommend Legislative and Regulatory Committee meetings be held at 10:00 a.m. on the dates below. These dates were chosen to reduce any conflicts with other meetings and holidays.

Thursday, April 4, 2024
Thursday, July 25, 2024
Thursday, November 21, 2024

FISCAL IMPACT

None

ATTACHMENTS

None

ORANGE COUNTY POWER AUTHORITY
Staff Report – Item 8.2

To: Orange County Power Authority Legislative and Regulatory Committee

From: Steven Halligan, Regulatory and Legislative Manager

Subject: LEGISLATIVE AND REGULATORY UPDATE

Date: February 29, 2024

RECOMMENDED ACTION

Receive and file.

BACKGROUND

Income-Graduated Fixed Charge

What is an Income-Graduated Fixed Charge?

Historically customers of California’s investor-owned utilities pay their share of the costs associated with running the power grid based on their relevant electricity rate and individual electricity use. This method is also known as volumetric chargers. An income-graduated fixed charge (IGFC) would take some of the fixed costs of operating and maintaining the electricity system and apply a charge based on income to all residential customers while lowering the volumetric electricity rate. An IGFC would only apply on the transmission and delivery side of a customer's bill and would not affect the generation side of the bill.

AB 205

Assembly Bill 205 (2022) was a budget trailer bill that included major revisions to how regulated utilities distribute and price electric power. One of the provisions of AB 205 authorized the California Public Utilities Commission (CPUC) to establish reasonable fixed charge on default residential customer rates. The new fixed charges are required to be on an income-graduated basis with no fewer than three income thresholds. AB 205 (2022) directed the CPUC to adopt an “income-graduated fixed charge” that benefits low-income customers by July 1, 2024.

Proposals at CPUC

The CPUC is considering several proposals in an active proceeding (R.22-07-057). The proposals are generally split into three categories, 1) the IOU proposals (High fixed charge), 2) The Utility Reform Network (TURN), Natural Resources Defense Council (NRDC), and the Public Advisor’s Office (PAO) (modest fixed charge), and 3) California Solar and Storage Association (CSSA) and Clean Coalition (small fixed charge and extreme time of use rates).

The proposals contemplate two phases – the first phase using three income thresholds – CARE, FERA, and all other customers. The second phase contemplates a fourth income threshold of an income greater than 650% of the Federal Poverty Level (FPL). The SCE proposed a fixed fee of

\$15 for CARE customers, \$20 for FERA customers, \$51 for Non-CARE or FERA customers, and \$85 for households which make more than 650% of the FPL.

AB 1999

On January 30, 2024, Assembly Bill 1999 (Irwin) was introduced which would limit the fixed charge to \$5 per month for residential customers enrolled in the CARE program and \$10 per month for all other residential customers. The bill would authorize these maximum allowable fixed charges to be adjusted by no more than the annual percentage increase in the Consumer Price Index for the prior calendar year. AB 1999 was referred to the Assembly Utilities and Energy Committee (Committee) on February 12, 2024. The first hearing date for the Committee is March 13, 2024.

Federal Legislation Update

EVs for All Act (H.R. 3468)

Introduced in 2023 by Representative Nanette Diaz Barragan (CA District 44) this bill would require the Department of Energy to carry out a program that awards grants to eligible entities (i.e., public housing agencies, local governments, and certain nonprofit organizations) to facilitate electric vehicle sharing services operated at public housing projects.

BIG WIRES Act

The Building Integrated Grids With Inter-Regional Energy Supply (BIG WIRES) Act would establish a minimum-transfer requirement, which requires regions of the country to be able to transfer at least currently 30% of their peak electrical loads with other regions.

The Clean Electricity and Transmission Acceleration Act of 2023

Introduced by the SEEC Clean Energy Deployment Task Force would Amend the Federal Power Act to direct the Federal Regulatory Commission to issue new rules on improving interregional planning, siting, and deployment of transmission, provide a 30% transmission investment tax credit, incentivize development of renewable energy on priority areas within our public lands, reform the Outer Continental Shelf Lands to encourage offshore wind deployment, and expand meaningful consultation with disadvantaged groups and communities in the permitting process.

FISCAL IMPACT

None

ATTACHMENTS

None