

AGENDA

ORANGE COUNTY POWER AUTHORITY MEETING OF THE BOARD OF DIRECTORS

**Tuesday, May 3, 2022
10:00 a.m.**

This meeting will proceed as a teleconference meeting in compliance with waivers to certain provisions of the Ralph M. Brown Act provided for under California Government Code section 54953(e)(1)(A) in relation to the Covid-19 state of emergency and recommended social distancing measures. There will be no location for in-person attendance. The Orange County Power Authority is providing alternatives to in-person attendance for viewing and participating in the meeting. Further details are below.

Note: Any member of the public may provide comments to the Orange County Power Authority Board of Directors on the closed session prior to Item 4, on any open session agenda items by requesting to speak during Item 5, or on any matter not appearing on the agenda but within the jurisdiction of the Board by requesting to speak during Item 6. When providing comments to the Board, it is requested that you provide your name and city of residence for the record. Commenters are requested to address their comments to the Board as a whole through the Chair. Comments may be provided in the following manner:

To provide comments during the meeting, join the Zoom meeting by computer, mobile phone, or dial-in number. Before or during Items 4, 5, and 6 (for providing comments on closed session items, open session agenda items, and non-agenda items, respectively), 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 Board 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 through Zoom video conference or telephonically. 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 Board, 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: 890 3021 4149

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **PLEDGE OF ALLEGIANCE**

4. **CLOSED SESSION**

Prior to entering closed session, the Board will provide an opportunity for members of the public to provide public comment regarding the closed session item(s).

1. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Pursuant to Government Code Section 54956.9(d)(1)

Name: CPUC Resource Adequacy Proceeding

5. **PUBLIC COMMENTS ON AGENDA ITEMS**

Opportunity for members of the public to address the Board on any open session items on the agenda.

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

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

7. **DIRECTOR ANNOUNCEMENTS**

Board Members may briefly provide information to other members of the Board 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 Board Members unless authorized by law.

8. **STAFF REPORT**

Staff may briefly provide information to the Board and the public. The Board may engage in discussion if the specific subject matter of the report is identified, but the Board may not take any action. There is to be no other discussion or action taken unless authorized by law.

9. **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 Board of Directors, any public comments on any of the Consent Items will be heard. There will be no separate action unless members of the Board of Directors request specific items be removed from the Consent Calendar.

1. **FINDINGS NECESSARY FOR REMOTE PARTICIPATION IN PUBLIC MEETINGS**

Recommended Action:

Declare that the findings made in Resolution No. 2022-02, “Resolution of the Orange County Board of Directors Making Findings Necessary for Remote Participation in Public Meetings” remain valid and applicable, so as to allow remote participation in public meetings for the next 30 days.

2. MINUTES FOR THE REGULAR BOARD MEETING OF APRIL 5, 2022

Recommended Action:

Approve as submitted

3. FINANCIAL UPDATE – QUARTER END MARCH 31, 2022

Recommended Action:

Receive and File

10. REGULAR CALENDAR

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

1. LEGISLATIVE AND REGULATORY AFFAIRS UPDATE

Recommended Action:

Receive and File

2. COMMERCIAL SERVICE LAUNCH UPDATE

Recommended Action:

Receive and File

11. ADJOURNMENT

Compliance with the Americans with Disabilities Act

Board of Directors 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 Board Documents

Copies of the agenda and agenda packet are available at www.ocpower.org. Late-arriving documents related to a Board meeting item which are distributed to a majority of the Board prior to or during the Board meeting are available for public review as required by law. Late-arriving documents received during the meeting are available for review by making a verbal request to the Board Secretary in the Zoom meeting room.

ORANGE COUNTY POWER AUTHORITY
Staff Report – Item 9.1

To: Orange County Power Authority Board of Directors

From: Ryan Baron, General Counsel

Subject: Findings Necessary For Remote Participation in Public Meetings

Date: May 3, 2022

RECOMMENDED ACTION

Declare that the findings made in Resolution No. 2022-02, “Resolution of the Orange County Board of Directors Making Findings Necessary for Remote Participation in Public Meetings” remain valid and applicable, so as to allow remote participation in public meetings for the next 30 days.

BACKGROUND

AB 361 allows public agencies to hold fully or partially virtual meetings under certain circumstances, without being required to follow certain standard Ralph M. Brown Act teleconferencing requirements.

Under AB 361, a legislative body holding virtual meetings pursuant to AB 361 must make certain findings at least every thirty (30) days. Specifically, the legislative body must find that it has reconsidered the circumstances of the state of emergency and either of the following: (1) state or local officials continue to impose or recommend measures to promote social distancing, or (2) as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

Based on current COVID-19-related circumstances, the Board can continue to make the required findings. Staff therefore recommends that the Board of Directors declare that the findings made in Resolution 2022-02 remain valid and applicable, so as to allow the Board of Directors and its subordinate legislative bodies to continue to exercise remote participation options under AB 361.

FISCAL IMPACT

There is no fiscal impact.

ATTACHMENT

Resolution No. 2022-02 a Resolution of the Orange County Board of Directors Making Findings Necessary for Remote Participation in Public Meetings.

RESOLUTION NO. 2022-02

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ORANGE COUNTY POWER AUTHORITY MAKING FINDINGS NECESSARY FOR REMOTE PARTICIPATION IN PUBLIC MEETINGS

A. The Ralph M. Brown Act (“Brown Act”) requires, with specified exceptions, that all meetings of the governing body and all subordinate legislative bodies be open and public and that all persons be permitted to attend and participate.

B. The Brown Act contains provisions for remote participation in meetings by members of a legislative body subject to the existence of certain conditions and requirements.

C. Government Code section 54953(e) requirements include, but are not limited to, (1) the existence of a state of emergency declared by the California Governor pursuant to Government Code section 8625, and (2) state or local officials have imposed or recommended measures to promote social distancing.

D. On March 4, 2020, the Governor issued a Proclamation of State of Emergency in response to the COVID-19 pandemic and as of the date of this Resolution, the proclaimed state of emergency remains in effect.

E. On March 17, 2020, the Governor issued Executive Order N-29-20, which suspended and modified the remote participation requirements under the Brown Act to allow local legislative bodies to hold public meetings via teleconference.

F. On June 11, 2021, the Governor issued Executive Order N-08-21, which extended the provisions of N-29-20 concerning the conduct of public meetings through September 30, 2021. The Governor subsequently signed Assembly Bill 361 (Rivas, 2021) revising requirements for remote public meetings (“AB 361”).

G. In order to preserve public health and safety, the State Public Health Officer and Orange County Health Officer have issued various orders and guidance, as they may be amended from time to time, regarding COVID-19 prevention measures, which include references and a statement of support for social distancing recommendations. (*See, e.g., Guidance for Use of Face Coverings*, revised January 5, 2022; *COVID-19 Public Health Recommendations for Fully Vaccinated People*, dated October 28, 2021; *County of Orange Health Officer’s Orders and Strong Recommendations*, revised January 14, 2022).

H. In light of the foregoing, the Board of Directors desires to continue to have the flexibility to meet via remote participation for public meetings, as long as the state of emergency and social distancing recommendations continue, and that it and its legislative bodies shall be permitted to conduct their meetings by remote participation in accordance with Government Code section 54953(e), and that such legislative bodies shall comply with the requirements to provide the public with access to the meetings as prescribed by that section therein.

NOW, THEREFORE, BE IT RESOLVED by the Orange County Power Authority Board of Directors as follows:

Section 1. The above recitals are true and correct and incorporated herein.

Section 2. The Orange County Power Authority Board of Directors finds and declares for itself and each of its subordinate legislative bodies, as follows:

- a. A continued state of emergency, as declared by the State of California, continues to exist.
- b. The Board of Directors has reconsidered the circumstances of the state of emergency.
- c. State and local officials continue to impose or recommend measures to promote social distancing.
- d. The Orange County Power Authority promotes social distancing measures, including, without limitation, promoting and utilizing remote attendance options at Board of Directors meetings.

Section 3. The Board of Directors and any of its legislative bodies are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution, including conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act or executive order, as such may be amended or promulgated from time to time.

Section 4. This resolution shall take effect immediately upon its adoption and apply to all Orange County Power Authority public meetings of its legislative bodies including those held during the state of emergency since the passage of and governed by AB 361.

PASSED AND ADOPTED at a meeting of the Orange County Power Authority Board of Directors held on February 8, 2022.


Secretary



**MINUTES
REGULAR MEETING
BOARD OF DIRECTORS
ORANGE COUNTY POWER AUTHORITY**

April 5, 2022

1. CALL TO ORDER

Chair Carroll called to order the regular meeting of the Orange County Power Authority Board of Directors at 10:03 a.m. on Tuesday, April 5, 2022.

The meeting was conducted using teleconference and electronic means consistent with public health orders and guidelines in California and in accordance with the Governor's Executive Orders. There was no location for in-person attendance. Due to the nature of the teleconference, all votes were cast via roll call. In an effort to protect public health, members of the public were able to provide live comments on agenda items using Zoom.

2. PLEDGE OF ALLEGIANCE

Alternate Director Dan Kalmick led the Pledge of Allegiance.

3. ROLL CALL

Present:	Director Don Wagner	Orange County
	Director Farrah N. Khan	City of Irvine
	Director Susan Sonne	City of Buena Park
	Alt. Director Dan Kalmick	City of Huntington Beach
	Vice Chair Fred Jung	City of Fullerton
	Chair Mike Carroll	City of Irvine

4. PUBLIC COMMENTS ON AGENDA ITEMS

The following spoke in public comments:

Doug Elliott, agenda item 9

5. PUBLIC COMMENTS ON NON-AGENDA ITEMS

The following spoke in public comments:

Doug Elliott
Walter Nobrega
Lamar Kirchhevel
Sylvia Walker
Linda Kraemer

6. DIRECTOR ANNOUNCEMENTS

Chair Carroll thanked the Board, staff, public commenters and all others who participated in the start-up of OCPA and the commercial launch.

7. STAFF REPORT

CEO Brian Probolsky spoke of the successes of the launch of OCPA service to all eligible commercial and industrial accounts.

8. CONSENT CALENDAR

8.1 MINUTES FOR THE REGULAR BOARD MEETING OF MARCH 1, 2022

ACTION:

Director Sonne made a motion, seconded by Vice Chair Jung,

To approve the minutes of March 1, 2022, as submitted.

The motion carried as follows:

Ayes: Directors Khan, Sonne, Wagner, Vice Chair Jung, Chair Carroll

Nays: None

Absent: None

Abstain: Alternate Director Kalmick

8.2 FINDINGS NECESSARY FOR REMOTE PARTICIPATION IN PUBLIC MEETINGS

ACTION:

Director Sonne made a motion, seconded by Vice Chair Jung, and unanimously carried:

To declare that the findings made in Resolution No. 2022-02, "Resolution of the Orange County Board of Directors Making Findings Necessary for Remote Participation in Public Meetings" remain valid and applicable, so as to allow remote participation in public meetings for the next 30 days.

9. REGULAR CALENDAR

9.1. COMMERCIAL SERVICE LAUNCH UPDATE

CEO Probolsky introduced the item and stated that staff will provide an update of the commercial service launch based each of their areas of responsibility.

Andrew DiGiovanna, Business Relationship Manager I, gave an overview of engagement efforts to date.

Andrea Warner, Business Relationship Manager II, spoke about outreach and overcoming obstacles to participation.

Rob Howard, Zodiac, spoke about the pre-enrollment notices and special program courtesy letters.

Steven Halligan, Management Analyst, spoke about the opt-out rate of less than 2%.

Tiffany Law presented key financial highlights.

John Dalessi of Pacific Energy Advisors gave an energy procurement update.

Jaclyn Harr from The Energy Authority (TEA) spoke about energy scheduling and analytics her firm is providing to OCPA.

10. ADJOURNMENT

At 11:19 a.m. Alternate Director Kalmick made a motion, seconded by Vice Chair Jung, to adjourn the regular meeting of the Orange County Power Authority until Tuesday, May 3, 2022, at 10:00 a.m.

Brian S. Probolsky, Secretary

ORANGE COUNTY POWER AUTHORITY
Staff Report – Item 9.3

To: Orange County Power Authority Board of Directors

From: Tiffany Law, Chief Financial Officer

Subject: FINANCIAL UPDATE – QUARTER END MARCH 31, 2022

Date: May 3, 2022

RECOMMENDED ACTION

Receive and file.

BACKGROUND

Orange County Power Authority (OCPA) prepares its financial statements in accordance with Generally Accepted Accounting Principles. Accordingly, OCPA's financial statements are presented as a governmental enterprise fund and are reported using the full accrual basis of accounting – like a business enterprise.

OCPA has prepared financial statements for the fiscal year-to-date July 1, 2021, through March 31, 2022 (omitting note disclosures) as well as a year-to-date Budget to Actual report for the same period.

OCPA remains in its start-up phase as it just launched the electrical service to its customers in the Spring of 2022. Accordingly, OCPA has not yet recognized any operating revenues through the reporting period. As planned, staffing, consulting and other general and administration costs are currently being funded through debt.

There were no unusual transactions of note during this period of reporting.

FISCAL IMPACT

There is no fiscal impact associated with approving this item. It is presented for informational purposes only.

ATTACHMENT

1. Financial Statements as of March 31, 2022 (Statement of Net Position; Statement of Revenues, Expenses and Changes in Net Position; Statement of Cash Flows)
2. Budgetary Comparison Report as of March 31, 2022



ACCOUNTANTS' COMPILATION REPORT

Management
Orange County Power Authority

Management is responsible for the accompanying financial statements of Orange County Power Authority (a California Joint Powers Authority) which comprise the statement of net position as of March 31, 2022, and the related statement of revenues, expenses, and changes in net position, and the statement of cash flows for the period then ended in accordance with accounting principles generally accepted in the United States of America. We have performed a compilation engagement in accordance with Statements on Standards for Accounting and Review Services promulgated by the Accounting and Review Services Committee of the AICPA. We did not audit or review the accompanying statements nor were we required to perform any procedures to verify the accuracy or completeness of the information provided by management. Accordingly, we do not express an opinion, conclusion, nor provide any assurance on these financial statements.

Management has elected to omit substantially all of the note disclosures required by accounting principles generally accepted in the United States of America in these interim financial statements. If the omitted disclosures were included in these financial statements, they might influence the user's conclusions about the Authority's financial position, results of operations, and cash flows. Accordingly, these financial statements are not designed for those who are not informed about such matters.

We are not independent with respect to the Authority because we performed certain accounting services that impaired our independence.

Maher Accountancy

San Rafael, CA
April 14, 2022

ORANGE COUNTY POWER AUTHORITY
STATEMENT OF NET POSITION
As of March 31, 2022

ASSETS

Current assets	
Cash	\$ 2,153,357
Restricted cash	5,000,000
Investments	147,469
Other receivables	189,000
Prepaid expenses	503,993
Deposits	233,000
Total current assets	<u>8,226,819</u>

LIABILITIES

Current liabilities	
Accrued cost of energy	283,500
Accounts payable	147,943
Other accrued liabilities	156,557
Total current liabilities	<u>588,000</u>
Noncurrent liabilities	
Note payable	4,000,000
Loan payable	7,652,380
Accrued interest and financing costs	81,986
Total noncurrent liabilities	<u>11,734,366</u>
Total liabilities	<u>12,322,366</u>

NET POSITION

Unrestricted (deficit)	(4,095,547)
Total net position	<u>\$ (4,095,547)</u>

ORANGE COUNTY POWER AUTHORITY
STATEMENT OF REVENUES, EXPENSES
AND CHANGES IN NET POSITION
July 1, 2021 through March 31, 2022

OPERATING REVENUES

Total operating revenues	\$ -
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OPERATING EXPENSES

Cost of energy	611,203
Contract services	1,631,131
Staff compensation	672,605
General and administration	105,362
Total operating expenses	3,020,301
Operating income (loss)	(3,020,301)

NONOPERATING REVENUES (EXPENSES)

Investment income	653
Interest and financing expense	(140,835)
Nonoperating revenues (expenses), net	(140,182)

CHANGE IN NET POSITION

Net position at beginning of period	(3,160,483)
Net position at end of period	\$ (4,095,547)

ORANGE COUNTY POWER AUTHORITY
STATEMENT OF CASH FLOWS
July 1, 2021 through March 31, 2022

CASH FLOWS FROM OPERATING ACTIVITIES

Payments to suppliers for electricity	\$ (1,230,205)
Payments for goods and services	(1,765,031)
Payments to employees for services	(650,524)
Net cash used by operating activities	<u>(3,645,760)</u>

CASH FLOWS FROM NON-CAPITAL FINANCING ACTIVITIES

Proceeds from note	4,000,000
Proceeds from loan	5,000,000
Interest and related expense payments	(56,337)
Net cash provided by non-capital financing activities	<u>8,943,663</u>

CASH FLOWS FROM INVESTING ACTIVITIES

Interest income received	267
Net cash provided (used) by investing activities	<u>267</u>

Net change in cash	5,298,170
Cash at beginning of period	1,855,187
Cash at end of period	<u><u>\$ 7,153,357</u></u>

Reconciliation to the Statement of Net Position

Cash (unrestricted)	\$ 2,153,357
Restricted cash	5,000,000
Cash and cash equivalents	<u><u>\$ 7,153,357</u></u>

ORANGE COUNTY POWER AUTHORITY
STATEMENT OF CASH FLOWS (continued)
July 1, 2021 through March 31, 2022

**RECONCILIATION OF OPERATING LOSS TO NET
CASH USED BY OPERATING ACTIVITIES**

Operating loss	\$ (3,020,301)
Adjustments to reconcile operating loss to net cash used by operating activities	
(Increase) decrease in:	
Other receivables	(189,000)
Prepaid expenses	(503,993)
Deposits	(228,185)
Increase (decrease) in:	
Accrued cost of electricity	(46,685)
Accounts payable	283,500
Other accrued liabilities	58,904
Net cash used by operating activities	<u><u>\$ (3,645,760)</u></u>



ACCOUNTANTS' COMPILATION REPORT

Board of Directors
Orange County Power Authority

Management is responsible for the accompanying special purpose statement of Orange County Power Authority (OCPA), a California Joint Powers Authority, which comprise the budgetary comparison schedule for the period ended March 31, 2022, and for determining that the budgetary basis of accounting is an acceptable financial reporting framework. We have performed a compilation engagement in accordance with Statements on Standards for Accounting and Review Services promulgated by the Accounting and Review Services Committee of the AICPA. We did not audit or review the accompanying statement nor were we required to perform any procedures to verify the accuracy or completeness of the information provided by management. Accordingly, we do not express an opinion, a conclusion, nor provide any assurance on this special purpose budgetary comparison statement.

The special purpose statement is prepared in accordance with the budgetary basis of accounting, which is a basis of accounting other than accounting principles generally accepted in the United States of America. This report is intended for the information of the Board of Directors of OCPA.

Management has elected to omit substantially all of the note disclosures required by accounting principles generally accepted in the United States of America in these interim financial statements. OCPA's annual audited financial statements will include the note disclosures omitted from these interim statements. If the omitted disclosures were included in these financial statements, they might influence the user's conclusions about the Authority's financial position, results of operations, and cash flows. Accordingly, these financial statements are not designed for those who are not informed about such matters.

We are not independent with respect to OCPA because we performed certain accounting services that impaired our independence.

Maher Accountancy

San Rafael, CA
April 14, 2022

ORANGE COUNTY POWER AUTHORITY
BUDGETARY COMPARISON REPORT
July 1, 2021 through March 31, 2022

	YTD Actual	YTD Amended Budget	YTD Amended Budget Variance (under) Over	YTD Amended Budget Variance (under) Over %	Annual Amended Budget	Amended Budget Remaining
OPERATING REVENUES						
Electricity Sales, net	\$ -	\$ -	\$ -		\$ 44,367,000	\$ 44,367,000
OPERATING EXPENSES						
Cost of Electricity	611,203	1,152,321	(541,118)	53.0%	40,816,000	40,204,797
Service Fees - SCE	-	-	-		14,000	14,000
Personnel	672,605	913,940	(241,335)	73.6%	1,522,000	849,395
Professional Services	754,849	783,269	(28,420)	96.4%	1,137,000	382,151
Legal	634,800	645,686	(10,886)	98.3%	800,000	165,200
Communications & Outreach	241,482	307,818	(66,336)	78.4%	433,000	191,518
General and administration	105,362	135,166	(29,804)	78.0%	201,000	95,638
Total operating expenses	3,020,301	3,938,200	(917,899)		44,923,000	41,902,699
Operating income (loss)	(3,020,301)	(3,938,200)	917,899		(556,000)	2,464,301
NONOPERATING REVENUES (EXPENSES)						
Investment income	653	-	653	na	-	(653)
Interest and financing expense	(140,835)	(103,165)	37,670	136.5%	(149,000)	(8,165)
Nonoperating revenues (expenses), net	(140,182)	(103,165)	38,323		(149,000)	(8,818)
CHANGE IN NET POSITION	\$ (3,160,483)	\$ (4,041,365)	\$ 956,222		\$ (705,000)	\$ 2,455,483

ORANGE COUNTY POWER AUTHORITY
BUDGETARY COMPARISON REPORT
July 1, 2021 through March 31, 2022

Budget Item	YTD Variance	Comment
Electric Sales Revenue	0.0%	Currently no variance, no sales have occurred through the reporting period.
Cost of Energy	53.0%	Variances in this category are typically due to (1) timing difference between projected and actual REC deliveries, (2) variance from actual to anticipated market prices, and (3) variance from actual to expected volume used by customers.
Personnel	73.6%	Staffing expenses are under budget due to the timing of new hires.
Professional Services	96.4%	This category includes accounting, IT, technical and other consultants.
Legal Costs	98.3%	This category includes outside legal costs for regulatory and energy procurement needs.
Marketing and customer enrollment	78.4%	This category includes customer noticing, advertising and other customer communications.
Other General & Administrative	78.0%	This category includes occupancy costs, industry membership dues, and other general and administrative costs.
Interest and financing expenses	136.5%	This category includes interest and fees related to debt.

ORANGE COUNTY POWER AUTHORITY
Staff Report – Item 10.1

To: Orange County Power Authority Board of Directors

From: Steven Halligan, Management Analyst

Subject: Legislative and Regulatory Affairs Update

Date: May 3, 2022

RECOMMENDED ACTION

Receive and File Legislative and Regulatory Affairs Update.

BACKGROUND

Staff will provide a brief update on Legislative and Regulatory Affairs.

ANALYSIS AND DISCUSSION

Regulations:

Provider of Last Resort Rulemaking Update

- Senate Bill (SB) 520 legislated the California Public Utilities Commission (CPUC) to develop rules and regulations for a Provider of Last Resort (POLR) should a Community Choice Aggregator (CCA) or Energy Service Provider (ESP) fail
- SB 520 identified the Investor-owned utility (IOU) as the POLR and ordered the CPUC to insure cost recovery, continuity of service and reliability, and continuation of California's clean energy goals

Legislation:

Senate Bill (SB) 612 – Electrical corporations and other load-serving entities: allocation of legacy resources (Portantino)

- Would adopt the Power Charge Indifference Adjustment (PCIA) Working Group 3 report that was submitted to the CPUC by CALCCA, SCE and Commercial Energy in February of 2020
- Allows CCAs to access their proportionate share of the benefits of IOU legacy contracts that they are paying for in the PCIA

SB 881 – Load-serving entities: integrated resource plans (Min)

- Grants the CPUC new authority to enforce the Integrated Resource Plan (IRP) by ensuring all LSEs, as defined, are making procurement decisions that will enable the state to reach its SB 32, 2030 Greenhouse Gas (GHG) emission reduction requirements
- The CPUC may issue fines and/or order procurement if it determines that an LSE will fail to meet their procurement requirements

ORANGE COUNTY POWER AUTHORITY
Staff Report – Item 10.1

SB 1158 – Retail electricity suppliers: greenhouse gas emissions: integrated resource plans
(Becker)

- Creates a new requirement for all LSEs to report on what energy they are using for every hour of the day
- Would create a reporting framework that is overly complex and burdensome

FISCAL IMPACT

There is no fiscal impact.

ORANGE COUNTY POWER AUTHORITY
Staff Report – Item 10.2

To: Orange County Power Authority Board of Directors

From: Brian Probolsky, Chief Executive Officer

Subject: Commercial Service Launch Update

Date: May 3, 2022

RECOMMENDED ACTION

Receive and File Commercial Service Launch Update.

BACKGROUND

On April 1, 2022, Orange County Power Authority (OCPA) began offering service to more than 38,000 commercial, industrial, agriculture, and streetlighting accounts within the communities of Buena Park, Fullerton, Huntington Beach, and Irvine.

ANALYSIS AND DISCUSSION

Staff will provide updates regarding the commercial launch which began on April 1, 2022. Throughout April, eligible customers have been transitioning to OCPA service based on their meter read date.

As of the week ending 4/8/2022 32.21% of eligible service accounts had been transferred to OCPA.

As of the week ending 4/15/2022 55.22% of eligible service accounts had been transferred to OCPA.

As of the week ending 4/22/2022 74.53% of eligible service accounts had been transferred to OCPA.

As of 4/26/2022 83.88% of eligible service accounts had been transferred to OCPA.

As of April 26, 2022 over 30,000 accounts had been transferred to OCPA. Of those accounts 70.07% are enrolled in the 100% Renewable Energy plan, while 18.61% of customers are enrolled in the Smart Choice plan, and 11.32% are enrolled in the Basic Choice plan. Less than 5% of eligible accounts have opted out of OCPA services.

Post Enrollment Notices are being sent to customers throughout the months of April and May.

FISCAL IMPACT

There is no fiscal impact.