

AB 2145

Information Packet



What is AB 2145?

AB 2145, the Utility Monopoly Power Grab of 2014, has been introduced in the State Assembly. It is meant to reverse the Community Choice Aggregation law (AB 117) passed in 2002 and prevent Community Choice energy programs from being established in California.

Community Choice is a mechanism that allows cities, counties and other government entities to aggregate individual electricity customers within a defined area for the purpose of providing electricity and related energy services. Six states, including California, allow local governments to procure their own electricity supplies, with the incumbent utility continuing to operate the transmission and distribution lines. Community Choice programs provide local control over energy supply (but are distinct from municipal utilities, which own the distribution infrastructure).

Local communities have been motivated to establish Community Choice programs as an alternative to big corporate utilities. Based on local preferences for increased levels of renewable energy sources, local agencies can more quickly transition to a renewable energy model, encourage local investment in energy resource development, reduce greenhouse gases, procure electricity at more stable or lower prices, and provide the impetus to modernize the electricity grid to support a sustainable decentralized energy system.

Two Community Choice programs have already been established in California – in Marin and Sonoma Counties. More than a dozen other communities across California are in varying stages of program development.

By law, Community Choice programs can automatically enroll electricity customers, who can choose to opt out and stay with the incumbent utility. AB 2145 would change this essential aspect of the law, making it impossible for Community Choice programs to effectively compete with the big corporate utilities. AB 2145 thereby eliminates Community Choice as an alternative way for communities to procure electricity services.

If enacted, AB 2145 will limit local energy choice, thwart California's environmental goals, infringe on local government decision-making power, diminish local communities' ability to create local clean energy jobs, and will effectively destroy the future of Community Choice energy in California.

Why Oppose AB 2145?

- **AB 2145 is meant to strengthen the big corporate utility monopoly.**

The law would essentially reverse AB 117, the Community Choice Aggregation law of 2002, which was meant to provide communities with a choice of electricity service provider. Communities have not had that choice for about 100 years.

- **Communities want a choice of electricity service provider.**

Communities want a choice of where their electricity comes from. AB 2145 infringes on local government's ability to make energy decisions that can benefit their communities. By strengthening the utility monopoly, it also denies electricity customers the ability to choose an alternative energy services provider.

- **Community Choice can provide for many community benefits.**

In addition to fostering healthy competition, Community Choice enables communities to develop local renewable energy resources, create clean energy jobs, stabilize or lower electricity prices, reduce greenhouse gas emissions, stimulate local economies, retain wealth in their communities, improve health, and strengthen resilience.

- **Communities need Community Choice to address climate change**

Community Choice is one of the most powerful vehicles for establishing a clean energy future: for enabling climate action plans, local clean energy development, and energy demand reduction. This is how we develop new businesses, provide jobs, and create economic opportunity while lowering greenhouse gas emissions

- **AB 2145 would change the law to make it impossible to establish Community Choice programs**

It would change AB 117 to prevent a Community Choice program from automatically enrolling customers, which is necessary to level the playing field with the monopoly utilities and provide a viable, competitive offering. AB 2145 would destroy the future of Community Choice energy in California.

- **More than a dozen California counties are exploring or establishing Community Choice programs.**

Communities in the following California counties have initiatives for establishing Community Choice programs: San Diego, Santa Barbara, Riverside, San Luis Obispo, San Benito, Monterey, Santa Cruz, Santa Clara, San Francisco, Alameda, Contra Costa, Napa, and Mendocino. AB 2145 would render these efforts futile.

- **Hundreds of organizations have already voiced opposition to AB 2145**

Within a week of its introduction in the Assembly, hundreds of organizations have expressed opposition to the bill. These include several local governments around the State; Sierra Club California; The Utility Reform Network; LEAN Energy U.S.; Local Clean Energy Alliance; the California Public Utility Commission's Office of Ratepayer Advocates; the California State Association of Counties; the League of California Cities; Communities for a Better Environment; CLEAN Coalition; Retail Energy Supply Association; Alliance for Retail Energy Markets; Marin World Wildlife Fund US; and the California Solar Energy Industries Association.

- **AB 2145 is the latest in a series of attacks on Community Choice**

AB 2145 follows in the footsteps of AB 976 in 2011/12, correctly vetoed by Governor Brown, and Proposition 16 in 2010, smartly defeated by the California electorate despite about \$50 million spent by PG&E to pass it. AB 2145 represents a direct attack on the intent of AB 117 just as it is beginning to bear fruit in Marin and Sonoma Counties, and as many other communities throughout California are actively exploring Community Choice programs

California Organizations & Local Governments Opposing AB 2145

(Updated 05/15/14)

Local Governments

City of Benicia
City of Berkeley
City of Cupertino
City of Hayward
City of Lancaster
City of Menlo Park
City of Mountain View
City of Richmond
City of San Carlos
City of San Pablo
City of Santa Cruz
City of Solana Beach
City of Sunnyvale
Town of Fairfax
Alameda County
Los Angeles County
Marin County
Santa Cruz County
Sonoma County
Monterey County
San Benito County

Governmental Agencies & Associations

Bay Area Air Quality Management District (BAAQMD)
CA State Association of Counties (CSAC)
California Air Pollution Control Officers Association (CAPCOA)
California Manufacturers & Technology Assoc.(CMTA)
Green Cities California
League of California Cities
Marin County Council of Mayors and Councilmembers
Monterey Regional Waste Management District
Office of Ratepayer Advocates, California Public Utilities Commission (CPUC)
Regional Climate Protection Authority
RichmondBUILD
Salinas Valley Solid Waste Authority
Sonoma County Transportation Authority
Sonoma County Water Agency
South San Joaquin Irrigation District

Elected Officials

Councilmember Lynette McElhaney, City of Oakland
Supervisor Brad Wagenknecht, Napa County
Supervisor Scott Haggerty, Alameda County
Supervisors Dianne Jacob and David Roberts, San Diego County
Mayor Elizabeth Patterson, City of Benicia
Vice Mayor Rod Sinks, City of Cupertino
Vice Mayor Michael Winkler, City of Arcata

Non-Profit Advocacy Organizations

350.org – Bay Area, San Francisco, San Diego, Sonoma County, and Santa Barbara chapters
Asian Pacific Environmental Network
Berkeley Climate Action Coalition
Bay Localize
Carbon Free Mountain View
Clean Coalition
Climate Protection Campaign
Communities for a Better Environment
Community Environmental Council
Environment California
Environmental Health Coalition (EHC)
Galvin Electricity Initiative
Global Exchange
Greenlining Institute
Greywater Action
Kyoto USA
Local Clean Energy Alliance
Local Energy Aggregation Network (LEAN Energy US)
Movement Generation Justice and Ecology Project
New Voices Are Rising
Organizing for America (OFA)-California
Planting Justice
Public Interest Coalition
Rose Foundation for Communities & the Environment
Sierra Club California
The Utility Reform Network (TURN)
Transition US
World Wildlife Fund US

Community Choice Energy Programs

MCE - Marin Clean Energy
Sonoma Clean Power Authority

Emerging Community Choice Programs

Friends of San Diego Clean Energy
Monterey Bay Community Power, representing
21 communities in Monterey, San Benito and
Santa Cruz Counties
San Diego Energy District Foundation
San Luis Obispo Clean Energy

Community Choice Advocacy Organizations

Clean Energy & Jobs Oakland Campaign of the
Oakland Climate Action Coalition
Community Choice Energy Working Group of
the Berkeley Climate Action Coalition
Local Energy Aggregation Network (LEAN
Energy US)
San Francisco Clean Energy Advocates
Sierra Club Bay Chapter

Civic Organizations

The Action Hub, Richmond
Haight Ashbury Neighborhood Council
Joint Venture Monterey Bay
Kehilla Community Synagogue, Greening
Committee
Mainstreet Moms
Our City San Francisco
People United for a Better Life in Oakland
(PUEBLO)
Resilient Neighborhoods
Richmond Progressive Alliance
Sustainable Marin
Sustainable Napa County
Sustainable San Rafael and Novato
Victory Garden Foundation
West Oakland Environmental Indicators Project

Energy Sector & Energy Sector Associations

Alliance for Retail Energy Markets
California Energy Storage Alliance
California Solar Energy Industries Association
Commonwealth Energy Consortium, LLC
Energy 2001, Inc.
Energy Solidarity Cooperative
Enlightenment Energy
Everybody Solar
G2 Energy
Galvin Electricity Initiative
GenPower, Inc.
OurEvolution Energy and Engineering
Pacific Energy Advisors
Panasonic Eco Solutions North America
(PESNA)
Planet EcoSystems
RE-volv
Recolte Energy
REP Energy Inc.
Retail Energy Suppliers Association
School Project for Utility Rate Reduction
(SPURR)
Solar Energy Industries Association (SEIA)
SolEd Benefit Corporation
Sun Light & Power
Sungevity
West Coast Solar Energy
Western Power Trading Forum (WPTF)

Political Organizations

Green Party of California
Wellstone Democratic Renewal Club

Other/Private Sector

Braun Blaising McLaughlin & Smith, PC
Douglass & Liddell, PC
Green Ideals Inc
Rifkind Law Group
San Rafael Airport