

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA
ORDINANCE NO. 3026

AN ORDINANCE AUTHORIZING THE IMPLEMENTATION OF
A COMMUNITY CHOICE AGGREGATION PROGRAM

THE BOARD OF SUPERVISORS OF THE COUNTY OF LAKE ORDAINS AS
FOLLOWS:

Section 1: *Authority.* Pursuant to the Authority granted by the California Public Utilities Code Sections 218.3, 331.1, 366, 366.1, 366.2, 380, 381.1, 394, 394.25, 395.5, 396.5, and 707, the Board of Supervisors does enact this Ordinance Authorizing the Implementation of a Community Choice Aggregation Program.

Section 2: *Findings and Purpose.* The Lake County Board of Supervisors finds that a Community Choice Aggregation Program may offer the following potential benefits, which include but are not limited to:

- a. Providing customers with a competitive choice between electric energy providers;
- b. Lower rates for electric energy customers;
- c. Cleaner and more sustainable electric energy sources;
- d. A new source of revenue to the County of Lake; and
- e. Programming in electric energy related areas such as energy efficiency and local renewable generation.

The Board of Supervisors additionally finds that current and expected electric energy market conditions are favorable for the implementation of a County of Lake Community Choice Aggregation program.

Section 3: *Authorization and Implementation.* Based on the foregoing findings, the Board of Supervisors determines that implementation of a Community Choice Aggregation program is in the public interest and welfare of its residents, and

hereby elects to authorize and implement a Community Choice Aggregation Program within the County of Lake. The County of Lake's Community Choice Aggregation program shall:

- a. Develop an Implementation Plan for consideration and possible adoption at a duly noticed public hearing;
- b. Prepare a Statement of Intent with the Implementation Plan;
- c. Post a service bond or collateral;
- d. Execute and file a service partner agreement with Pacific Gas and Electric Company;
- e. Provide universal access to the Community Choice Aggregation program;
- f. Through a transparent and open process, establish equitable rate structures across customer classes;
- g. Automatically enroll all eligible Community Choice Aggregation customers;
- h. Fully inform all Community Choice Aggregation customers, in writing, four times over four months, of the unequivocal right to opt out of Community Choice Aggregation service at any time; and
- i. Comply with all federal and state statutes, rules, regulations, and decisions applicable to the County of Lake's Community Choice Aggregation program, including but not limited to, the California Public Utilities Code, the rules, regulations and decisions adopted by the California Public Utilities Commission, the California Energy Commission, the California Independent System Operator, the California Air Resources Board, and all electric reliability and environmental statutes and regulations applicable to California retail electric load serving entities.

Section 4: *Severability.* It is the intention of the Board of Supervisors that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if

any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared invalid by the judgment or decree of a court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

Section 5: *Environmental Determination.* Pursuant to Title 14 of the California Code of Regulations, Chapter 3, *Guidelines for Implementation of the California Environmental Quality Act*, Section 15061(b)(3) the Board of Supervisors finds that it can be seen with certainty that there is no possibility that this Ordinance may have a significant effect on the environment and therefore this Ordinance is not subject to the California Environmental Quality Act (CEQA). Pursuant to Sections 15062 and 15374, the County Administrator is authorized and directed to immediately file a CEQA Notice of Exemption.

Section 6: *Effective Date.* This Ordinance shall take on the 23rd day of July, 2015. Within fifteen (15) days after adoption of the Ordinance, the Clerk to the Board of Supervisors shall at least once in a newspaper of general circulation printed and published in the County of Lake publish a summary of the Ordinance with the names of those supervisors voting for and against the Ordinance and the Clerk shall post in the office of the Clerk to the Board of Supervisors a certified copy of the full text for the adopted Ordinance along with the names of those supervisors voting for and against the Ordinance.

The foregoing Ordinance was introduced before the Board of Supervisors of the County of Lake on the 16th day of June 2015, and passed by the following vote on the 23rd day of June 2015:

AYES: Supervisors Comstock, Smith, Steele, Brown, and Farrington

NOES: None

ABSENT OR NOT VOTING: None

COUNTY OF LAKE

Chair of the Board of Supervisors

ATTEST: MATT PERRY
Clerk of the Board of Supervisors
By: _____

APPROVED AS TO FORM:
ANITA L. GRANT
County Counsel
By: _____