

# SUMMARY MINUTES

**ABAG Power Executive Committee**

**Meeting 2002-03**

April 17, 2002

Metro Center 101 8<sup>th</sup> Street, Oakland CA 94607

## **WELCOME AND INTRODUCTIONS**

John Lisenko (for the Chair) opened the meeting with introductions at 12:00 p.m.

### **Committee Representatives Present**

Wayne Green  
John Lisenko  
Terry Mann

### **Jurisdictions**

City of Salinas  
City of Foster City  
County of Contra Costa

### **Guest Present**

John Schofield

City of Richmond

### **Committee Representatives Absent**

Alan Nadritch  
Jeff Kolin  
Michael Garvey  
Natasha Merkuloff Nichols  
Steve Sprotte  
Davida Amenta

City of Benicia  
City of Santa Rosa  
City of San Carlos  
County of Napa  
City of Union City  
County of Contra Costa

### **Staff Present**

Jerry Lahr  
Joseph Chan  
Ken Moy  
Eugene Leong  
Vina Maharaj

ABAG POWER  
ABAG  
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ABAG POWER

## **PUBLIC COMMENTS**

There were no public comments.

## **APPROVAL OF SUMMARY MINUTES OF FEBRUARY 20, 2002 MEETING**

Due to a lack of quorum this item was held to the May meeting of the Executive Committee.

**PROCEDURAL DISCUSSION**

As a continuation of discussion from last meeting, Jerry Lahr reminded the committee about the rules and regulations governing the Brown Act as related to the teleconference meetings of the ABAG POWER Executive Committee. Lahr said that ABAG POWER will prepare a general outline containing members' teleconference locations which must have public access. This notice, once set up, will be sent to the Executive Committee members in advance of a teleconference meeting and the members will be asked to post the notice at their sites 72 hours prior to the meeting.

**STATUS REPORT ON THE SUSPENSION OF THE ELECTRIC PROGRAM**

Lahr brought the members' attention to two recent articles published by the Sacramento Bee on the subject of Direct Access by Commissioner Carl Wood and Commissioner Geoffrey Brown.

**Update on PG&E Bankruptcy Proceedings**

Jerry Lahr provided the Committee with the status of the PG&E Bankruptcy proceedings. Lahr said that the Judge had authorized California Public Utilities Commission (CPUC) to render their own reorganization plan which is somewhat in opposition to PG&E's reorganization plan. CPUC filed their reorganization plan on April 15, 2002. Lahr said that creditors like ABAG POWER will be given a chance to vote, presumably in June, on either or none of the two plans they would like to support. Lahr said ABAG POWER will follow-up with the legal proceedings and come back to the Executive Committee with recommendations.

**ABAG POWER's Petition for Modification**

Lahr reminded the members about the Petition for Modification which ABAG POWER had filed with the CPUC in response to CPUC's Decision (D.) 01-05-064 issued on May 15, 2001. The decision ordered PG&E to implement electric rate increases effective June 1, 2001 and additional surcharges for the recovery of an under collection in revenues that accrued between the time of the Commission's adoption of the rate increase on March 27, 2001, and the implementation of the increase on June 1, 2001. The decision provided that the amortization of the additional surcharge was to end after 12 months.

ABAG POWER had filed a petition for modification to clarify that the additional twelve-month surcharge should not be collected from members of ABAG POWER who were involved in Direct Access during the March 27 to June 1, 2001 period. To date, the CPUC has taken no action on ABAG's Petition.

On April 15, 2002, PG&E filed revisions to its electric tariffs to remove the additional twelve-month surcharge. Dan Douglass, the attorney handling the case for ABAG POWER, has recommended the following actions by ABAG POWER:

- Dan Douglass contact Commissioner Brown's advisor David Gamson to reacquaint him with the issue and schedule an ex parte meeting with ABAG representative(s) to attend.

- Send a copy of the filing to ALJ Pulsiver by mail, along with an informal inquiry as to its status.
- Prepare and file comments on the advice letter and seek remedy through the advice letter process as an alternate approach to the stalled petition for modification. The comments are due by May 6.

Lahr suggested that ABAG POWER should attempt to bring some closure to this issue and noted staff's intention to follow Dan Douglass' recommendations. The Executive Committee members generally agreed that ABAG POWER should proceed along these lines.

### **STATUS REPORT ON NATURAL GAS PROGRAM**

Jerry Lahr presented the executive committee with a Summary of the Natural Gas Program pointing out that ABAG POWER is still maintaining a relatively stable price but is paying higher than PG&E's price for gas, therefore, showing a negative savings.

### **Request for Proposal for Natural Gas Billing Services**

Lahr presented the members with a Vendor List to whom request for proposals were sent for Natural Gas Billing services. Lahr said that ABAG POWER will begin the interview process once responses are received and then bring recommendations back to the Executive Committee.

Lahr mentioned that to date only two members have officially stated that they want to opt-out of the Gas Program at the end of this fiscal year.

ABAG POWER continues to work with the two members who have not signed the gas aggregation amendment to date.

### **ABAG ADVOCACY FOR PGC FUND ADMINISTRATOR**

Lahr said that currently CPUC is going through an RFP process for solicitation to administer programs with public goods charge funds (PGC). In the past, the utilities have been the primary, exclusive administrators of the programs for these funds, however, recently CPUC opened up a portion, one hundred million dollars, to third party program administrators. In the not too distant future, CPUC will open up new hearing processes to specifically discuss who should become administrators of the PGC funds.

Lahr said that currently ABAG POWER was deliberating whether it should advocate becoming a Regional Energy Office and apply to become a new administrator for PGC funded programs which will be targeted toward helping public agencies. Lahr said that at this point, he was seeking members' interest and support for this idea.

One member suggested ABAG POWER pursue this idea. He said it will be helpful for smaller jurisdictions to have a vehicle where they can go for assistance.

Another comment was that a lot of small businesses in members' jurisdictions needed help in financing matters and while PG&E does offer that service, it would be helpful to have a vehicle such as ABAG POWER to work with.

**FINANCIAL REPORT**

Joseph Chan presented the Audited Financial Statements for FY 2000-2001. Due to a lack of quorum, approval of the Financial Statements was held to the May Executive Committee Meeting.

**ADJOURN**

The meeting adjourned at 1:10 p.m.

**Next Executive Committee Meeting is scheduled for May 15, 2002 (12 p.m. – 2 p.m.), Metro Center, 101 8<sup>th</sup> Street, First Floor, Oakland, CA 94607.**

/vm