



MCE Board of Directors Meeting
Thursday, April 16, 2026
6:30 p.m.

1125 Tamalpais Avenue
San Rafael, CA 94901

2300 Clayton Road, Suite 1500
Concord, CA, 94520

City Hall Committee Room
955 School Street
Napa, CA 94559
(City of Napa)

First Floor Hearing Room
675 Texas Street
Fairfield, CA 94533
(County of Solano)

Public comments may be made in person or remotely via the details below.

Remote Public Meeting Participation

Video Conference: <https://t.ly/mlv5w>

Phone: Dial (669) 900-9128, Meeting ID: 890 0487 7785, Passcode: 525690

Materials related to this agenda are available for physical inspection at MCE's offices in San Rafael at 1125 Tamalpais Avenue, San Rafael, CA 94901 and in Concord at 2300 Clayton Road, Suite 1500, Concord, CA 94520.

DISABLED ACCOMMODATION: If you are a person with a disability who requires an accommodation or an alternative format, please contact MCE at (888) 632-3674 or ada-coordinator@mceCleanEnergy.org at least 72 hours before the meeting start time to ensure arrangements are made.

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1. Roll Call/Quorum
2. Board Announcements (Discussion)
3. Public Open Time (Discussion)
4. 2025 Charles F. McGlashan Advocacy Award Presentation (Discussion)
5. Public Comment on Closed Session Matters

CLOSED SESSION

Agenda Page 2 of 2

Conference with Labor Negotiator (Gov. Code §54957.6)
Agency Designated Representative: Executive Committee Chair
Unrepresented Employee: Chief Executive Officer
Public Employee Performance Evaluation (Gov. Code §54957)
Title: Chief Executive Officer

Conference with Legal Counsel - Anticipated Litigation
Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision
(d) of Section 54956.9: One Case

A point has been reached where, in the opinion of the Agency Board on the advice of its legal counsel, based on the below-described existing facts and circumstances, there is a significant exposure to litigation against the Agency: Receipt of Claim pursuant to Tort Claims Act or other written communication threatening litigation (copy available for public inspection in Clerk's office).
(Gov. Code § 54956.9(e)(3))

Name of Person or Entity Threatening Litigation: Pattern Energy Management Services LLC

6. Roll Call/Quorum
7. Report from Chief Executive Officer (Discussion)
8. Consent Calendar (Discussion/Action)
 - C.1. Approval of 3.19.26 Meeting Minutes
 - C.2. Addition of Board Members to Committees
 - C.3. Board of Directors Voting Shares Update
9. Proposed Resolution 2026-02 Delegating Energy Procurement Authority (Discussion/Action)
10. Board & Staff Matters (Discussion)
11. Adjourn

The Board of Directors may discuss and/or take action on any or all of the items listed on the agenda irrespective of how the items are described.



April 16, 2026

TO: MCE Board of Directors
FROM: Kiara Donato, Community Development Manager
RE: 2025 Charles F. McGlashan Advocacy Award Presentation (Agenda Item #04)
ATTACHMENTS: A. Presentation 2025 Charles F. McGlashan Advocacy Award
B. List of Past Charles F. McGlashan Advocacy Award Recipients

Dear Board Members:

Summary:

The Charles F. McGlashan Advocacy Award recognizes community organizations and individuals who have advanced environmental and community equity in alignment with MCE's mission and vision – particularly those who have carried out this work in partnership with or on behalf of MCE.

The award also recognizes the leadership of Charles F. McGlashan, MCE's founding Chair, and celebrates his lasting legacy of environmental and community advocacy.

During the MCE Executive Committee meeting on December 1, 2025, the committee voted to recognize the following individuals as the 2025 Charles F. McGlashan Award recipients for their dedication and environmental work in the community:

- The Utility Reform Network - Kevin Bailey, Constance Slider Pierre, Adria Tinnin
- North Marin Community Services - Maria Albuja-Pavon
- Habitat for Humanity East Bay/Silicon Valley
- Benicia Community and Sustainability Commission - Richard Fleming

The awardees have been invited to attend this Board meeting to receive a certificate. Their names will also be inscribed on a plaque at MCE's San Rafael office.

The Utility Reform Network - Kevin Bailey, Constance Slider Pierre, Adria Tinnin

Over the past two years, TURN has partnered with MCE to expand EV charging at five Bay Area Black churches, connecting them with funding and examining how energy burdens affect daily congregational life. The initiative gathered input from 309 participants, including 39 residents residing in what MCE identifies high-priority communities as state-designated Disadvantaged Communities (CalEnviroScreen) and Low-Income Communities (AB(1550), informing MCE's EV program planning.

Beyond direct engagement, TURN shared findings at MCE's Community Power Symposium and continues to support EV installations, particularly in Richmond. Their work provides a replicable model for combining environmental sustainability with equitable energy access.

Maria Albuja-Pavon - North Marin Community Services

As Climate Action Coordinator with North Marin Community Services, Ms. Albuja-Pavon leads the Volunteer Promotores Program, empowering 21 Latine community leaders to engage over 600 residents across Novato, San Rafael, and West Marin. The program educates residents on MCE programs, renewable energy options, and utility savings such as CARE and FERA discounts, bridging language and cultural barriers.

In 2025, Ms. Albuja-Pavon organized bilingual presentations and co-hosted the first annual Our Bright Future: Electrification and Energy Efficiency Fair, which drew 250 attendees and featured 19 exhibitors and live demonstrations. Her culturally inclusive outreach ensures equitable participation, particularly among Latine families, exemplifying leadership, equity, and innovation in advancing climate action.

Habitat for Humanity East Bay/Silicon Valley

Habitat for Humanity developed Esperanza Place in Walnut Creek, a model project of 42 townhomes that demonstrates how affordable housing can advance both equity and climate goals.

The Zero Net Energy development produces more energy than it consumes, lowering utility costs while showcasing climate-smart design. Transit-oriented and thoughtfully designed to foster community connections, Esperanza Place reflects MCE's values of sustainability and accessibility.

Richard Fleming - Benicia Community and Sustainability Commission

Mr. Fleming serves on Benicia's Community and Sustainability Commission, where he leads efforts to connect local businesses with MCE programs. His advocacy secured support from the city manager and MCE for a direct-mail campaign in early 2025. The campaign promoted MCE's resources and incentives for the business community and reached more than 120 businesses, helping to increase clean-energy engagement in MCE's first Solano community.

He supports community engagement by preparing public agendas, identifying sustainability resources, and serving as a liaison between residents and local government. As part of his role, Mr. Fleming staffs booths at farmers markets and other community events on behalf of MCE to provide information on clean-energy programs and regularly contributes to MCE's Community Power Coalition.

Fiscal Impacts:

None.

Recommendation:

Discussion only.



Board of Directors Meeting
April 16, 2026

2025 Charles F. McGlashan Advocacy Award



Overview

About the Award

Honoring those who advance environmental and community equity in partnership with MCE, this award celebrates the legacy of Charles F. McGlashan, MCE's founding Chair and lifelong advocate for community action and environmentalism.

Past Winners

- **2024:** The Concord Chamber of Commerce, RCF Connects, Andrew Bradley (City of St. Helena)
- **2023:** Chris Benz (Napa Climate Now), Karen Madden (Marin School of Environmental Leadership), Eden Housing
- **2022:** Napa Green, Matt Belasco (Pittsburg Unified School District), Sara Bellafronte (City of Pittsburg)



2025 Awardees

The Utility Reform Network (TURN)

Expanded EV access and energy equity with 5 priority-community churches and 300+ residents through “Charging Faith Initiative.”

Maria Albuja-Pavon (North Marin Community Services)

Led 21 Latine leaders through Promotores Program, engaging 600+ Marin residents through inclusive, bilingual clean energy education.

Habitat for Humanity, East Bay

Developed Esperanza Place, a 42-unit Zero Net Energy development in Walnut Creek that helps lower utility costs and showcases climate-smart, community-driven housing.

Richard Fleming (Benicia Community and Sustainability Commission)

Volunteer community member who leads efforts to expand MCE engagement in Benicia—advancing sustainability education and strengthening city partnerships.



MCE Board Director Laura Nakamura with 2024 winners
Concord Chamber of Commerce

Thank you!



mceCleanEnergy.org
info@mceCleanEnergy.org



Past Charles F. McGlashan Advocacy Award Recipients

2011	Barbara George, Women's Energy Matters
2012	The Mainstreet Moms
2013	Lea Dutton, San Anselmo Quality of Life Commission
2014	Doria Robinson, Urban Tilth
2015	Constance Beutel, Benicia Community and Sustainability Commission
2016	Sustainable Napa County
2017	The El Cerrito Environmental Quality Committee
2018	Sustainable Lafayette Resilient Neighborhoods Verna Casuby-Smith, EAH Affordable Housing
2019	Sustainable Rossmoor National Council of Jewish Women Contra Costa Gloria Castillo, Canal Alliance
2020	Deborah Elliott, County of Napa Fairfax Climate Action Committee Marin Center for Independent Living (MCEIL) Disability Services & Legal Center (DSLCC) Independent Living Resources of Solano and Contra Costa (ILRSCC) Vi Ibarra, Development Disabilities Council of Contra Costa County
2021	Sustainable Contra Costa
2022	Matt Belasco, Pittsburg Unified School District Sara Bellafronte, City of Pittsburg Napa Green
2023	Chris Benz, Napa Climate NOW! Karren Madden, Marin School of Environmental Leadership Eden Housing
2024	Concord Chamber of Commerce RCF Connects Andrew Bradley, City of St. Helena



April 16, 2026

TO: MCE Board of Directors
FROM: Jesica Brooks, Executive Assistant and Lead Board Clerk
RE: Addition of Board Members to Committees (Agenda Item #05 C.2)¹
ATTACHMENTS: A. MCE Board Offices and Committee Rosters
B. Technical Committee Overview

Dear MCE Board Members:

Summary:

MCE Board Director and City of Martinez Councilmember, Brianne Zorn, is interested in joining the Technical Committee.

Fiscal Impacts:

None.

Recommendation:

Approve the Addition of Director Brianne Zorn to the Technical Committee.

¹ This item is a general administrative matter. Action requires a majority vote of board members present for a motion to carry.

DRAFT
MCE BOARD MEETING MINUTES¹
Thursday, March 19, 2026
6:30 P.M.

Present: Liz Alessio, Alternate, County of Napa and Four Napa Cities/Town (American Canyon, Calistoga, St. Helena, and Yountville)
Stephanie Andre, City of Larkspur
Dion Bailey, City of Hercules
Mark Belotz, Town of Danville
Kari Birdseye, City of Benicia
Monica Brown, County of Solano, left at 9:32 p.m.
Barbara Coler, Town of Fairfax, Acting Chair
Craig DeVinney, Alternate, City of Walnut Creek
Kevin Jacobs, City of Novato
C. William Kircher, Jr., Town of Ross
Belle La, Alternate, City of Pleasant Hill
Eduardo Martinez, City of Richmond
Aaron Meadows, City of Oakley
Laura Nakamura, City of Concord
Beth Painter, City of Napa
Max Perrey, City of Mill Valley
Mary Sackett, County of Marin
Manveer Sandhu, City of Fairfield, joined at 6:59 p.m., left at 8:18 p.m.
Graham Thiel, Town of Moraga, joined at 7:18 p.m.
Holli Thier, Town of Tiburon, left at 7:07 p.m.
Sridhar Verose, City of San Ramon
Sally Wilkinson, City of Belvedere
Brianne Zorn, City of Martinez

Absent: Eli Beckman, Town of Corte Madera
Jill Hoffman, City of Sausalito
Arlene Kobata, City of Pittsburg
Tarrell Kullaway, Town of San Anselmo
Maika Llorens Gulati, City of San Rafael
John McCormick, City of Lafayette
Devin Murphy, City of Pinole
Charles Palmares, City of Vallejo
Patricia Ponce, City of San Pablo
Shanelle Scales-Preston, County of Contra Costa
Carolyn Wysinger, City of El Cerrito

¹ Approval of the minutes is a general administrative matter. Action requires a majority vote of board members present for a motion to carry.

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Staff

& Others:

Jared Blanton, VP of Public Affairs
Kaladhar Bollampalli, Director of Power Systems and Analytics
Jessica Brooks, Lead Board Clerk and Executive Assistant
Vidhi Chawla, VP of Power Resources
Shuvo Chowdhury, VP of Technology & Analytics
Alice Havenar-Daughton, VP of Customer Programs
Vicken Kasarjian, Chief Operating Officer
Shaheen Khan, VP of Human Resources, Diversity, and Inclusion
Tanya Lomas, Board Clerk
Linda Lye, Senior Legal Counsel
Alexandra McGee, VP of Strategic Initiatives
Lindsay Meehan, Director of Human Resources
Catalina Murphy, General Counsel
Ashley Muth, Internal Operations Associate
Efren Oxlaj, Manager of Finance
Justine Parmelee, VP of Internal Operations
Zae Perrin, VP of Customer Operations
Enyonam Senyo-Mensah, Manager of Internal Operations
Dan Settlemyer, Internal Operations Associate
Maíra Strauss, Chief Financial Officer
Jamie Tuckey, Chief Customer Officer
Dawn Weisz, Chief Executive Officer

1. Roll Call

Acting Chair Coler called the regular meeting to order at 6:34 p.m. with quorum established by roll call.

2. Board Announcements (Discussion)

There were announcements from Acting Chair Coler, Director Alessio, and Director Brown.

3. Public Open Time (Discussion)

Acting Chair Coler opened the public comment period and there were no comments.

4. Report from Chief Executive Officer (Discussion)

CEO Weisz introduced this item and addressed questions from Board members.

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Acting Chair Coler opened the public comment period and there was a comment from member of the public, Nick Pappas.

5. Consent Calendar (Discussion/Action)²

- C.1 Approval of 2.19.26 Meeting Minutes
- C.2 Approval of 3.16.26 Special Meeting Minutes
- C.3 Technical Committee Recommendation Regarding Term Limits
- C.4 Resolution 2026-01 Creating Interim Advisory Committee for Energy Procurement Delegation Implementation

Director Belotz requested that item C.3 be pulled from the consent calendar for discussion. The Acting Chair accepted the request and moved item C.3 to be discussed after item 7.

Acting Chair Coler opened the public comment period and there were comments from members of the public, Nick Pappas and Jody Timms.

Action 1: It was M/S/C (Their/Bailey) **to approve Consent Calendar items C.1, C.2, and C.4.** Motion carried by roll call vote. 21-Yays 5-Nos. (Nos: Andre, Brown, Jacobs, Martinez, and Wilkinson. Absent: Beckman, Hoffman, Kircher Jr., Kobata, Kullaway, Llorens Gulati, McCormick, Murphy, Palmares, Ponce, Scales-Preston, and Wysinger).

Action 2: It was M/S/C (Their/Bailey) **to reject the recommendation of the Technical Committee to pause term limits for the Technical Committee Chair for one year and to appoint Director Murphy as Interim Chair.** Motion carried by roll call vote. 17-Yays 7-Nos. (Nos: Bailey, Birdseye, DeVinney, Meadows, Nakamura, Thiel, and Verose. Absent: Beckman, Brown, Hoffman, Kircher Jr., Kobata, Kullaway, Llorens Gulati, McCormick, Murphy, Palmares, Ponce, Scales-Preston, Thier, and Wysinger).

6. Fiscal Year 2026/27 Budget Approval Inclusive of Rate Reduction Effective, April 1, 2026 (Discussion/Action)³

Maíra Strauss, Chief Financial Officer, and Efren Oxlaj, Manager of Finance, introduced this item and addressed questions from Board members.

Acting Chair Coler opened the public comment period and there were comments from members of the public, Nick Pappas, Jody Timms, and Joe Barber.

² This item is a general administrative matter. Action requires a majority vote of board members present for a motion to carry.

³ This item is a general administrative matter and requires a majority vote of the full MCE Board for a motion to carry. The Operating Rules and Regulations specify that adoption of the budget is a general administrative matter that requires a majority vote of the full membership of the Board (Article VI, Section 2).

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Action 1: It was M/S (Nakamura/Sackett) **to approve the Fiscal Year 2026/27 proposed budgets inclusive of a 2.05-cent rate reduction effective April 1, 2026, and a temporary 0.62-cent rate credit running April-December 2026, and to increase the Communications Services budget by \$175,000 to avoid any decrease in local community and industry events and sponsorship opportunities.** Motion did not carry. 19-Yays 6-Nos. (Nos: Andre, Belotz, Jacobs, Martinez, Meadows, and Wilkinson. Absent: Beckman, Hoffman, Kobata, Kullaway, Llorens Gulati, McCormick, Murphy, Palmares, Ponce, Sandhu, Scales-Preston, Thier, and Wysinger).

Action 2: It was M/S (Coler/Alessio) **to approve the Fiscal Year 2026/27 proposed budgets inclusive of a 2.05-cent rate reduction effective April 1, 2026, and a temporary 0.62-cent rate credit running April-December 2026.** Motion did not carry. 13-Yays 12-Nos (Nos: Andre, Bailey, Belotz, DeVinney, Jacobs, La, Martinez, Meadows, Nakamura, Painter, Verose, Wilkinson. Absent: Beckman, Hoffman, Kobata, Kullaway, Llorens Gulati, McCormick, Murphy, Palmares, Ponce, Sandhu, Scales-Preston, Thier, and Wysinger).

Action 3: It was M/S/C (Nakamura/Alessio) **to approve the Fiscal Year 2026/27 proposed budgets inclusive of a 2.05-cent rate reduction effective April 1, 2026, and a temporary 0.62-cent rate credit running April-December 2026, and to increase the Communications Services budget by \$170,000 to avoid any decrease in local community and industry events and sponsorship opportunities.** Motion carried by roll call vote. 20-Yays 5-Nos. (Nos: Andre, Belotz, Jacobs, Martinez, Wilkinson. Absent: Beckman, Hoffman, Kobata, Kullaway, Llorens Gulati, McCormick, Murphy, Palmares, Ponce, Sandhu, Scales-Preston, Thier, Wysinger).

Acting Chair Coler opened for a 5 minute break. Quorum re-established by roll call vote.

7. Draft MCE RFP Governance Assessment Services (Discussion/Action)⁴

Directors Sackett, Alessio, and Birdseye introduced this item and addressed questions from Board members.

Acting Chair Coler opened the public comment period and there was a comment from member of the public Jody Timms.

⁴ This item is a general administrative matter. Action requires a majority vote of board members present for a motion to carry.

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Action: It was M/S/C (La/Perrey) **to approve the MCE RFP for Governance Assessment Services.** Motion carried by unanimous roll call vote.
(Absent: Beckman, Hoffman, Kobata, Kullaway, Llorens Gulati, McCormick, Murphy, Palmares, Ponce, Sandhu, Scales-Preston, Thier, and Wysinger).

8. Board & Staff Matters (Discussion)

There were no comments.

9. Adjournment

Acting Chair Coler adjourned the meeting at 9:46 p.m. to the next scheduled Board Meeting on April 16, 2026.

Barbara Coler, Acting Chair

Attest:

Dawn Weisz, Secretary



2026 MCE Board Offices and Committee Rosters

BOARD OFFICES

Chair:	Shanelle Scales-Preston, County of Contra Costa
Vice Chair:	Cindy Darling, Walnut Creek
Treasurer:	Maira Strauss, MCE Chief Financial Officer
Secretary:	Dawn Weisz, MCE Chief Executive Officer

BOARD OFFICES SELECTION PROCESS

The Chair and Vice Chair offices are held for 1 year and there are no limits on the number of terms held by either Chair or Vice Chair.¹ The selection of these offices shall take place in or near December of each year.² The office of Treasurer is appointed by the Board via an approved resolution and may be a non-board member. The Treasurer appointment, along with the delegated authority, is held for 1 year and there are no limits on the number of terms held.³ Deputy Treasurers are appointed directly by the Treasurer each year. Once appointed by the Board, the Secretary shall continue to hold the office each year until the Secretary chooses to resign from the role or the Board decides to remove the individual from the Secretary position.⁴ The Secretary does not need to be a member of the Board. All officer appointments/selections by the Board require a majority vote of the full membership of the Board.⁵

EXECUTIVE COMMITTEE *(Updated 3.2.26)*

- | | |
|------------------------------|------------------------|
| 1. Barbara Coler, Chair | Town of Fairfax |
| 2. Cindy Darling, Vice Chair | City of Walnut Creek |
| 3. Stephanie Andre | City of Larkspur |
| 4. Kari Birdseye | City of Benicia |
| 5. Maika Llorens Gulati | City of San Rafael |
| 6. Devin Murphy | City of Pinole |
| 7. Laura Nakamura | City of Concord |
| 8. Beth Painter | City of Napa |
| 9. Max Perrey | City of Mill Valley |
| 10. Shanelle Scales-Preston | County of Contra Costa |
| 11. Sally Wilkinson | City of Belvedere |

¹ Section 4.13.1 of MCE Joint Powers Agreement.

² Article V, Section 1 of MCE’s Operating Rules and Regulations.

³ Article V, Section 1 of MCE’s Operating Rules and Regulations; California Government Code § 53607.

⁴ Article IV, Section 1(c) of MCE’s Operating Rules and Regulations.

⁵ Article VI, Section 2 of MCE’s Operating Rules and Regulations. At MCE’s current membership of 38 communities with appointed Directors, the vote needed is 20.

FINANCE COMMITTEE (Updated 3.26.26)

1. Liz Alessio, Chair
2. John McCormick, Vice Chair
3. Stephanie Andre
4. Charles Palmares
5. Sally Wilkinson

Napa County⁶
City of Lafayette
City of Larkspur
City of Vallejo
City of Belvedere

TECHNICAL COMMITTEE (Updated 4.3.26)

1. Dion Bailey, Chair
2. Charles Palmares, Vice Chair
3. Devin Murphy
4. Stephanie Andre
5. John McCormick
6. Amanda Szakats
7. Brianne Zorn, *interested*

City of Hercules
City of Vallejo
City of Pinole
City of Larkspur
City of Lafayette
City of Pleasant Hill
City of Martinez

2026 AD HOC CONTRACTS COMMITTEE (Updated 2.19.26)

1. Barbara Coler
2. Cindy Darling
3. Devin Murphy

Town of Fairfax
City of Walnut Creek
City of Pinole

2026 INTERIM ADVISORY COMMITTEE (Updated 3.19.26)⁷

4. Barbara Coler
5. Cindy Darling
6. Devin Murphy
7. Mary Sackett

Town of Fairfax
City of Walnut Creek
City of Pinole
County of Marin

2026 AD HOC GOVERNANCE COMMITTEE (Updated 1.15.26)

1. Liz Alessio
2. Kari Birdseye
3. Mary Sackett
4. Shanelle Scales-Preston

Napa County and Four Napa
Cities
City of Benicia
County of Marin
Contra Costa County

⁶ The Board approved a Finance Committee consisting of 5 to 7 Board representatives. If Director Alessio were to participate in her capacity as the delegate for four Napa Cities, the Finance Committee would effectively have 9 Board representatives, more than the 7 approved by the Board, and Director Alessio would constitute a quorum by herself, raising Brown Act compliance challenges. Given the current size of the Finance Committee, we construe the Board to have appointed Director Alessio to the Committee solely in her capacity as the MCE Board representative for Napa County.

⁷ Created by Resolution No. 2026-01.



MCE Technical Committee Overview

Scope

The scope of the MCE Technical Committee is to explore, discuss and provide direction or approval on issues related to electricity supply, distributed generation, greenhouse gas emissions, energy efficiency, procurement risk management and other topics of a technical nature.

Frequent topics include electricity generation technology and procurement, greenhouse gas accounting and reporting, energy efficiency programs and technology, energy storage technology, net energy metering tariff, local solar rebates, electric vehicle programs and technology, Feed-in Tariff activity and other local development, Light Green, Deep Green and Local Sol power content planning, long term integrated resource planning, regulatory compliance, MCE's Energy Risk Management Policy (ERMP), procurement risk oversight, and other activity related to the energy sector. The MCE Technical Committee reviews and discusses new technologies and potential application by MCE.

Authority

- Approval of and changes to MCE's Net Energy Metering Tariff
- Approval of and changes to MCE's Feed in Tariff
- Approval of annual greenhouse gas emissions level and related reporting
- Approval of MCE procurement pursuant to Resolution 2018-03 or its successor
- Approval of MCE procurement-related certifications and reporting, including the Power Content Label
- Approval of contracts with vendors for technical programs or services, energy efficiency program or services and procurement functions or services
- Approval of power purchase agreements
- Approval of adjustments to power supply product offerings
- Approval of the Integrated Resource Plan
- Receipt of reports from the Risk Oversight Committee (ROC) on at least a quarterly basis regarding the ROC's meetings, deliberations, and any other areas of concern
- Initiation of and oversight of a review of the implementation of the ERMP as necessary
- Approval of substantive changes to MCE's Energy Risk Management Policy (ERMP), including periodic review of the ERPM and periodic review of ERPM implementation

Committee Member Selection Process

MCE strives to assemble a Technical Committee comprised of at least one county representative and one city/town representative from each county in the MCE service area. Available seats on the Technical Committee are therefore first offered to any interested and applicable Board member whose county is not yet represented by one county and one city/town member. Interested members can be added at a meeting of the Board when it is included in the agenda.

The Technical Committee selects its own chair for a term of one year. The Technical Committee Chair is limited to two one-year terms.

Current Meeting Schedule

First Friday of each month at 10:00 am



April 16, 2026

TO: MCE Board of Directors
FROM: Linda Lye, Senior Legal Counsel
RE: Board of Directors Voting Shares Update (Agenda Item # 05.C.3)
ATTACHMENTS: A. MCE Joint Powers Agreement
B. Exhibit C to the MCE Joint Powers Agreement: Annual Energy Use
C. Exhibit D to the MCE Joint Powers Agreement: Voting Shares

Dear Board Members:

Summary:

The MCE Joint Powers Agreement (“JPA”), attached hereto as Attachment A, provides that matters “related to the CCA Program” are decided by the “voting shares” method, consisting of a vote of Directors and by voting shares based on proportionate energy usage. MCE’s voting shares are to be updated annually, as per Section 4.9.2.2 of the JPA, to reflect changes in MCE’s total annual energy as well as changes and/or additions to MCE’s member communities.

Background:

MCE voting shares are determined via a two-step process, which considers the following factors: 1) the current number of MCE member communities (Section 4.9.2.1 of the JPA); and 2) the annual energy use of each member community relative to MCE’s total annual energy, which is the sum of all member communities’ annual energy use (Section 4.9.2.2 of the JPA). Each factor is expressed as a ratio with a weight of 50% ascribed.

The first factor (total number of MCE member communities) results in an equal voting share for each MCE member community: this fractional voting share is currently 1.32% for each MCE member community, derived through the following calculation: $1/38 * 50\% = 1.32\%$. The second factor is derived by determining the ratio of each member community’s annual energy use to MCE’s total annual energy; the resultant ratio is also multiplied by 50%. For example, if annual energy use within the unincorporated County of Napa is 277 GWh and MCE’s total annual energy is 5,544 GWh, the County of Napa’s load-related voting share is 2.50%: $277/5,544 * 50\% = 2.50\%$. As a result, the County of Napa’s total MCE voting share would be 3.82% (2.50% + 1.32%). The voting share will vary by community.

At this time, MCE has the necessary data to update its total annual energy, the annual energy use of each member community, and the voting shares calculation. Accordingly, MCE has prepared revised Exhibits C and D to the JPA, which reflect the results of these updated calculations. Exhibit C displays each member community’s annual energy use as well as MCE’s total annual energy. Exhibit

D displays key elements of MCE's voting shares calculations, consistent with Sections 4.9.2.1 and 4.9.2.2 of the JPA, and reflects the voting share attributable to each member community.¹

Pursuant to Section 4.9.2.2 of the JPA, Exhibit C is to be adjusted annually to properly update the voting shares. As per Section 4.9.2.3 of the JPA, Exhibit D may be updated to reflect revised annual energy use amounts and any changes in the parties to the JPA without amending the JPA, provided the Board is given a copy of the updated Exhibit D. Therefore, MCE staff is providing a copy of the updated Exhibit D which reflects the revised and updated voting shares of the current MCE member communities. The updated Exhibits C and D referenced in this staff report will replace the existing Exhibits C and D within the JPA.

Fiscal Impacts:

None.

Recommendation:

Accept the updated Exhibit C and Exhibit D to the MCE Joint Powers Agreement.

¹ As the City of Hercules launched service in April 2025, we do not yet have a full calendar year of MCE-specific meter data associated with Hercules. This update therefore relies on the most recent data from PG&E, which is the usage data for the expansion analysis that resulted in the addition of Hercules. This approach is consistent with prior voting shares updates when new communities were added. For example, the 2023 voting shares update relied on 2020 data for Fairfield (see item 5.C.3 of the [June 15, 2023 Board packet](#)). The 2027 voting shares update will rely on 2026 MCE-specific meter data for all communities, including Hercules.

**Marin Energy Authority
- Joint Powers Agreement -**

Effective December 19, 2008

**As amended by Amendment No. 1 dated December 3, 2009
As further amended by Amendment No. 2 dated March 4, 2010
As further amended by Amendment No. 3 dated May 6, 2010
As further amended by Amendment No. 4 dated December 1, 2011
As further amended by Amendment No. 5 dated July 5, 2012
As further amended by Amendment No. 6 dated September 5, 2013
As further amended by Amendment No. 7 dated December 5, 2013
As further amended by Amendment No. 8 dated September 4, 2014
As further amended by Amendment No. 9 dated December 4, 2014
As further amended by Amendment No. 10 dated April 21, 2016
As further amended by Amendment No. 11 dated May 19, 2016
As further amended by Amendment No. 12 dated July 20, 2017
As further amended by Amendment No. 13 dated October 18, 2018
As further amended by Amendment No. 14 dated November 21, 2019
As further amended by Amendment No. 15 dated November 19, 2020
As further amended by Amendment No. 16 dated November 16, 2023**

Among the Following Parties:

City of American Canyon

City of Belvedere

City of Benicia

City of Calistoga

City of Concord

Town of Corte Madera

Town of Danville

City of El Cerrito

Town of Fairfax

City of Fairfield

City of Hercules

City of Lafayette

City of Larkspur

City of Martinez

Town of Moraga

City of Mill Valley

City of Napa

City of Novato

City of Oakley

City of Pinole

City of Pittsburg
City of Pleasant Hill
City of Richmond
Town of Ross
Town of San Anselmo
City of San Pablo
City of San Rafael
City of San Ramon
City of Sausalito
City of St. Helena
Town of Tiburon
City of Vallejo
City of Walnut Creek
Town of Yountville
County of Contra Costa
County of Marin
County of Napa
County of Solano

MARIN ENERGY AUTHORITY JOINT POWERS AGREEMENT

This **Joint Powers Agreement** (“Agreement”), effective as of December 19, 2008, is made and entered into pursuant to the provisions of Title 1, Division 7, Chapter 5, Article 1 (Section 6500 et seq.) of the California Government Code relating to the joint exercise of powers among the parties set forth in Exhibit B (“Parties”). The term “Parties” shall also include an incorporated municipality or county added to this Agreement in accordance with Section 3.1.

RECITALS

1. The Parties are either incorporated municipalities or counties sharing various powers under California law, including but not limited to the power to purchase, supply, and aggregate electricity for themselves and their inhabitants.
2. In 2006, the State Legislature adopted AB 32, the Global Warming Solutions Act, which mandates a reduction in greenhouse gas emissions in 2020 to 1990 levels. The California Air Resources Board is promulgating regulations to implement AB 32 which will require local government to develop programs to reduce greenhouse emissions.
3. The purposes for the Initial Participants (as such term is defined in Section 2.2 below) entering into this Agreement include addressing climate change by reducing energy related greenhouse gas emissions and securing energy supply and price stability, energy efficiencies and local economic benefits. It is the intent of this Agreement to promote the development and use of a wide range of renewable energy sources and energy efficiency programs, including but not limited to solar and wind energy production.
4. The Parties desire to establish a separate public agency, known as the Marin Energy Authority (“Authority”), under the provisions of the Joint Exercise of Powers Act of the State of California (Government Code Section 6500 et seq.) (“Act”) in order to collectively study, promote, develop, conduct, operate, and manage energy programs.
5. The Initial Participants have each adopted an ordinance electing to implement through the Authority Community Choice Aggregation, an electric service enterprise agency available to cities and counties pursuant to California Public Utilities Code Section 366.2 (“CCA Program”). The first priority of the Authority will be the consideration of those actions necessary to implement the CCA Program. Regardless of whether or not Program Agreement 1 is approved and the CCA Program becomes operational, the parties intend for the Authority to continue to study, promote, develop, conduct, operate and manage other energy programs.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual promises, covenants, and conditions hereinafter set forth, it is agreed by and among the Parties as follows:

ARTICLE 1 CONTRACT DOCUMENTS

- 1.1 **Definitions.** Capitalized terms used in the Agreement shall have the meanings specified in Exhibit A, unless the context requires otherwise.
- 1.2 **Documents Included.** This Agreement consists of this document and the following exhibits, all of which are hereby incorporated into this Agreement.

Exhibit A:	Definitions
Exhibit B:	List of the Parties
Exhibit C:	Annual Energy Use
Exhibit D:	Voting Shares

- 1.3 **Revision of Exhibits.** The Parties agree that Exhibits B, C and D to this Agreement describe certain administrative matters that may be revised upon the approval of the Board, without such revision constituting an amendment to this Agreement, as described in Section 8.4. The Authority shall provide written notice to the Parties of the revision of any such exhibit.

ARTICLE 2 FORMATION OF MARIN ENERGY AUTHORITY

- 2.1 **Effective Date and Term.** This Agreement shall become effective and Marin Energy Authority shall exist as a separate public agency on the date this Agreement is executed by at least two Initial Participants after the adoption of the ordinances required by Public Utilities Code Section 366.2(c)(10). The Authority shall provide notice to the Parties of the Effective Date. The Authority shall continue to exist, and this Agreement shall be effective, until this Agreement is terminated in accordance with Section 7.4, subject to the rights of the Parties to withdraw from the Authority.
- 2.2 **Initial Participants.** During the first 180 days after the Effective Date, all other Initial Participants may become a Party by executing this Agreement and delivering an executed copy of this Agreement and a copy of the adopted ordinance required by Public Utilities Code Section 366.2(c)(10) to the Authority. Additional conditions, described in Section 3.1, may apply (i) to either an incorporated municipality or county desiring to become a Party and is not an Initial Participant and (ii) to Initial Participants that have not executed and delivered this Agreement within the time period described above.

- 2.3 Formation.** There is formed as of the Effective Date a public agency named the Marin Energy Authority. Pursuant to Sections 6506 and 6507 of the Act, the Authority is a public agency separate from the Parties. The debts, liabilities or obligations of the Authority shall not be debts, liabilities or obligations of the individual Parties unless the governing board of a Party agrees in writing to assume any of the debts, liabilities or obligations of the Authority. A Party who has not agreed to assume an Authority debt, liability or obligation shall not be responsible in any way for such debt, liability or obligation even if a majority of the Parties agree to assume the debt, liability or obligation of the Authority. Notwithstanding Section 8.4 of this Agreement, this Section 2.3 may not be amended unless such amendment is approved by the governing board of each Party.
- 2.4 Purpose.** The purpose of this Agreement is to establish an independent public agency in order to exercise powers common to each Party to study, promote, develop, conduct, operate, and manage energy and energy-related climate change programs, and to exercise all other powers necessary and incidental to accomplishing this purpose. Without limiting the generality of the foregoing, the Parties intend for this Agreement to be used as a contractual mechanism by which the Parties are authorized to participate as a group in the CCA Program, as further described in Section 5.1. The Parties intend that subsequent agreements shall define the terms and conditions associated with the actual implementation of the CCA Program and any other energy programs approved by the Authority.
- 2.5 Powers.** The Authority shall have all powers common to the Parties and such additional powers accorded to it by law. The Authority is authorized, in its own name, to exercise all powers and do all acts necessary and proper to carry out the provisions of this Agreement and fulfill its purposes, including, but not limited to, each of the following:
- 2.5.1** make and enter into contracts;
 - 2.5.2** employ agents and employees, including but not limited to an Executive Director;
 - 2.5.3** acquire, contract, manage, maintain, and operate any buildings, works or improvements;
 - 2.5.4** acquire by eminent domain, or otherwise, except as limited under Section 6508 of the Act, and to hold or dispose of any property;
 - 2.5.5** lease any property;
 - 2.5.6** sue and be sued in its own name;
 - 2.5.7** incur debts, liabilities, and obligations, including but not limited to loans from private lending sources pursuant to its temporary borrowing powers such as Government Code Section 53850 et seq. and authority under the Act;
 - 2.5.8** issue revenue bonds and other forms of indebtedness;
 - 2.5.9** apply for, accept, and receive all licenses, permits, grants, loans or other aids from any federal, state or local public agency;

- 2.5.10** submit documentation and notices, register, and comply with orders, tariffs and agreements for the establishment and implementation of the CCA Program and other energy programs;
 - 2.5.11** adopt rules, regulations, policies, bylaws and procedures governing the operation of the Authority (“Operating Rules and Regulations”); and
 - 2.5.12** make and enter into service agreements relating to the provision of services necessary to plan, implement, operate and administer the CCA Program and other energy programs, including the acquisition of electric power supply and the provision of retail and regulatory support services.
- 2.6** **Limitation on Powers.** As required by Government Code Section 6509, the power of the Authority is subject to the restrictions upon the manner of exercising power possessed by the County of Marin.
- 2.7** **Compliance with Local Zoning and Building Laws.** Notwithstanding any other provisions of this Agreement or state law, any facilities, buildings or structures located, constructed or caused to be constructed by the Authority within the territory of the Authority shall comply with the General Plan, zoning and building laws of the local jurisdiction within which the facilities, buildings or structures are constructed.

ARTICLE 3 AUTHORITY PARTICIPATION

- 3.1** **Addition of Parties.** Subject to Section 2.2, relating to certain rights of Initial Participants, other incorporated municipalities and counties may become Parties upon (a) the adoption of a resolution by the governing body of such incorporated municipality or such county requesting that the incorporated municipality or county, as the case may be, become a member of the Authority, (b) the adoption, by an affirmative vote of the Board satisfying the requirements described in Section 4.9.1, of a resolution authorizing membership of the additional incorporated municipality or county, specifying the membership payment, if any, to be made by the additional incorporated municipality or county to reflect its pro rata share of organizational, planning and other pre-existing expenditures, and describing additional conditions, if any, associated with membership, (c) the adoption of an ordinance required by Public Utilities Code Section 366.2(c)(10) and execution of this Agreement and other necessary program agreements by the incorporated municipality or county, (d) payment of the membership payment, if any, and (e) satisfaction of any conditions established by the Board. Notwithstanding the foregoing, in the event the Authority decides to not implement a CCA Program, the requirement that an additional party adopt the ordinance required by Public Utilities Code Section 366.2(c)(10) shall not apply. Under such circumstance, the Board resolution authorizing membership of an additional incorporated municipality or county shall be adopted in accordance with the voting requirements of Section 4.10.

- 3.2 **Continuing Participation.** The Parties acknowledge that membership in the Authority may change by the addition and/or withdrawal or termination of Parties. The Parties agree to participate with such other Parties as may later be added, as described in Section 3.1. The Parties also agree that the withdrawal or termination of a Party shall not affect this Agreement or the remaining Parties' continuing obligations under this Agreement.

ARTICLE 4 GOVERNANCE AND INTERNAL ORGANIZATION

- 4.1 **Board of Directors.** The governing body of the Authority shall be a Board of Directors ("Board") consisting of one director for each Party appointed in accordance with Section 4.2.
- 4.2 **Appointment and Removal of Directors.** The Directors shall be appointed and may be removed as follows:
- 4.2.1 The governing body of each Party shall appoint and designate in writing one regular Director who shall be authorized to act for and on behalf of the Party on matters within the powers of the Authority. The governing body of each Party also shall appoint and designate in writing one alternate Director who may vote on matters when the regular Director is absent from a Board meeting. The person appointed and designated as the Director or the alternate Director shall be a member of the governing body of the Party. As an alternative to appointing its own Director and alternate Director, the governing body of any Party may elect to designate another Party within the same county (the "designated Party") to represent it on the Board with the Director and alternate Director from the designated Party (the "consolidated Parties"). Notwithstanding any provision in this Agreement to the contrary, in the case of such an election by one or more Parties in the same county, the designated Party shall have the combined votes and voting shares of the consolidated Parties and shall vote on behalf of the consolidated Parties. The governing body of a Party may revoke its designation of another Party to vote on its behalf at any time. Neither an election by a Party to designate another Party to vote on its behalf or a revocation of this election shall be effective unless provided in a written notice to the Authority.
- 4.2.2 The Operating Rules and Regulations, to be developed and approved by the Board in accordance with Section 2.5.11, shall specify the reasons for and process associated with the removal of an individual Director for cause. Notwithstanding the foregoing, no Party shall be deprived of its right to seat a Director on the Board and any such Party for which its

Director and/or alternate Director has been removed may appoint a replacement.

- 4.3 Terms of Office.** Each Director shall serve at the pleasure of the governing body of the Party that the Director represents, and may be removed as Director by such governing body at any time. If at any time a vacancy occurs on the Board, a replacement shall be appointed to fill the position of the previous Director in accordance with the provisions of Section 4.2 within 90 days of the date that such position becomes vacant.
- 4.4 Quorum.** A majority of the Directors shall constitute a quorum, except that less than a quorum may adjourn from time to time in accordance with law.
- 4.5 Powers and Function of the Board.** The Board shall conduct or authorize to be conducted all business and activities of the Authority, consistent with this Agreement, the Authority Documents, the Operating Rules and Regulations, and applicable law.
- 4.6 Executive Committee.** The Board may establish an executive committee consisting of a smaller number of Directors. The Board may delegate to the executive committee such authority as the Board might otherwise exercise, subject to limitations placed on the Board's authority to delegate certain essential functions, as described in the Operating Rules and Regulations. The Board may not delegate to the Executive Committee or any other committee its authority under Section 2.5.11 to adopt and amend the Operating Rules and Regulations.
- 4.7 Commissions, Boards and Committees.** The Board may establish any advisory commissions, boards and committees as the Board deems appropriate to assist the Board in carrying out its functions and implementing the CCA Program, other energy programs and the provisions of this Agreement.
- 4.8 Director Compensation.** Compensation for work performed by Directors on behalf of the Authority shall be borne by the Party that appointed the Director. The Board, however, may adopt by resolution a policy relating to the reimbursement of expenses incurred by Directors.
- 4.9 Board Voting Related to the CCA Program.**
- 4.9.1.** To be effective, on all matters specifically related to the CCA Program, a vote of the Board shall consist of the following: (1) a majority of all Directors shall vote in the affirmative or such higher voting percentage expressly set forth in Sections 7.2 and 8.4 (the "percentage vote") and (2) the corresponding voting shares (as described in Section 4.9.2 and Exhibit D) of all such Directors voting in the affirmative shall exceed 50%, or such other higher voting shares percentage expressly set forth in Sections 7.2 and 8.4 (the "percentage voting shares"), provided that, in instances in which such other higher voting share percentage would result in any one

Director having a voting share that equals or exceeds that which is necessary to disapprove the matter being voted on by the Board, at least one other Director shall be required to vote in the negative in order to disapprove such matter.

4.9.2. Unless otherwise stated herein, voting shares of the Directors shall be determined by combining the following: (1) an equal voting share for each Director determined in accordance with the formula detailed in Section 4.9.2.1, below; and (2) an additional voting share determined in accordance with the formula detailed in Section 4.9.2.2, below.

4.9.2.1 Pro Rata Voting Share. Each Director shall have an equal voting share as determined by the following formula: $(1/\text{total number of Directors})$ multiplied by 50, and

4.9.2.2 Annual Energy Use Voting Share. Each Director shall have an additional voting share as determined by the following formula: $(\text{Annual Energy Use}/\text{Total Annual Energy})$ multiplied by 50, where (a) “Annual Energy Use” means, (i) with respect to the first 5 years following the Effective Date, the annual electricity usage, expressed in kilowatt hours (“kWhs”), within the Party’s respective jurisdiction and (ii) with respect to the period after the fifth anniversary of the Effective Date, the annual electricity usage, expressed in kWhs, of accounts within a Party’s respective jurisdiction, and any additional jurisdictions which they represent, that are served by the Authority and (b) “Total Annual Energy” means the sum of all Parties’ Annual Energy Use. The initial values for Annual Energy use are designated in Exhibit C, and shall be adjusted annually as soon as reasonably practicable after January 1, but no later than March 1 of each year

4.9.2.3 The voting shares are set forth in Exhibit D. Exhibit D may be updated to reflect revised annual energy use amounts and any changes in the parties to the Agreement without amending the Agreement provided that the Board is provided a copy of the updated Exhibit D.

4.10 Board Voting on General Administrative Matters and Programs Not Involving CCA. Except as otherwise provided by this Agreement or the Operating Rules and Regulations, each member shall have one vote on general administrative matters, including but not limited to the adoption and amendment of the Operating Rules and Regulations, and energy programs not involving CCA. Action on these items shall be determined by a majority vote of the quorum present and voting on the item or such higher voting percentage expressly set forth in Sections 7.2 and 8.4.

4.11 Board Voting on CCA Programs Not Involving CCA That Require Financial Contributions.

The approval of any program or other activity not involving CCA that requires financial contributions by individual Parties shall be approved only by a majority vote of the full membership of the Board subject to the right of any Party who votes against the program or activity to opt-out of such program or activity pursuant to this section. The Board shall provide at least 45 days prior written notice to each Party before it considers the program or activity for adoption at a Board meeting. Such notice shall be provided to the governing body and the chief administrative officer, city manager or town manager of each Party. The Board also shall provide written notice of such program or activity adoption to the above-described officials of each Party within 5 days after the Board adopts the program or activity. Any Party voting against the approval of a program or other activity of the Authority requiring financial contributions by individual Parties may elect to opt-out of participation in such program or activity by providing written notice of this election to the Board within 30 days after the program or activity is approved by the Board. Upon timely exercising its opt-out election, a Party shall not have any financial obligation or any liability whatsoever for the conduct or operation of such program or activity.

4.12 Meetings and Special Meetings of the Board.

The Board shall hold at least four regular meetings per year, but the Board may provide for the holding of regular meetings at more frequent intervals. The date, hour and place of each regular meeting shall be fixed by resolution or ordinance of the Board. Regular meetings may be adjourned to another meeting time. Special meetings of the Board may be called in accordance with the provisions of California Government Code Section 54956. Directors may participate in meetings telephonically, with full voting rights, only to the extent permitted by law. All meetings of the Board shall be conducted in accordance with the provisions of the Ralph M. Brown Act (California Government Code Section 54950 et seq.).

4.13 Selection of Board Officers.

4.13.1 Chair and Vice Chair. The Directors shall select, from among themselves, a Chair, who shall be the presiding officer of all Board meetings, and a Vice Chair, who shall serve in the absence of the Chair. The term of office of the Chair and Vice Chair shall continue for one year, but there shall be no limit on the number of terms held by either the Chair or Vice Chair. The office of either the Chair or Vice Chair shall be declared vacant and a new selection shall be made if: (a) the person serving dies, resigns, or the Party that the person represents removes the person as its representative on the Board or (b) the Party that he or she represents withdraws from the Authority pursuant to the provisions of this Agreement.

4.13.2 Secretary. The Board shall appoint a Secretary, who need not be a member of the Board, who shall be responsible for keeping the minutes of

all meetings of the Board and all other official records of the Authority.

4.13.3 Treasurer and Auditor. The Board shall appoint a qualified person to act as the Treasurer and a qualified person to act as the Auditor, neither of whom needs to be a member of the Board. If the Board so designates, and in accordance with the provisions of applicable law, a qualified person may hold both the office of Treasurer and the office of Auditor of the Authority. Unless otherwise exempted from such requirement, the Authority shall cause an independent audit to be made by a certified public accountant, or public accountant, in compliance with Section 6505 of the Act. The Treasurer shall act as the depository of the Authority and have custody of all the money of the Authority, from whatever source, and as such, shall have all of the duties and responsibilities specified in Section 6505.5 of the Act. The Board may require the Treasurer and/or Auditor to file with the Authority an official bond in an amount to be fixed by the Board, and if so requested the Authority shall pay the cost of premiums associated with the bond. The Treasurer shall report directly to the Board and shall comply with the requirements of treasurers of incorporated municipalities. The Board may transfer the responsibilities of Treasurer to any person or entity as the law may provide at the time. The duties and obligations of the Treasurer are further specified in Article 6.

4.14 Administrative Services Provider. The Board may appoint one or more administrative services providers to serve as the Authority's agent for planning, implementing, operating and administering the CCA Program, and any other program approved by the Board, in accordance with the provisions of a written agreement between the Authority and the appointed administrative services provider or providers that will be known as an Administrative Services Agreement. The Administrative Services Agreement shall set forth the terms and conditions by which the appointed administrative services provider shall perform or cause to be performed all tasks necessary for planning, implementing, operating and administering the CCA Program and other approved programs. The Administrative Services Agreement shall set forth the term of the Agreement and the circumstances under which the Administrative Services Agreement may be terminated by the Authority. This section shall not in any way be construed to limit the discretion of the Authority to hire its own employees to administer the CCA Program or any other program.

ARTICLE 5

IMPLEMENTATION ACTION AND AUTHORITY DOCUMENTS

5.1 Preliminary Implementation of the CCA Program.

5.1.1 Enabling Ordinance. Except as otherwise provided by Section 3.1, prior to the execution of this Agreement, each Party shall adopt an ordinance in accordance with Public Utilities Code Section 366.2(c)(10) for the purpose of specifying that the Party intends to implement a CCA Program by and through its participation in the Authority.

5.1.2 Implementation Plan. The Authority shall cause to be prepared an Implementation Plan meeting the requirements of Public Utilities Code Section 366.2 and any applicable Public Utilities Commission regulations as soon after the Effective Date as reasonably practicable. The Implementation Plan shall not be filed with the Public Utilities Commission until it is approved by the Board in the manner provided by Section 4.9.

5.1.3 Effect of Vote On Required Implementation Action. In the event that two or more Parties vote to approve Program Agreement 1 or any earlier action required for the implementation of the CCA Program (“Required Implementation Action”), but such vote is insufficient to approve the Required Implementation Action under Section 4.9, the following will occur:

5.1.3.1 The Parties voting against the Required Implementation Action shall no longer be a Party to this Agreement and this Agreement shall be terminated, without further notice, with respect to each of the Parties voting against the Required Implementation Action at the time this vote is final. The Board may take a provisional vote on a Required Implementation Action in order to initially determine the position of the Parties on the Required Implementation Action. A vote, specifically stated in the record of the Board meeting to be a provisional vote, shall not be considered a final vote with the consequences stated above. A Party who is terminated from this Agreement pursuant to this section shall be considered the same as a Party that voluntarily withdrew from the Agreement under Section 7.1.1.1.

5.1.3.2 After the termination of any Parties pursuant to Section 5.1.3.1, the remaining Parties to this Agreement shall be only the Parties who voted in favor of the Required Implementation Action.

5.1.4 Termination of CCA Program. Nothing contained in this Article or this Agreement shall be construed to limit the discretion of the Authority to terminate the implementation or operation of the CCA Program at any

time in accordance with any applicable requirements of state law.

- 5.2** **Authority Documents.** The Parties acknowledge and agree that the affairs of the Authority will be implemented through various documents duly adopted by the Board through Board resolution, including but not necessarily limited to the Operating Rules and Regulations, the annual budget, and specified plans and policies defined as the Authority Documents by this Agreement. The Parties agree to abide by and comply with the terms and conditions of all such Authority Documents that may be adopted by the Board, subject to the Parties' right to withdraw from the Authority as described in Article 7.

ARTICLE 6 FINANCIAL PROVISIONS

- 6.1** **Fiscal Year.** The Authority's fiscal year shall be 12 months commencing April 1 and ending March 31. The fiscal year may be changed by Board resolution.

6.2 **Depository.**

6.2.1 All funds of the Authority shall be held in separate accounts in the name of the Authority and not commingled with funds of any Party or any other person or entity.

6.2.2 All funds of the Authority shall be strictly and separately accounted for, and regular reports shall be rendered of all receipts and disbursements, at least quarterly during the fiscal year. The books and records of the Authority shall be open to inspection by the Parties at all reasonable times. The Board shall contract with a certified public accountant or public accountant to make an annual audit of the accounts and records of the Authority, which shall be conducted in accordance with the requirements of Section 6505 of the Act.

6.2.3 All expenditures shall be made in accordance with the approved budget and upon the approval of any officer so authorized by the Board in accordance with its Operating Rules and Regulations. The Treasurer shall draw checks or warrants or make payments by other means for claims or disbursements not within an applicable budget only upon the prior approval of the Board.

6.3 **Budget and Recovery Costs.**

6.3.1 **Budget.** The initial budget shall be approved by the Board. The Board may revise the budget from time to time through an Authority Document as may be reasonably necessary to address contingencies and unexpected

expenses. All subsequent budgets of the Authority shall be prepared and approved by the Board in accordance with the Operating Rules and Regulations.

6.3.2 County Funding of Initial Costs. The County of Marin shall fund the Initial Costs of the Authority in implementing the CCA Program in an amount not to exceed \$500,000 unless a larger amount of funding is approved by the Board of Supervisors of the County. This funding shall be paid by the County at the times and in the amounts required by the Authority. In the event that the CCA Program becomes operational, these Initial Costs paid by the County of Marin shall be included in the customer charges for electric services as provided by Section 6.3.4 to the extent permitted by law, and the County of Marin shall be reimbursed from the payment of such charges by customers of the Authority. The Authority may establish a reasonable time period over which such costs are recovered. In the event that the CCA Program does not become operational, the County of Marin shall not be entitled to any reimbursement of the Initial Costs it has paid from the Authority or any Party.

6.3.3 CCA Program Costs. The Parties desire that, to the extent reasonably practicable, all costs incurred by the Authority that are directly or indirectly attributable to the provision of electric services under the CCA Program, including the establishment and maintenance of various reserve and performance funds, shall be recovered through charges to CCA customers receiving such electric services.

6.3.4 General Costs. Costs that are not directly or indirectly attributable to the provision of electric services under the CCA Program, as determined by the Board, shall be defined as general costs. General costs shall be shared among the Parties on such basis as the Board shall determine pursuant to an Authority Document.

6.3.5 Other Energy Program Costs. Costs that are directly or indirectly attributable to energy programs approved by the Authority other than the CCA Program shall be shared among the Parties on such basis as the Board shall determine pursuant to an Authority Document.

ARTICLE 7 WITHDRAWAL AND TERMINATION

7.1 Withdrawal.

7.1.1 General.

7.1.1.1 Prior to the Authority's execution of Program Agreement 1, any Party may withdraw its membership in the Authority by giving no less than 30 days advance written notice of its election to do so, which notice shall be given to the Authority and each Party. To permit consideration by the governing body of each Party, the Authority shall provide a copy of the proposed Program Agreement 1 to each Party at least 90 days prior to the consideration of such agreement by the Board.

7.1.1.2 Subsequent to the Authority's execution of Program Agreement 1, a Party may withdraw its membership in the Authority, effective as of the beginning of the Authority's fiscal year, by giving no less than 6 months advance written notice of its election to do so, which notice shall be given to the Authority and each Party, and upon such other conditions as may be prescribed in Program Agreement 1.

7.1.2 Amendment. Notwithstanding Section 7.1.1, a Party may withdraw its membership in the Authority following an amendment to this Agreement in the manner provided by Section 8.4.

7.1.3 Continuing Liability; Further Assurances. A Party that withdraws its membership in the Authority may be subject to certain continuing liabilities, as described in Section 7.3. The withdrawing Party and the Authority shall execute and deliver all further instruments and documents, and take any further action that may be reasonably necessary, as determined by the Board, to effectuate the orderly withdrawal of such Party from membership in the Authority. The Operating Rules and Regulations shall prescribe the rights if any of a withdrawn Party to continue to participate in those Board discussions and decisions affecting customers of the CCA Program that reside or do business within the jurisdiction of the Party.

7.2 Involuntary Termination of a Party. This Agreement may be terminated with respect to a Party for material non-compliance with provisions of this Agreement or the Authority Documents upon an affirmative vote of the Board in which the minimum percentage vote and percentage voting shares, as described in Section 4.9.1, shall be no less than 67%, excluding the vote and voting shares of the Party subject to possible termination. Prior to any vote to terminate this Agreement with respect to a Party, written notice of the proposed termination and the reason(s) for such termination shall be delivered to the Party whose termination is proposed at least 30 days prior to the regular Board meeting at which such matter shall first be discussed as an agenda item. The written notice of proposed termination shall specify the particular provisions of this Agreement or the Authority Documents that the Party has allegedly violated. The Party subject to possible termination

shall have the opportunity at the next regular Board meeting to respond to any reasons and allegations that may be cited as a basis for termination prior to a vote regarding termination. A Party that has had its membership in the Authority terminated may be subject to certain continuing liabilities, as described in Section 7.3. In the event that the Authority decides to not implement the CCA Program, the minimum percentage vote of 67% shall be conducted in accordance with Section 4.10 rather than Section 4.9.1.

- 7.3 **Continuing Liability; Refund.** Upon a withdrawal or involuntary termination of a Party, the Party shall remain responsible for any claims, demands, damages, or liabilities arising from the Party's membership in the Authority through the date of its withdrawal or involuntary termination, it being agreed that the Party shall not be responsible for any claims, demands, damages, or liabilities arising after the date of the Party's withdrawal or involuntary termination. In addition, such Party also shall be responsible for any costs or obligations associated with the Party's participation in any program in accordance with the provisions of any agreements relating to such program provided such costs or obligations were incurred prior to the withdrawal of the Party. The Authority may withhold funds otherwise owing to the Party or may require the Party to deposit sufficient funds with the Authority, as reasonably determined by the Authority, to cover the Party's liability for the costs described above. Any amount of the Party's funds held on deposit with the Authority above that which is required to pay any liabilities or obligations shall be returned to the Party.
- 7.4 **Mutual Termination.** This Agreement may be terminated by mutual agreement of all the Parties; provided, however, the foregoing shall not be construed as limiting the rights of a Party to withdraw its membership in the Authority, and thus terminate this Agreement with respect to such withdrawing Party, as described in Section 7.1.
- 7.5 **Disposition of Property upon Termination of Authority.** Upon termination of this Agreement as to all Parties, any surplus money or assets in possession of the Authority for use under this Agreement, after payment of all liabilities, costs, expenses, and charges incurred under this Agreement and under any program documents, shall be returned to the then-existing Parties in proportion to the contributions made by each.

ARTICLE 8 MISCELLANEOUS PROVISIONS

- 8.1 **Dispute Resolution.** The Parties and the Authority shall make reasonable efforts to settle all disputes arising out of or in connection with this Agreement. Should

such efforts to settle a dispute, after reasonable efforts, fail, the dispute shall be settled by binding arbitration in accordance with policies and procedures established by the Board.

- 8.2 Liability of Directors, Officers, and Employees.** The Directors, officers, and employees of the Authority shall use ordinary care and reasonable diligence in the exercise of their powers and in the performance of their duties pursuant to this Agreement. No current or former Director, officer, or employee will be responsible for any act or omission by another Director, officer, or employee. The Authority shall defend, indemnify and hold harmless the individual current and former Directors, officers, and employees for any acts or omissions in the scope of their employment or duties in the manner provided by Government Code Section 995 et seq. Nothing in this section shall be construed to limit the defenses available under the law, to the Parties, the Authority, or its Directors, officers, or employees.
- 8.3 Indemnification of Parties.** The Authority shall acquire such insurance coverage as is necessary to protect the interests of the Authority, the Parties and the public. The Authority shall defend, indemnify and hold harmless the Parties and each of their respective Board or Council members, officers, agents and employees, from any and all claims, losses, damages, costs, injuries and liabilities of every kind arising directly or indirectly from the conduct, activities, operations, acts, and omissions of the Authority under this Agreement.
- 8.4 Amendment of this Agreement.** This Agreement may be amended by an affirmative vote of the Board in which the minimum percentage vote and percentage voting shares, as described in Section 4.9.1, shall be no less than 67%. The Authority shall provide written notice to all Parties of amendments to this Agreement, including the effective date of such amendments. A Party shall be deemed to have withdrawn its membership in the Authority effective immediately upon the vote of the Board approving an amendment to this Agreement if the Director representing such Party has provided notice to the other Directors immediately preceding the Board's vote of the Party's intention to withdraw its membership in the Authority should the amendment be approved by the Board. As described in Section 7.3, a Party that withdraws its membership in the Authority in accordance with the above-described procedure may be subject to continuing liabilities incurred prior to the Party's withdrawal. In the event that the Authority decides to not implement the CCA Program, the minimum percentage vote of 67% shall be conducted in accordance with Section 4.10 rather than Section 4.9.1.
- 8.5 Assignment.** Except as otherwise expressly provided in this Agreement, the rights and duties of the Parties may not be assigned or delegated without the advance written consent of all of the other Parties, and any attempt to assign or delegate such rights or duties in contravention of this Section 8.5 shall be null and void. This Agreement shall inure to the benefit of, and be binding upon, the

successors and assigns of the Parties. This Section 8.5 does not prohibit a Party from entering into an independent agreement with another agency, person, or entity regarding the financing of that Party's contributions to the Authority, or the disposition of proceeds which that Party receives under this Agreement, so long as such independent agreement does not affect, or purport to affect, the rights and duties of the Authority or the Parties under this Agreement.

- 8.6 Severability.** If one or more clauses, sentences, paragraphs or provisions of this Agreement shall be held to be unlawful, invalid or unenforceable, it is hereby agreed by the Parties, that the remainder of the Agreement shall not be affected thereby. Such clauses, sentences, paragraphs or provision shall be deemed reformed so as to be lawful, valid and enforced to the maximum extent possible.
- 8.7 Further Assurances.** Each Party agrees to execute and deliver all further instruments and documents, and take any further action that may be reasonably necessary, to effectuate the purposes and intent of this Agreement.
- 8.8 Execution by Counterparts.** This Agreement may be executed in any number of counterparts, and upon execution by all Parties, each executed counterpart shall have the same force and effect as an original instrument and as if all Parties had signed the same instrument. Any signature page of this Agreement may be detached from any counterpart of this Agreement without impairing the legal effect of any signatures thereon, and may be attached to another counterpart of this Agreement identical in form hereto but having attached to it one or more signature pages.
- 8.9 Parties to be Served Notice.** Any notice authorized or required to be given pursuant to this Agreement shall be validly given if served in writing either personally, by deposit in the United States mail, first class postage prepaid with return receipt requested, or by a recognized courier service. Notices given (a) personally or by courier service shall be conclusively deemed received at the time of delivery and receipt and (b) by mail shall be conclusively deemed given 48 hours after the deposit thereof (excluding Saturdays, Sundays and holidays) if the sender receives the return receipt. All notices shall be addressed to the office of the clerk or secretary of the Authority or Party, as the case may be, or such other person designated in writing by the Authority or Party. Notices given to one Party shall be copied to all other Parties. Notices given to the Authority shall be copied to all Parties.

ARTICLE 9

SIGNATURE

IN WITNESS WHEREOF, the parties hereto have executed this Joint Powers Agreement establishing Marin Clean Energy (formerly, Marin Energy Authority)

By: Leon Garcia

Name: Leon Garcia

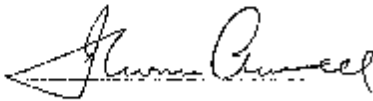
Title: Mayor

Date: 4.7.16

Party: City of American Canyon

**ARTICLE 9
SIGNATURE**

IN WITNESS WHEREOF, the Parties hereto have executed this Joint Powers Agreement establishing the Marin Energy Authority.

By: 

Name: Thomas Cromwell

Title: Mayor

Date: December 8, 2008

Party: City of Redwood

ARTICLE 9

SIGNATURE

IN WITNESS WHEREOF, the parties hereto have executed this Joint Powers Agreement establishing Marin Clean Energy (formerly, Marin Energy Authority)

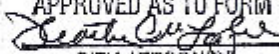
By: 

Name: Elizabeth Patterson

Title: Mayor

Date: 12.29.14

Party: City of Benicia

APPROVED AS TO FORM

CITY ATTORNEY

ARTICLE 9

SIGNATURE

IN WITNESS WHEREOF, the parties hereto have executed this Joint Powers Agreement establishing Marin Clean Energy (formerly, Marin Energy Authority)


By: 
Name: Dylan Fark
Title: City Manager
Date: April 7, 2016

Party: City of Calistoga

ARTICLE 9

SIGNATURE

IN WITNESS WHEREOF, the parties hereto have executed this Joint Powers Agreement establishing Marin Clean Energy (formerly, Marin Energy Authority)

By: 

Name: Valerie J. Barode

Title: City Manager

Date: July 24, 2017

Party: City of Concord

**ARTICLE 9
SIGNATURE**

IN WITNESS WHEREOF, the Parties hereto have executed this Joint Powers Agreement establishing the Marin Energy Authority.

By: 

Name: Alexandra Cock

Title: Mayor

Date: December 6, 2011

Party: Town of Corte Madera

ATTEST


Christine Green, Town Clerk

ARTICLE 9

SIGNATURE

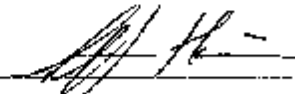
IN WITNESS WHEREOF, the parties hereto have executed this Joint Powers Agreement establishing Marin Clean Energy (formerly, Marin Energy Authority)

By:  _____
Name: Joseph A. Calabro _____
Title: Town Manager _____
Date: July 17, 2017 _____
Party: Town of Danville

ARTICLE 9

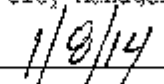
SIGNATURE

IN WITNESS WHEREOF, the parties hereto have executed this Joint Powers Agreement establishing Marin Clean Energy (formerly, Marin Energy Authority)

By:  _____

Name: Scott Eakin

Title: City Manager

Date:  _____

Party: City of El Cerrito

**ARTICLE 9
SIGNATURE**

IN WITNESS WHEREOF, the Parties hereto have executed this Joint Powers Agreement establishing the Marin Energy Authority.

By: David Weinsoff

Name: David Weinsoff

Title: Mayor

Date: 2.12.09

Party: Town of Fairfax

ARTICLE 9

SIGNATURE

IN WITNESS WHEREOF, the parties hereto have executed this Joint Powers Agreement establishing Marin Clean Energy (formerly, Marin Energy Authority)

By:  _____

PK Name: Sean P. Quinn

Title: Interim City Manager

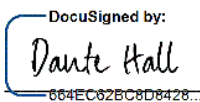
Date: 12/17/19

Party: City of Fairfield

ARTICLE 9

SIGNATURE

IN WITNESS WHEREOF, the parties hereto have executed this Joint Powers Agreement establishing Marin Clean Energy (formerly, Marin Energy Authority)

By:  _____
664EC62BC8D6428...

Name: Dante Hall

Title: City Manager

Date: 10/20/2023

Party: City of Hercules

ARTICLE 9

SIGNATURE

IN WITNESS WHEREOF, the parties hereto have executed this Joint Powers Agreement establishing Marin Clean Energy (formerly, Marin Energy Authority)

By: 


Name: Mark Mitchell

Title: Mayor

Date: 3-14-16

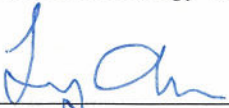
Party: City of Lafayette

Attest:


Joanne Robbins, City Clerk

**ARTICLE 9
SIGNATURE**

IN WITNESS WHEREOF, the Parties hereto have executed this Joint Powers Agreement establishing the Marin Energy Authority.

By: 
Name: Larry Cheu
Title: Mayor, Larkspur
Date: November 16, 2011
Party: CITY OF LARKSPUR

ARTICLE 9

SIGNATURE

IN WITNESS WHEREOF, the parties hereto have executed this Joint Powers Agreement establishing Marin Clean Energy (formerly, Marin Energy Authority)

By: 

Name: Brad Kilger

Title: City Manager

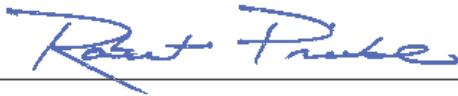
Date: 7/26/17

Party: City of Martinez

ARTICLE 9

SIGNATURE

IN WITNESS WHEREOF, the parties hereto have executed this Joint Powers Agreement establishing Marin Clean Energy (formerly, Marin Energy Authority)

By: 

Name: Robert Priebe

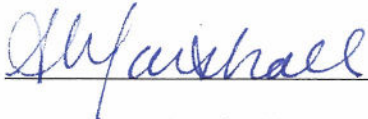
Title: Town Manager

Date: July 24, 2017

Party: Town of Moraga

**ARTICLE 9
SIGNATURE**

IN WITNESS WHEREOF, the Parties hereto have executed this Joint Powers Agreement establishing the Marin Energy Authority.

By: 

Name: Shawn E. Marshall

Title: Mayor

Date: December 2, 2008

Party: City of Mill Valley

ARTICLE 9

SIGNATURE

IN WITNESS WHEREOF, the parties hereto have executed this Joint Powers Agreement establishing Marin Clean Energy (formerly, Marin Energy Authority)

By: 

Name: Mike Parness

Title: City Manager

Date: 4-11-16

Party: City of Napa

**ARTICLE 9
SIGNATURE**

IN WITNESS WHEREOF, the Parties hereto have executed this Joint Powers Agreement establishing the Marin Energy Authority.

By: Madeline R. Kellner

Name: Madeline R. Kellner

Title: Mayor


Date: October 7, 2011

Party: City of Novato

ARTICLE 9

SIGNATURE

IN WITNESS WHEREOF, the parties hereto have executed this Joint Powers Agreement establishing Marin Clean Energy (formerly, Marin Energy Authority)

By: 
Name: Bryan H. Montgomery
Title: City Manager
Date: 8/1/17
Party: City of Oakley

**ARTICLE 9
SIGNATURE**

IN WITNESS WHEREOF, the Parties hereto have executed this Joint Powers Agreement establishing the Marin Energy Authority.

By: Michelle Fitzer

Name: Michelle Fitzer

Title: City Manager

Date: 7/5/17

Party: City of Pinole

Approved as to form:

By: [Signature]

Name: Eric Casher


Title: City Attorney

Date: 7/5/17

ARTICLE 9

SIGNATURE

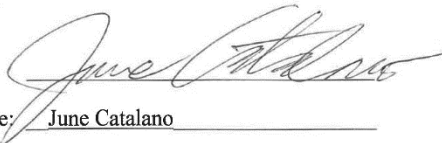
IN WITNESS WHEREOF, the parties hereto have executed this Joint Powers Agreement establishing Marin Clean Energy (formerly, Marin Energy Authority)

By: 
Name: Joe Sbranti
Title: City manager
Date: 7/24/2017
Party: City of Pittsburg

ARTICLE 9

SIGNATURE

IN WITNESS WHEREOF, the parties hereto have executed this Joint Powers Agreement establishing Marin Clean Energy (formerly, Marin Energy Authority)

By: 

Name: June Catalano

Title: City Manager

Date: June 19, 2019

Party: City of Pleasant Hill

ARTICLE 9

SIGNATURE

IN WITNESS WHEREOF, the parties hereto have executed this Joint Powers Agreement establishing the Marin Energy Authority

By: *Deane McLaughlin*
Name: *Deane McLaughlin*
Title: *Mayor*
Date: *7/5/12*
Party: *City of Richmond*

ARTICLE 9
SIGNATURE

IN WITNESS WHEREOF, the Parties hereto have executed this Joint Powers Agreement establishing the Marin Energy Authority.

By: 

Name: Carla Small

Title: Mayor

Date: 11/16/11

Party: Town of Ross

**ARTICLE 9
SIGNATURE**

IN WITNESS WHEREOF, the Parties hereto have executed this Joint Powers Agreement establishing the Marin Energy Authority.

By: 

Name: Peter Breen

Title: Mayor

Date: January 9, 2009

Party: Town of San Anselmo

ARTICLE 9

SIGNATURE

IN WITNESS WHEREOF, the parties hereto have executed this Joint Powers Agreement establishing ~~Marin Clean Energy~~ (formerly, Marin Energy Authority)

By: 

Name: Paul V. Morris

Title: Mayor, City of San Pablo

Date: SEPT. 16, 2014

Party: City of San Pablo

**ARTICLE 9
SIGNATURE**

IN WITNESS WHEREOF, the Parties hereto have executed this Joint Powers Agreement
establishing the Marin Energy Authority,

By: Cyr N. Miller

Name: Cyr N. Miller

Title: Vice Mayor

Date: December 1, 2008

Party: CITY OF SAN RAFAEL

ARTICLE 9

SIGNATURE

IN WITNESS WHEREOF, the parties hereto have executed this Joint Powers Agreement establishing Marin Clean Energy (formerly, Marin Energy Authority)

By:  _____

Name: JOE GORTON

Title: CITY MANAGER

Date: 7/31/17

Party: City of San Ramon

ARTICLE 9
SIGNATURE

IN WITNESS WHEREOF, the Parties hereto have executed this Joint Powers Agreement establishing the Marin Energy Authority.

By: Amy Belser

Name: Amy Belser

Title: Mayor

Date: November 18, 2008

Party: City of Sausalito

Attest:

Lebbie Radjose
Deputy City Clerk

Item: 5A
Meeting Date: 11-18-08
Page #: 24

ARTICLE 9

SIGNATURE

IN WITNESS WHEREOF, the parties hereto have executed this Joint Powers Agreement establishing Marin Clean Energy (formerly, Marin Energy Authority)

By: Alan Galbraith
Name: Alan Galbraith
Title: Mayor
Date: 4/14/16

Party: City of St. Helena

**ARTICLE 9
SIGNATURE**

IN WITNESS WHEREOF, the Parties hereto have executed this Joint
establishing the Marin Energy Authority.

By:



Name: ALICE FREDERICKS

Title: MAYOR

Date: 2/10/09

Party: TOWN OF TIBURON

ARTICLE 9
SIGNATURE

IN WITNESS WHEREOF, the parties hereto have executed this Joint Powers Agreement establishing Marin Clean Energy (formerly, Marin Energy Authority)



By: Greg Nyhoff

Name:

Title: - ~~City Manager~~ - - - - -

Date: - ~~June 12, 2019~~ - - - - -

Party: City of Vallejo

ARTICLE 9

SIGNATURE

IN WITNESS WHEREOF, the parties hereto have executed this Joint Powers Agreement establishing Marin Clean Energy (formerly, Marin Energy Authority)

By: Loella Haskeu

Name: LOELLA HASKEU

Title: MAYOR


Date: 4/13/16

Party: City of Walnut Creek

ARTICLE 9

SIGNATURE

IN WITNESS WHEREOF, the parties herein have executed this Joint Powers Agreement establishing Marin Clean Energy (formerly, Marin Energy Authority)

By: 
Name: Steven R. Rogers
Title: Town Manager
Date: 4/12/16
Party: Town of Yountville

ARTICLE 9

SIGNATURE

IN WITNESS WHEREOF, the parties hereto have executed this Joint Powers Agreement establishing Marin Clean Energy (formerly, Marin Energy Authority)

By:  _____

Name: Federal D. Glover

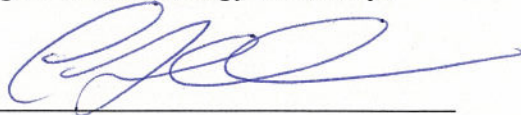
Title: Chair, Board of Supervisors

Date: August 1, 2017

Party: Contra Costa County

**ARTICLE 9
SIGNATURE**

IN WITNESS WHEREOF, the Parties hereto have executed this Joint Powers Agreement establishing the Marin Energy Authority.

By: 

Name: CHARLES F. MCGEASHAN

Title: PRESIDENT, BD OF SUPERVISORS

Date: NOVEMBER 18 2008

Party: COUNTY OF MARIN

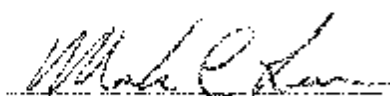
ARTICLE 9

Marin Clean Energy JPA Agreement

SIGNATURE

Amendment No. 8

IN WITNESS WHEREOF, the parties hereto have executed this Joint Powers Agreement establishing Marin Clean Energy (formerly, Marin Energy Authority)

By: 

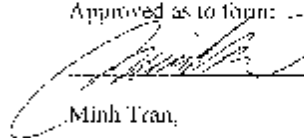
Name: Mark Luce,

Title: Chairman, Napa County Board of Supervisors

Date: 7/22/14

Party: Napa County

Approved as to form:

 Date 7/24/14

Minh Tran,

County Counsel

ARTICLE 9

SIGNATURE

IN WITNESS WHEREOF, the parties hereto have executed this Joint Powers Agreement establishing Marin Clean Energy (formerly, Marin Energy Authority)

By: 

Name: Birgitta E. Corsello

Title: County Administrator

Date: 9/26/18

Party: County of Solano

APPROVED AS TO FORM:


Solano County Counsel

Exhibit A

To the Joint Powers Agreement Marin Energy Authority

-Definitions-

“AB 117” means Assembly Bill 117 (Stat. 2002, ch. 838, codified at Public Utilities Code Section 366.2), which created CCA.

“Act” means the Joint Exercise of Powers Act of the State of California (Government Code Section 6500 *et seq.*)

“Administrative Services Agreement” means an agreement or agreements entered into after the Effective Date by the Authority with an entity that will perform tasks necessary for planning, implementing, operating and administering the CCA Program or any other energy programs adopted by the Authority.

“Agreement” means this Joint Powers Agreement.

“Annual Energy Use” has the meaning given in Section 4.9.2.2.

“Authority” means the Marin Energy Authority.

“Authority Document(s)” means document(s) duly adopted by the Board by resolution or motion implementing the powers, functions and activities of the Authority, including but not limited to the Operating Rules and Regulations, the annual budget, and plans and policies.

“Board” means the Board of Directors of the Authority.

“CCA” or “Community Choice Aggregation” means an electric service option available to cities and counties pursuant to Public Utilities Code Section 366.2.

“CCA Program” means the Authority’s program relating to CCA that is principally described in Sections 2.4 and 5.1.

“Director” means a member of the Board of Directors representing a Party.

“Effective Date” means the date on which this Agreement shall become effective and the Marin Energy Authority shall exist as a separate public agency, as further described in Section 2.1.

“Implementation Plan” means the plan generally described in Section 5.1.2 of this Agreement that is required under Public Utilities Code Section 366.2 to be filed with the

California Public Utilities Commission for the purpose of describing a proposed CCA Program.

“Initial Costs” means all costs incurred by the Authority relating to the establishment and initial operation of the Authority, such as the hiring of an Executive Director and any administrative staff, any required accounting, administrative, technical and legal services in support of the Authority’s initial activities or in support of the negotiation, preparation and approval of one or more Administrative Services Provider Agreements and Program Agreement 1. Administrative and operational costs incurred after the approval of Program Agreement 1 shall not be considered Initial Costs.

“Initial Participants” means, for the purpose of this Agreement, the signatories to this JPA as of May 5, 2010 including City of Belvedere, Town of Fairfax, City of Mill Valley, Town of San Anselmo, City of San Rafael, City of Sausalito, Town of Tiburon and County of Marin.

“Operating Rules and Regulations” means the rules, regulations, policies, bylaws and procedures governing the operation of the Authority.

“Parties” means, collectively, the signatories to this Agreement that have satisfied the conditions in Sections 2.2 or 3.2 such that it is considered a member of the Authority.

“Party” means, singularly, a signatory to this Agreement that has satisfied the conditions in Sections 2.2 or 3.2 such that it is considered a member of the Authority.

“Program Agreement 1” means the agreement that the Authority will enter into with an energy service provider that will provide the electricity to be distributed to customers participating in the CCA Program.

“Total Annual Energy” has the meaning given in Section 4.9.2.2.

Exhibit B

To the Joint Powers Agreement Marin Energy Authority

-List of the Parties-

City of American Canyon
City of Belvedere
City of Benicia
City of Calistoga
City of Concord
Town of Corte Madera
Town of Danville
City of El Cerrito
Town of Fairfax
City of Fairfield
City of Hercules
City of Lafayette
City of Larkspur
City of Martinez
Town of Moraga
City of Mill Valley
City of Napa
City of Novato
City of Oakley
City of Pinole
City of Pittsburg
City of Pleasant Hill City
of Richmond Town of
Ross
Town of San Anselmo
City of San Pablo
City of San Rafael
City of San Ramon
City of Sausalito
St. Helena
Town of Tiburon
City of Vallejo
City of Walnut Creek
Town of Yountville
County of Contra Costa
County of Marin County
of Napa
County of Solano

Marin Clean Energy

- Annual Energy Use -

This Exhibit C is effective as of November 16, 2023.

MCE Member Community	kWh (2022)
City of American Canyon	81,427,344
City of Belvedere	8,237,519
City of Benicia	94,928,828
City of Calistoga	28,672,196
City of Concord	464,522,261
Town of Corte Madera	40,679,971
County of Contra Costa	641,627,822
Town of Danville	154,016,934
City of El Cerrito	55,954,420
Town of Fairfax	17,441,179
City of Fairfield*	452,596,498
City of Hercules**	75,602,000
City of Lafayette	91,628,665
City of Larkspur	41,529,142
City of Martinez	144,050,725
City of Mill Valley	44,544,689
County of Marin	225,874,556
Town of Moraga	42,086,139
City of Napa	273,494,891
County of Napa	296,199,222
City of Novato	188,226,487
City of Oakley	111,135,099
City of Pinole	57,339,339
City of Pittsburg	232,985,737
City of Pleasant Hill	130,900,910
City of Richmond	387,473,558
Town of Ross	9,860,762
Town of San Anselmo	31,648,284
City of San Ramon	270,273,787
City of Saint Helena	44,870,258
City of San Pablo	63,297,704
City of San Rafael	206,521,192
City of Sausalito	30,635,006
County of Solano	177,643,279
Town of Tiburon	27,721,503
City of Vallejo	335,923,675
City of Walnut Creek	323,700,192
Town of Yountville	30,326,651
MCE Total Energy Use	5,935,598,420

*2020 usage data as provided by PG&E.

**2021/2022 usage data as provided by PG&E.

All other usage data reflects MCE customer billing records for 2022.

Exhibit D
Marin Clean Energy
-Voting Shares-

This Exhibit D is effective as of April 17, 2025.

MCE Member Community	kWh (2024)	Section 4.9.2.1	Section 4.9.2.2	Voting Share
City of American Canyon	78,799,691	1.32%	0.67%	1.99%
City of Belvedere	8,263,706	1.32%	0.07%	1.39%
City of Benicia	92,321,260	1.32%	0.79%	2.10%
City of Calistoga	26,145,029	1.32%	0.22%	1.54%
City of Concord	454,574,920	1.32%	3.89%	5.20%
Town of Corte Madera	40,477,392	1.32%	0.35%	1.66%
County of Contra Costa	626,122,320	1.32%	5.35%	6.67%
Town of Danville	145,541,261	1.32%	1.24%	2.56%
City of El Cerrito	57,298,828	1.32%	0.49%	1.81%
Town of Fairfax	18,512,859	1.32%	0.16%	1.47%
City of Fairfield	430,102,219	1.32%	3.68%	4.99%
City of Hercules*	75,602,000	1.32%	0.65%	1.96%
City of Lafayette	93,553,376	1.32%	0.80%	2.12%
City of Larkspur	41,608,344	1.32%	0.36%	1.67%
City of Martinez	137,220,970	1.32%	1.17%	2.49%
City of Mill Valley	47,126,654	1.32%	0.40%	1.72%
County of Marin	227,581,619	1.32%	1.95%	3.26%
Town of Moraga	41,703,870	1.32%	0.36%	1.67%
City of Napa	270,336,225	1.32%	2.31%	3.63%
County of Napa	293,765,476	1.32%	2.51%	3.83%
City of Novato	189,067,082	1.32%	1.62%	2.93%
City of Oakley	111,950,201	1.32%	0.96%	2.27%

City of Pinole	55,986,348	1.32%	0.48%	1.79%
City of Pittsburg	231,467,002	1.32%	1.98%	3.29%
City of Pleasant Hill	129,045,362	1.32%	1.10%	2.42%
City of Richmond	388,830,214	1.32%	3.32%	4.64%
Town of Ross	10,348,374	1.32%	0.09%	1.40%
Town of San Anselmo	31,647,618	1.32%	0.27%	1.59%
City of San Ramon	261,710,750	1.32%	2.24%	3.55%
City of Saint Helena	44,644,990	1.32%	0.38%	1.70%
City of San Pablo	59,136,744	1.32%	0.51%	1.82%
City of San Rafael	216,854,604	1.32%	1.85%	3.17%
City of Sausalito	30,535,555	1.32%	0.26%	1.58%
County of Solano	169,023,155	1.32%	1.44%	2.76%
Town of Tiburon	28,407,490	1.32%	0.24%	1.56%
City of Vallejo	329,028,964	1.32%	2.81%	4.13%
City of Walnut Creek	325,236,881	1.32%	2.78%	4.10%
Town of Yountville	30,239,354	1.32%	0.26%	1.57%
MCE Total Energy Use	5,849,818,708	50.00%	50.00%	100.00%

* This is forecasted calendar year usage based on 2021 and 2022 averaged data as provided by PG&E. All other usage data reflects MCE customer billing records for 2024.

Exhibit C
Marin Clean Energy
-Annual Energy Use-

This Exhibit C is effective as of April 16, 2026.

MCE Member Community	kWh (2025)
City of American Canyon	83,568,506
City of Belvedere	8,257,616
City of Benicia	86,469,188
City of Calistoga	23,776,720
City of Concord	424,959,479
Town of Corte Madera	40,823,201
County of Contra Costa	586,400,883
Town of Danville	134,062,283
City of El Cerrito	56,087,605
Town of Fairfax	17,525,794
City of Fairfield	390,425,992
City of Hercules*	75,602,000
City of Lafayette	86,431,206
City of Larkspur	42,407,056
City of Martinez	128,143,843
City of Mill Valley	47,600,620
County of Marin	224,932,422
Town of Moraga	38,520,984
City of Napa	255,263,879
County of Napa	276,879,590

City of Novato	180,802,640
City of Oakley	100,859,111
City of Pinole	57,016,067
City of Pittsburg	210,229,112
City of Pleasant Hill	119,865,782
City of Richmond	412,122,557
Town of Ross	10,165,681
Town of San Anselmo	31,678,497
City of San Ramon	229,066,864
City of Saint Helena	39,363,093
City of San Pablo	57,815,554
City of San Rafael	203,744,250
City of Sausalito	31,217,645
County of Solano	160,722,034
Town of Tiburon	29,139,834
City of Vallejo	306,190,964
City of Walnut Creek	304,454,023
Town of Yountville	31,809,021
MCE Total Annual Energy Use	5,544,401,597

*2021/2022 usage data as provided by PG&E.

All other usage data reflects MCE customer billing records for 2025.

Exhibit D
Marin Clean Energy
-Voting Shares-

This Exhibit D is effective as of April 16, 2026.

MCE Member Community	kWh (2025)	Section 4.9.2.1	Section 4.9.2.2	Voting Share
City of American Canyon	83,568,506	1.32%	0.75%	2.07%
City of Belvedere	8,257,616	1.32%	0.07%	1.39%
City of Benicia	86,469,188	1.32%	0.78%	2.10%
City of Calistoga	23,776,720	1.32%	0.21%	1.53%
City of Concord	424,959,479	1.32%	3.83%	5.15%
Town of Corte Madera	40,823,201	1.32%	0.37%	1.68%
County of Contra Costa	586,400,883	1.32%	5.29%	6.60%
Town of Danville	134,062,283	1.32%	1.21%	2.52%
City of El Cerrito	56,087,605	1.32%	0.51%	1.82%
Town of Fairfax	17,525,794	1.32%	0.16%	1.47%
City of Fairfield	390,425,992	1.32%	3.52%	4.84%
City of Hercules*	75,602,000	1.32%	0.68%	2.00%
City of Lafayette	86,431,206	1.32%	0.78%	2.10%
City of Larkspur	42,407,056	1.32%	0.38%	1.70%
City of Martinez	128,143,843	1.32%	1.16%	2.47%
City of Mill Valley	47,600,620	1.32%	0.43%	1.75%
County of Marin	224,932,422	1.32%	2.03%	3.34%
Town of Moraga	38,520,984	1.32%	0.35%	1.66%
City of Napa	255,263,879	1.32%	2.30%	3.62%
County of Napa	276,879,590	1.32%	2.50%	3.81%
City of Novato	180,802,640	1.32%	1.63%	2.95%
City of Oakley	100,859,111	1.32%	0.91%	2.23%

City of Pinole	57,016,067	1.32%	0.51%	1.83%
City of Pittsburg	210,229,112	1.32%	1.90%	3.21%
City of Pleasant Hill	119,865,782	1.32%	1.08%	2.40%
City of Richmond	412,122,557	1.32%	3.72%	5.03%
Town of Ross	10,165,681	1.32%	0.09%	1.41%
Town of San Anselmo	31,678,497	1.32%	0.29%	1.60%
City of San Ramon	229,066,864	1.32%	2.07%	3.38%
City of Saint Helena	39,363,093	1.32%	0.35%	1.67%
City of San Pablo	57,815,554	1.32%	0.52%	1.84%
City of San Rafael	203,744,250	1.32%	1.84%	3.15%
City of Sausalito	31,217,645	1.32%	0.28%	1.60%
County of Solano	160,722,034	1.32%	1.45%	2.77%
Town of Tiburon	29,139,834	1.32%	0.26%	1.58%
City of Vallejo	306,190,964	1.32%	2.76%	4.08%
City of Walnut Creek	304,454,023	1.32%	2.75%	4.06%
Town of Yountville	31,809,021	1.32%	0.29%	1.60%
MCE Total Energy Use	5,544,401,597	50.00%	50.00%	100.00%

*2021/2022 usage data as provided by PG&E.

All other usage data reflects MCE customer billing records for 2025.



April 16, 2026

TO: MCE Board of Directors

FROM: Vidhi Chawla, Vice President of Power Resources
Andy Twilling, Power Procurement Manager

RE: Proposed Resolution 2026-02 Delegating Energy Procurement Authority
(Agenda Item #09)

ATTACHMENTS: A. CCA and POU Benchmarking - Delegated Authority Limits
B. Draft Resolution 2026-02 Delegating Energy Procurement Authority
C. Redline against Resolution 2020-04
D. Presentation on Proposed Resolution 2026-02

Dear MCE Board Members:

Summary:

The MCE Board of Directors first delegated energy procurement authority to the CEO when it adopted the November 2012 Integrated Resource Plan. Your Board updated delegations over the years with some modifications, but the basic framework has remained in place through Resolution 2020-04. At its March 19, 2026 meeting, the Board adopted Resolution 2026-01 to create an Interim Advisory Committee to advise on and facilitate MCE's energy procurement delegations, pending the Board's clarifications of those delegations.

In recent public meetings, a few members of the Board and public have raised questions about how MCE should conduct consultation for 1-5 year contracts and have expressed a desire for updated and clarified procurement guidance. To address these questions, provide greater understanding of context, and present best practices from the industry, staff conducted benchmarking research on delegated authority and procurement policies at other CCAs and Publicly Owned Utilities (see Attachment A). Recommendations from the research regarding best practices are reflected in the new draft Resolution 2026-02 (Attachment B).

At its April 3rd meeting, the Technical Committee voted (5-1) to recommend that the Board of Directors approve Resolution 2026-02. The attachment reflects the resolution as approved by the Technical Committee, plus two non-substantive edits, one to remove gender specific pronouns, and an edit to the heading of section 2.

Best Practices for Public Agencies:

As reflected in Attachment A, most CCAs and Publicly Owned Utilities (POUs) in California have granted full delegation to the CEO or General Manager for most transactions with no Board or committee consultation or approval. Many organizations have pre-approved procurement policies and/or energy risk management policies to guide procurement. While some public energy providers delegate all power purchasing authority to agency staff, many also include delegated approval based on the total notional value¹ of the contract.

As an example, Sonoma Clean Power (SCP) has delegated authority to the CEO for any power supply contract with a total value of \$250M or less, Central Coast Community Energy delegates all power supply contracts with a total value of \$65M or less, and Silicon Valley Clean Energy delegates all power supply contracts with a total value of up to 10% of the annual budget. It is worth noting that the size of a public agency's budget is typically a determining factor in the level of delegated authority.

Public agencies who provide electricity must follow specific practices to balance commercial efficiency and protect confidential and market-sensitive information, while providing visibility and transparency. Market sensitive information, especially forward-looking positions and prices can be carefully tracked internally but presenting this information in public meetings risks putting MCE at a significant disadvantage in bilateral markets and could expose the agency to higher prices or less-favorable contract terms.

Proposed Resolution 2026-02 for Delegation of Energy Procurement Authority is reflective of industry standards that balance transparency and oversight with operational needs of the procurement teams while maintaining confidentiality of market sensitive information.

Proposed Resolution 2026-02

This resolution would authorize the Technical Committee Chair and CEO jointly to approve contracts with delivery periods with a cumulative total of up to 10 years or with a notional value less than or equal to \$100 million, if they have reviewed MCE's open positions and contracting needs with MCE staff within the prior 12 months. The Vice Chair of the Technical Committee, Board Chair, or Vice Chair of the Board could serve as alternate co-signatory with the CEO if the Technical Committee Chair is unavailable and if that individual reviewed MCE's open positions and contracting needs with MCE staff within the prior 12 months. In this way, these board members serving in leadership roles would be exercising their authority based on individual knowledge, not on behalf of a full committee or board. The Technical Committee voted to add a statement that these board members are encouraged and expected to meet with MCE Staff on a quarterly basis (i.e., more than once every 12 months) to discuss these issues.

The CEO would be authorized to approve contracts or amendments with delivery periods having a cumulative total of less than or equal to 5 years, as well as contracts or amendments with a notional value less than or equal to \$65 million. In Resolution 2026-02, the CEO would continue to have authority to execute amendments to existing contracts, regardless of the contract's notional value or

¹ Notional Value = unit cost x volume.

term, which improve the provisions of the contract to MCE's benefit without increasing the contract's notional value and the authority to execute transactions in emergency or critical needs situations, as defined.

It is important to note that the proposed delegations of procurement authority refer to "cumulative delivery periods," which can have discontinuities in deliveries. For example, a contract spanning six calendar years, with 5 summer delivery months per calendar year, would have a cumulative delivery period of 30 months, which would fall under the procurement authority of the CEO.

This resolution would rescind existing Resolutions 2020-04 and 2026-01. Therefore, Board approval of Resolution 2026-02 would dissolve the Interim Advisory Committee.

Overview of Short-Term Energy Purchases (Up to 5 years)

CAISO Energy Price Hedges - MCE uses California Independent System Operator (CAISO) energy price hedges to help minimize its exposure to day-ahead energy prices for its load. MCE has master agreements with several suppliers, and solicitations are typically conducted 3 or 4 times a year. Prices continually fluctuate for hedge contracts, and offers are held for only a two-hour period once received. In that two-hour period, the COO, CFO, VP of Power Resources, and consultants discuss offers, decide which offers will be awarded, and confirmation agreements are then signed.

Resource Adequacy - Resource Adequacy (RA) is a forward capacity obligation with significant consequences for non-compliance. Typically, RA procurement consists of opportunistic and bilateral transactions, with offers being held for anywhere from minutes to several days. In tight compliance years such as 2023 and 2024, speed of execution allowed buyers to procure the most advantageous contracts. In looser compliance periods, solicitations could regain a larger role in procurement of these contracts.

Short-term Renewable and GHG-free Energy Contracts - MCE uses short-term volumes of renewable and carbon-free energy for its Board-approved power content label targets and its renewable portfolio standard requirements. Depending on whether MCE is short or long, MCE will either be a buyer or seller. To trade such volumes, MCE uses a combination of solicitations and bilateral outreach, both of which require relatively short timelines and speed of execution. Without this speed, MCE risks losing out on attractive pricing as both a buyer and a seller.

Markets can change quickly without warning, and a complex or lengthy contract approval process may harm MCE when competing against buyers whose delegated authority reflects industry standards. Proposed Resolution 2026-02 would maintain efficiency for MCE staff to execute time-sensitive contracts to secure the best pricing on those contracts for MCE customers, avoid procurement policy uncertainty, and ensure regulatory requirements are met.

As an example, RA requirements for all load serving entities (LSEs) are published in August, finalized in September, and LSEs are required to show compliance with signed contracts by October. The RA market is fast-paced and driven by buyer demand based on regulation, and buyers that are able to transact quickly secure the most favorable contracts.

Increasing Board Visibility

To address board member interest in procurement details, Resolution 2026-02 proposes that the Technical Committee Chair or Vice Chair, or Board of Directors Chair or Vice Chair, attend at least one meeting with staff in the prior 12 months to review MCE's positions and market prices prior to signing any applicable power supply contracts. These individuals are encouraged and expected to meet with MCE staff on a quarterly basis to discuss open positions and contracting needs.

In addition, staff recommend conducting training for Board members on energy procurement, contracting and/or risk management. These trainings could be conducted publicly by MCE staff, consultants, and/or specialists in the energy sector. Staff recommends beginning with an interested cohort and recording the trainings for future board members.

Financial, Operational, and Compliance Impacts:

Resolution 2026-02 would help ensure that MCE can continue to buy and sell both capacity and energy at the speeds required by counterparties in California's bilateral power markets. This in turn would help ensure that MCE does not miss out on attractive pricing, that MCE would continue to be a competitive market participant, and that MCE could secure the volumes it needs to comply with CPUC and CAISO requirements. Additionally, it would provide the necessary information to selected Board members that would improve procurement oversight and transparency.

Recommendation:

Adopt Resolution No. 2026-02 Delegating Energy Procurement Authority.

Att. A. CCA and POU Benchmarking - Delegated Authority Limits

CCA	Delegated Authority	Oversight	Other	Retail Sales*
Clean Power SF	<ul style="list-style-type: none"> CEO for up to 25-year contracts; annual expense cap of \$300M/year 	<ul style="list-style-type: none"> Board of supervisors can raise cap 	<ul style="list-style-type: none"> CEO may elect to bring 1 PPA per year to board if desired 	3M
SCP	<ul style="list-style-type: none"> CEO and Head of Power Procurement up to \$250M and <10 years CEO and chair and vice chair of board for transactions >\$250M and >10 years 		<ul style="list-style-type: none"> CEO, COO, and Head of Power Procurement also have designated authority at lower limits Contracts do not go to full board for approval 	2.1M
CPA	<ul style="list-style-type: none"> CEO <10 years for existing resources CEO in consultation with Risk Mgmt. Team (RMT) for new build agreements <5 years 	<ul style="list-style-type: none"> RMT Members: CEO, COO, CFO, & VP of Power Supply Master Agreements must be approved by the board, and are required for transactions 	<ul style="list-style-type: none"> Board members can request an un-redacted contract review Board may sit in on hedge solicitation once per year 	10.6M
SVCE	<ul style="list-style-type: none"> CEO any contract up to 10% of budget or \$30M (whichever is higher) Approved Master Agreements: <ul style="list-style-type: none"> CEO for non-RA contracts <5 years Any Counterparty: <ul style="list-style-type: none"> CEO for non-RA contracts <1 year CEO for RA contracts <5 years 	<ul style="list-style-type: none"> Board approved master agreements for non-RA contracts 	<ul style="list-style-type: none"> Board training requirements from UC Berkeley Haas 	4M

Att. A. CCA and POU Benchmarking - Delegated Authority Limits

CCA	Delegated Authority	Oversight	Other	Retail Sales*
Ava	<ul style="list-style-type: none"> • CEO < 10 years for RA contracts • CEO < 5 years for non-RA contracts 	<ul style="list-style-type: none"> • Energy Risk Management Regulations (ERM), the policy which includes delegated authority, flows from Energy Risk Management Policy (ERMP) 	<ul style="list-style-type: none"> • COO, VP Power Resources, PR Managers have designated authority for shorter durations 	6.6M
3CE	<ul style="list-style-type: none"> • CEO up to \$65M and < 5 years • Risk Management Committee (RMC) up to \$110M and < 5 years 	<ul style="list-style-type: none"> • RMC Members: CEO, CFO, COO, CCO, up to 5 board members (selected by CEO) 	<ul style="list-style-type: none"> • Annual Energy Risk Mgmt. trainings for Board • Annual update of ERM Policy required 	4.7M
OCPA	<ul style="list-style-type: none"> • CEO and ROC < 5 years for RA contracts • CEO and ROC < 3 years for non-RA contracts 	<ul style="list-style-type: none"> • ROC chosen by CEO (includes chair and vice chair) 	<ul style="list-style-type: none"> • ROC meets at least once per quarter 	2.4M
CalChoice	<ul style="list-style-type: none"> • CEO < 20 years if related to compliance obligation (incl. renewables and RA) • CEO < 5 years if not related to a compliance obligation 			2.7M
PCE	<ul style="list-style-type: none"> • CEO and ROC < 5 years • CEO and Sr Director Pr Resources < 2 years 	<ul style="list-style-type: none"> • ROC Members: CEO, CFO, COO, and the Senior Director of Power Resources 	<ul style="list-style-type: none"> • ROC meets quarterly 	3.4M

Att. A. CCA and POU Benchmarking - Delegated Authority Limits

POU	Delegated Authority	Other	Retail Sales*
SMUD	<ul style="list-style-type: none"> • CEO or his/her designee: <ul style="list-style-type: none"> • Long-term agreements < 30 years not to exceed 500,000 MWh/year with no single supplier providing more than 200,000 MWh/year, and prices paid are a market discount of at least 75% as much as a SMUD-sponsored pre-pay transaction • Regulatory required (PURPA) agreements for any term if prices are below SMUD’s avoided cost & consistent w/ federal regulation • Other contracts < 3 years 		9.9M
Alameda	<ul style="list-style-type: none"> • Uses Northern California Power Agency (NCPA) • General Manager: <ul style="list-style-type: none"> • Trade authorization limit of \$3M per transaction, < 5 years • Total transactions with combined costs of no more than \$4M (limit applies to each fiscal year) • In 2024, delegated authority to execute RA sales up to \$6M (does not count towards \$3M or \$4M cap) 	<ul style="list-style-type: none"> • Increased RA approval limits for 2024 were approved in 2023, ahead of the compliance period to ensure the ability to transact quickly 	0.3M
Palo Alto	<ul style="list-style-type: none"> • NCPA is authorized to purchase and sell electricity and related products on behalf of the city, not to exceed the approved budget; terms cannot exceed 5 years and must be pre-authorized by the city manager or utilities director <ul style="list-style-type: none"> • These transaction could be up to several million dollars • City Manager, Director of Utilities, and their designated employees: <ul style="list-style-type: none"> • < 5 years with a contract price not to exceed \$250,000 in any contract year 	<ul style="list-style-type: none"> • Uses Northern California Power Agency (NCPA) 	0.9M

RESOLUTION 2026-02

A RESOLUTION OF THE BOARD OF DIRECTORS OF MARIN CLEAN ENERGY DELEGATING ENERGY PROCUREMENT AUTHORITY

WHEREAS, Marin Clean Energy (MCE) is a joint powers authority established on December 19, 2008, and organized under the Joint Exercise of Powers Act (Government Code Section 6500 et seq.); and

WHEREAS, MCE members include the following communities: the County of Marin, the County of Contra Costa, the County of Napa, the County of Solano, the City of American Canyon, the City of Belvedere, the City of Benicia, the City of Calistoga, the City of Concord, the Town of Corte Madera, the Town of Danville, the City of El Cerrito, the Town of Fairfax, the City of Fairfield, the City of Hercules, the City of Lafayette, the City of Larkspur, the City of Martinez, the City of Mill Valley, the Town of Moraga, the City of Napa, the City of Novato, the City of Oakley, the City of Pinole, the City of Pittsburg, the City of Pleasant Hill, the City of San Ramon, the City of Richmond, the Town of Ross, the Town of San Anselmo, the City of San Pablo, the City of San Rafael, the City of Sausalito, the City of St. Helena, the Town of Tiburon, the City of Vallejo, the City of Walnut Creek, and the Town of Yountville; and

WHEREAS, Resolution No. 2020-04 set forth energy procurement authority delegated by the Board of Directors; and

WHEREAS, Resolution No. 2026-01 created an Interim Advisory Committee for Energy Procurement Delegation for the purpose of advising on and facilitating MCE's delegations as set forth in Resolution 2020-04, but sunsets when the Board revisits and/or clarifies the delegations set forth in Resolution 2020-04; and

WHEREAS, the Board intends that this Resolution No. 2026-02 replaces Resolution No. 2020-04 and Resolution 2026-01; and

WHEREAS, the Board of Directors, by this delegation of energy procurement and contracting authority as described herein, shall not be divested of any such authority, but shall retain and may exercise such authority at such times as it may deem necessary and proper, at its sole discretion; and

WHEREAS, the Board of Directors shall retain contracting authority over all contracts required by law to be approved by the Board, including but not limited to any contracts to borrow money or otherwise incur debt.

NOW, THEREFORE, BE IT RESOLVED, by the MCE Board of Directors:

- A. Resolution No. 2020-04 and Resolution 2026-01 are hereby rescinded.
- B. For purposes of this Resolution, "Energy Procurement" shall mean all contracting, purchase and sale of energy and energy-related products for MCE, including but not limited to products related to electricity, capacity, energy efficiency, distributed energy resources, demand response, and storage.

- C. For the purposes of this Resolution, the “notional value” of an Energy Procurement shall mean the unit cost of energy times the volume of energy. For Energy Procurements with unit-contingent or uncertain volumes, notional value shall be calculated using the expected volume. For Energy Procurements with a firm volume, notional value shall be calculated using the firm volume. For Energy Procurements with a range of firm volumes, notional value shall be calculated using the maximum volume.
- D. The Board of Directors hereby delegates the following contracting authority consistent with an approved resource plan and/or budget, as applicable, including contracts that are consistent with the current fiscal year's budget but extend beyond the current fiscal year:

1. Delegation to the Technical Committee

The Technical Committee is hereby authorized to approve and direct the Chief Executive Officer ("CEO") and Technical Committee Chair to execute:

- a. contracts for Energy Procurement as herein defined;
- b. contracts for functions, programs or services related to Energy Procurement; and
- c. contracts related to MCE ownership, leasing or development of energy generation projects and assets.

2. Delegation to the Technical Committee Chair and Chief Executive Officer, Jointly

The Technical Committee Chair and CEO, jointly, are hereby authorized, to approve and execute contracts for Energy Procurement with delivery periods having a cumulative total of less than or equal to ten years (without regard to notional value), or with a notional value of less than or equal to \$100 million (without regard to cumulative delivery period). If the Technical Committee Chair is unavailable, such authority may be succeeded by the Vice Chair of the Technical Committee, the Chair of the Board of Directors, or the Vice Chair of the Board of Directors. In order for any of the individuals identified in this paragraph to exercise the delegation set forth herein, the individual must have met with MCE Staff at least once within the prior 12 months to review MCE's open positions and contracting needs. These individuals are encouraged and expected to meet with MCE Staff on a quarterly basis to discuss open positions and contracting needs.

The CEO shall timely report to the Board of Directors all such executed contracts.

3. Delegation to the Chief Executive Officer

The CEO is hereby authorized to approve and execute:

- a. Contracts, amendments, or addenda for Energy Procurement, of any amount, with delivery periods having a cumulative total of less than or

equal to 60 months, which the CEO shall timely report to the Board of Directors;

- b. Contracts, amendments, or addenda for Energy Procurement, of any term, with a notional value less than or equal to \$65 million, which the CEO shall timely report to the Board of Directors;
- c. Amendments or addenda to existing Energy Procurement contracts, regardless of the existing contract's notional value or term, which improve the terms of the contract to MCE's benefit without increasing the contract's notional value; and
- d. In the event of an emergency or critical needs situation, such as exposure to volatile CAISO market conditions during extreme weather events, or a shortage in energy supply compared to load forecasted, short-term purchases, which includes transactions with existing counterparties in both written and oral format.
 - i. Oral transactions may only be executed with existing counterparties contractually enabled with MCE through an approved master agreement on a recorded telephone line where written receipts and voice recordings documenting such transactions are provided to MCE.
 - ii. "Short-term purchases" for purposes hereof refers to Energy Procurement on the day-ahead energy market within the forecasted 30 days.
 - iii. The CEO shall timely report any short-term purchases to the Board of Directors.
 - iv. The CEO may delegate authority to engage in short-term purchases under this subdivision to staff, including the Chief Operating Officer or Vice President of Power Resources.

PASSED AND ADOPTED at a regular meeting of the MCE Board of Directors on this 16th day of April, 2026, by the following vote:

	AYES	NOES	ABSTAIN	ABSENT
County of Marin				
Contra Costa County				
County of Napa				
County of Solano				
City of American Canyon				
City of Belvedere				
City of Benicia				
City of Calistoga				
City of Concord				
Town of Corte Madera				

Town of Danville				
City of El Cerrito				
Town of Fairfax				
City of Fairfield				
City of Hercules				
City of Lafayette				
City of Larkspur				
City of Martinez				
City of Mill Valley				
Town of Moraga				
City of Napa				
City of Novato				
City of Oakley				
City of Pinole				
City of Pittsburg				
City of Pleasant Hill				
City of San Ramon				
City of Richmond				
Town of Ross				
Town of San Anselmo				
City of San Pablo				
City of San Rafael				
City of Sausalito				
City of St. Helena				
Town of Tiburon				
City of Vallejo				
City of Walnut Creek				
Town of Yountville				

CHAIR, MCE

Attest:

SECRETARY, MCE

RESOLUTION ~~2020-04~~2026-02

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
MARIN CLEAN ENERGY ~~RESCINDING RESOLUTION NO. 2018-03 AND~~ DELEGATING
ENERGY PROCUREMENT AUTHORITY**

WHEREAS, Marin Clean Energy (MCE) is a joint powers authority established on December 19, 2008, and organized under the Joint Exercise of Powers Act (Government Code Section 6500 et seq.); and

~~—~~**WHEREAS**, MCE members include the following communities: the County of Marin, the County of Contra Costa, the County of Napa, the County of Solano, the City of American Canyon, the City of Belvedere, the City of Benicia, the City of Calistoga, the City of Concord, the Town of Corte Madera, the Town of Danville, the City of El Cerrito, the Town of Fairfax, the City of Fairfield, the City of Hercules, the City of Lafayette, the City of Larkspur, the City of Martinez, the City of Mill Valley, the Town of Moraga, the City of Napa, the City of Novato, the City of Oakley, the City of Pinole, the City of Pittsburg, the City of Pleasant Hill, the City of San Ramon, the City of Richmond, the Town of Ross, the Town of San Anselmo, the City of San Pablo, the City of San Rafael, the City of Sausalito, the City of St. Helena, the Town of Tiburon, the City of Vallejo, the City of Walnut Creek, and the Town of Yountville; and

WHEREAS, Resolution No. ~~2018-03~~2020-04 set forth energy procurement authority delegated by the Board of Directors; and-

WHEREAS, Resolution No. 2026-01 created an Interim Advisory Committee for Energy Procurement Delegation for the purpose of advising on and facilitating MCE's delegations as set forth in Resolution 2020-04, but sunsets when the Board revisits and/or clarifies the delegations set forth in Resolution 2020-04; and

WHEREAS, the Board intends that this Resolution No. ~~2020-04~~2026-02 replaces Resolution No. ~~2018-03~~2020-04 and Resolution 2026-01; and

WHEREAS, the Board of Directors, by this delegation of energy procurement and contracting authority as described herein, shall not be divested of any such authority, but shall retain and may exercise such authority at such times as it may deem necessary and proper, at its sole discretion; and-

WHEREAS, the Board of Directors shall retain contracting authority over all contracts required by law to be approved by the Board, including but not limited to any contracts to borrow money or otherwise incur debt.

NOW, THEREFORE, BE IT RESOLVED, by the MCE Board of Directors:

- A. ~~A.~~—Resolution No. ~~2018-03~~2020-04 and Resolution 2026-01 are hereby rescinded.
- B. ~~B.~~—For purposes of this Resolution, "Energy Procurement" shall mean all contracting, purchase and sale of energy and energy-related products for MCE, including but not limited to products related to electricity, capacity, energy efficiency, distributed energy resources, demand response, and storage.

C. ~~C.~~ For the purposes of this Resolution, the “notional value” of an Energy Procurement shall mean the unit cost of energy times the volume of energy. For Energy Procurements with unit-contingent or uncertain volumes, notional value shall be calculated using the expected volume. For Energy Procurements with a firm volume, notional value shall be calculated using the firm volume. For Energy Procurements with a range of firm volumes, notional value shall be calculated using the maximum volume.

G.D. The Board of Directors hereby delegates the following contracting authority consistent with an approved resource plan and/or budget, as applicable, including contracts that are consistent with the current fiscal year's budget but extend beyond the current fiscal year:

1. Delegation to the Technical Committee

The Technical Committee is hereby authorized to approve and direct the Chief Executive Officer ("CEO") and Technical Committee Chair to execute:

- a. contracts for Energy Procurement as herein defined;
- b. contracts for functions, programs or services related to Energy Procurement; and
- c. contracts related to MCE ownership, leasing or development of energy generation projects and assets.

2. Delegation to the ~~Chief Executive Officer and~~ Technical Committee Chair and Chief Executive Officer, Jointly

The ~~CEO and~~ Technical Committee Chair and CEO, jointly, are hereby authorized, ~~after consultation with the appropriate Committee of the Board of Directors,~~ to approve and execute contracts for Energy Procurement ~~for terms with delivery periods having a cumulative total~~ of less than or equal to ~~five~~ ten years ~~– (without regard to notional value), or with a notional value of less than or equal to \$100 million (without regard to cumulative delivery period). If the Technical Committee Chair is unavailable, such authority may be succeeded by the Vice Chair of the Technical Committee, the Chair of the Board of Directors, or the Vice Chair of the Board of Directors. In order for any of the individuals identified in this paragraph to exercise the delegation set forth herein, the individual must have met with MCE Staff at least once within the prior 12 months to review MCE’s open positions and contracting needs. These individuals are encouraged and expected to meet with MCE Staff on a quarterly basis to discuss open positions and contracting needs.~~

The CEO shall timely report to the Board of Directors all such executed contracts.

3. Delegation to the Chief Executive Officer

The CEO is hereby authorized to approve and execute:

a. ~~contracts~~Contracts, amendments, or addenda for Energy Procurement ~~for terms, of any amount, with delivery periods having a cumulative total~~ of less than or equal to ~~4260~~ months, which the CEO shall timely report to the Board of Directors;

b. ~~amendments~~Contracts, amendments, or addenda for Energy Procurement, of any term, with a notional value less than or equal to \$65 million, which the CEO shall timely report to the Board of Directors;

~~b.c.~~ Amendments or addenda to existing Energy Procurement contracts, regardless of the existing contract's ~~price~~notional value or ~~total amount~~term, which improve the terms of the contract to MCE's benefit without increasing the contract's ~~not to exceed maximum dollar amount~~notional value; and

~~c.d.~~ in the event of an emergency or critical needs situation, such as exposure to volatile CAISO market conditions during extreme weather events, or a shortage in energy supply compared to load forecasted, short-term purchases, which includes transactions with existing counterparties in both written and oral format.-

i. Oral transactions may only be executed with existing counterparties contractually enabled with MCE through an approved master agreement on a recorded telephone line where written receipts and voice recordings documenting such transactions are provided to MCE.-

ii. "Short-term purchases" for purposes hereof refers to Energy Procurement on the day-ahead energy market within the forecasted 30 days.-

iii. The CEO shall timely report any short-term purchases to the Board of Directors.

iv. The CEO may delegate authority to engage in short-term purchases under this subdivision to staff, including the Chief Operating Officer or ~~Manager~~Vice President of Power Resources.

PASSED AND ADOPTED at a regular meeting of the MCE Board of Directors on this ~~19th~~16th day of ~~November, 2020~~April, 2026, by the following vote:

	AYES	NOES	ABSTAIN	ABSENT
County of Marin				
Contra Costa County				
County of Napa				
County of Solano				
City of American Canyon				

City of Belvedere				
City of Benicia				
City of Calistoga				
City of Concord				
Town of Corte Madera				
Town of Danville				
City of El Cerrito				
Town of Fairfax				
<u>City of Fairfield</u>				
<u>City of Hercules</u>				
City of Lafayette				
City of Larkspur				
City of Martinez				
City of Mill Valley				
Town of Moraga				
City of Napa				
City of Novato				
City of Oakley				
City of Pinole				
City of Pittsburg				
City of Pleasant Hill				
City of San Ramon				
City of Richmond				
Town of Ross				
Town of San Anselmo				
City of San Pablo				
City of San Rafael				
City of Sausalito				
City of St. Helena				
Town of Tiburon				
City of Vallejo				
City of Walnut Creek				
Town of Yountville				

CHAIR, MCE-

Attest:

SECRETARY, MCE



Proposed Resolution 2026-02 Delegating Energy Procurement Authority

Board Meeting
April 16, 2026



MCE's Current Policies

Delegations of Authority (Reso. 2020-04)

- CEO and Technical Committee Chair: Energy Contracts for greater than one year and less than or equal to 5 years
- CEO: Energy Contracts for equal or less than 12 months, amendments which improve contract terms, short-term purchases in emergencies or for critical needs

Procurement Oversight Procedures (Reso. 2020-04)

- “Consultation with the appropriate Committee of the Board” for Energy Contracts greater than one and less than or equal to 5 years

Key Takeaways from Other CCAs and Publicly Owned Utilities (POUs)

A majority have:

- Full delegation to the CEO for most transactions with no Board or committee consultation or approval
- Pre-approved procurement policies and energy risk management policies to guide efficient, time-sensitive procurement

Ideas to increase Board visibility:

- Opportunities for Board members in leadership roles to participate in review of open positions and market prices
- Opportunities for Board members to request unredacted contract reviews and sit in on solicitation reviews
- Board approved Master Agreements enabling Staff to execute confirmations
- Energy risk training opportunities for Board members from non-staff (e.g., consultants, institutions)

Comparison to other CCAs

CCA	Delegated Authority	Oversight	Other	Retail Sales*
Clean Power SF	<ul style="list-style-type: none"> CEO for up to 25-year contracts; annual expense cap of \$300M/year 	<ul style="list-style-type: none"> Board of supervisors can raise cap 	<ul style="list-style-type: none"> CEO may elect to bring 1 PPA per year to board if desired 	3M
SCP	<ul style="list-style-type: none"> CEO and Head of Power Procurement up to \$250M and <10 years CEO and chair and vice chair of board for transactions >\$250M and >10 years 		<ul style="list-style-type: none"> CEO, COO, and Head of Power Procurement also have designated authority at lower limits Contracts do not go to full board for approval 	2.1M
CPA	<ul style="list-style-type: none"> CEO <10 for existing resources CEO in consultation with Risk Mgmt. Team (RMT) for new build agreements <5 years 	<ul style="list-style-type: none"> RMT Members: CEO, COO, CFO, & VP of Power Supply Master Agreements must be approved by the board, and are required for transactions 	<ul style="list-style-type: none"> Board members can request an un-redacted contract review Board may sit in on hedge solicitation once per year 	10.6M
SVCE	<ul style="list-style-type: none"> CEO any contract <10% of budget or \$30M (whichever is higher) Approved Master Agreements: <ul style="list-style-type: none"> CEO for non-RA contracts <5 years Any Counterparty: <ul style="list-style-type: none"> CEO for non-RA contracts <1 year CEO for RA contracts <5 years 	<ul style="list-style-type: none"> Board approved master agreements for non-RA contracts 	<ul style="list-style-type: none"> Board training requirements from UC Berkeley Haas 	4M

*2024 Retail Sales Volume, in MWh; MCE's 2024 annual sales volume was 5.5M MWhs

Comparison to other CCAs

CCA	Delegated Authority	Oversight	Other	Retail Sales*
Ava	<ul style="list-style-type: none"> CEO < 10 years for RA contracts CEO < 5 years for non-RA contracts 	<ul style="list-style-type: none"> Energy Risk Management Regulations (ERMR), the policy which includes delegated authority, flows from Energy Risk Management Policy (ERMP) 	<ul style="list-style-type: none"> COO, VP Power Resources, PR Managers have designated authority for shorter durations 	6.6M
3CE	<ul style="list-style-type: none"> CEO up to \$65M and < 5 years Risk Management Committee (RMC) up to \$110M and < 5 years 	<ul style="list-style-type: none"> RMC Members: CEO, CFO, COO, CCO, up to 5 board members (selected by CEO) 	<ul style="list-style-type: none"> Annual Energy Risk Mgmt. trainings for Board Annual update of ERM Policy required 	4.7M
OCPA	<ul style="list-style-type: none"> CEO and ROC < 5 years for RA contracts CEO and ROC < 3 years for non-RA contracts 	<ul style="list-style-type: none"> ROC chosen by CEO (includes chair and vice chair) 	<ul style="list-style-type: none"> ROC meets at least once per quarter 	2.4M
CalChoice	<ul style="list-style-type: none"> CEO < 20 years if related to compliance obligation (including renewables and RA) CEO < 5 years if not related to a compliance obligation 			2.7M

*2024 Retail Sales Volume, in MWh; MCE's 2024 annual sales volume was 5.5M MWhs

Comparison to other Publicly Owned Utilities (POUs)

POU	Delegated Authority	Other	Retail Sales*
SMUD	<ul style="list-style-type: none"> CEO or his/her designee: <ul style="list-style-type: none"> Long-term agreements < 30 years not to exceed 500,000 MWh/year with no single supplier providing more than 200,000 MWh/year, and prices paid are a market discount of at least 75% as much as a SMUD-sponsored pre-pay transaction Regulatory required (PURPA) agreements for any term if prices are below SMUD's avoided cost & consistent w/ federal regulation Other contracts < 3 years 		9.9M
Alameda	<ul style="list-style-type: none"> Uses Northern California Power Agency (NCPA) to transact General Manager: <ul style="list-style-type: none"> Trade authorization limit of \$3M per transaction, <5 years Total transactions with combined costs of no more than \$4M (limit applies to each fiscal year) In 2024, delegated authority to execute RA sales up to \$6M (does not count towards \$3M or \$4M cap) 	<ul style="list-style-type: none"> Increased RA approval limits for 2024 were approved in 2023, ahead of the compliance period to ensure the ability to transact quickly 	0.3M
Palo Alto	<ul style="list-style-type: none"> NCPA is authorized to purchase and sell electricity and related products on behalf of the city, not to exceed the approved budget; terms cannot exceed 5 years and must be pre-authorized by the city manager or utilities director <ul style="list-style-type: none"> These transaction could be up to several million dollars City Manager, Director of Utilities, and their designated employees: <ul style="list-style-type: none"> < 5 years with a contract price not to exceed \$250,000 in any contract year 	<ul style="list-style-type: none"> Uses Northern California Power Agency (NCPA) 	0.9M

*2024 Retail Sales Volume, in MWh; MCE's 2024 annual sales volume was 5.5M MWhs

Procurement Policy Objectives

- Align with industry best practices
- Ensure regulatory requirements are met
- Set practical guidelines to align procurement with Board-approved goals and policies
 - Clear, prospective procurement targets that mitigate market risk
 - Avoid procurement policy uncertainty and related delays
- Set delegated authority that provides flexibility and ability to act quickly with respect to:
 - Market Conditions (e.g., pricing volatility)
 - Competitive Environment (e.g., execution time, equal playing field with other Buyers)

Key Elements of Resolution 2026-02

- Tech Com Chair and CEO jointly authorized to approve contracts up to 10 years and \$100 million in notional value.
- Tech Com Chair must attend at least one meeting in the prior 12 months with detailed review of MCE's positions and market prices to approve contracts. If Tech Com Chair is not available, the Vice Chair of Tech Com or Chair or Vice Chair of the Board may also approve contracts after attending meetings. These four individuals are encouraged and expected to meet with MCE Staff on a quarterly basis to discuss open positions and contracting needs.
- CEO authorized to approve contracts of up to 5 years and \$65 million in notional value.
- CEO maintains authority to approve amendments which improve terms of a contract without increasing dollar amount and authority to execute transactions in emergency situations.

Recommendation

Board of Directors adopt Resolution No. 2026-02
Delegating Energy Procurement Authority.

Next Steps

- MCE will hold a Procurement Workshop in May, which will include additional discussion on procurement oversight, policies, and strategy



Informational Reports

1. Approved Contracts for Energy Update
2. Legislative and Regulatory Updates
3. Quarterly Customer Programs Update
4. Quarterly Customer Participation Report
 - a. YOY Comparison of Opt-Out Requests
 - b. Monthly Net Customer Changes and Revenue Impact
 - c. Monthly Active Customer Load Trend
 - d. Customer Flows 2025-2026
5. Supplier Diversity Report



April 16, 2026

TO: MCE Board of Directors
FROM: Bill Pascoe, Senior Power Procurement Manager
RE: Approved Contracts for Energy Update

Dear MCE Board Members:

Summary:

This report summarizes contracts for energy procurements entered into by the Chief Executive Officer or her delegate and, if applicable, the Chair of the Technical Committee, since the last report was prepared for the regular Board meeting in February 2026. This summary is provided to your Board for information purposes only and no action is needed.

Review of Procurement Authorities:

In November 2020, your Board adopted Resolution 2020-04 which included the following provisions:

The CEO and Technical Committee Chair, jointly, are hereby authorized, after consultation with the appropriate Committee of the Board of Directors, to approve and execute contracts for Energy Procurement for terms of less than or equal to five years. The CEO shall timely report to the Board of Directors all such executed contracts.

The CEO is authorized to approve and execute contracts for Energy Procurement for terms of less than or equal to 12 months, which the CEO shall timely report to the Board of Directors.

The CEO is required to report all such contracts and agreements to the MCE Board of Directors on a timely basis.

Item #	Month of Execution	Purpose	Average Annual Contract Amount	Contract Term	Date of consultation with IAC (if applicable)
1	March 2026	Purchase of Resource Adequacy	\$202,000	1 Year or less	N/A

Contract Approval Process:

Contract Approval Process: Energy procurement is governed by MCE’s Energy Risk Management Policy as well as Board Resolutions 2020-04 and 2026-01. The Energy Risk Management Policy (Policy) has been developed to help ensure that MCE achieves its mission and adheres to its

procurement policies established by the MCE Board of Directors (Board), power supply and related contract commitments, good utility practice, and all applicable laws and regulations.

The evaluation of every new energy contract is based upon how to best fill MCE’s open position. Factors such as volume, notional value, type of product, price, term, collateral threshold and posting, and payment are all considered before execution of the agreement.

After evaluation and as part of the overall approval process, an approval matrix is implemented whereby the draft contract is routed to key MCE departments and consultants for review, input, and approval. Typically, contracts are routed for commercial, technical, legal, and financial approval, and are then typically routed through the Chief Operating Officer for approval prior to execution. The table below lists the MCE departments and consultants (and examples of relevant staff) assigned to review and approve, before the contract is forwarded to the next stage of review.

Review Owner	Review Category
Vidhi Chawla (MCE, Vice President of Power Resources)	Procurement/Commercial
John Dalessi (Pacific Energy Advisors)	Technical Review
Steve Hall (Hall Energy Law)	Legal
Nathaniel Malcolm (MCE, Senior Commercial Counsel)	Legal (Process & CPUC Compliance)
Maira Strauss (MCE, Chief Financial Officer)	Credit/Financial
Dawn Weisz/Vicken Kasarjian (CEO/COO)	Executive

Pursuant to Resolution 2020-04, contracts for terms of less than or equal to 12 months can be approved and executed by the CEO.

Pursuant to Resolution 2020-04 and Resolution 2026-01, MCE consults with the Interim Advisory Committee regarding potential contracts for terms of 1-5 years. After consultation with the Interim Advisory Committee, the CEO and Technical Committee Chair are jointly authorized to approve and execute the agreement.

Fiscal Impacts:

Expenses and revenue associated with these Contracts and Agreements that are expected to occur during FY 2026/27 are within the FY 2026/27 Operating Fund Budget. Expenses and revenue associated with future years will be incorporated into budget planning as appropriate.

Recommendation:

Information only. No action required.



April 16, 2026

TO: MCE Board of Directors
FROM: Sabrina Soldavini, Vice President of Policy
RE: Legislative and Regulatory Updates
ATTACHMENT: Regulatory Packet with Filings since the March Board Meeting

Dear MCE Board Members:

Summary:

Below is a summary of the key activities at the state and federal legislatures and the California Public Utilities Commission (CPUC), California Energy Commission (CEC), and the California Independent System Operator (CAISO) impacting Community Choice Aggregation (CCA) and MCE.

I. California Legislature

This month, hundreds of bills are being debated in policy committees in their houses of origin, and many will be amended or fail to advance. Meanwhile, budget subcommittees are holding hearings on the Governor's January budget proposal while closely watching state revenue forecasts. The state budget outlook is trending slightly more positive than it had been at the beginning of the year, driven by higher-than-anticipated revenue collections from the artificial intelligence sector.

a. Assembly Bill (AB) 1761 (Rogers) - PCIA Data Transparency

AB 1761, California Community Choice Association's (CalCCA) sponsored bill on Power Charge Indifference Adjustment (PCIA) data transparency, was unanimously voted out of the Assembly Utilities and Energy Committee on March 18th. The bill received formal support from more than 30 organizations, which is noteworthy for a bill that is heard so early in the policy committee process. Supporters included CCAs, local governments, environmental advocates, the League of California Cities, the California State Association of Counties, and the Rural County Representatives of California. AB 1761 will next be considered by the Assembly Appropriations Committee.

MCE encourages member communities to consider adopting a formal support position on AB 1761. All support received before the bill is voted on by the full Assembly will be registered in the Floor Analysis, and a strong showing of statewide support will help this bill advance to the Senate. On February 23rd, MCE’s Board Clerk circulated the author’s fact sheet on the bill, along with a support letter template to assist with member communities’ deliberative processes.

b. Senate Bill (SB) 1138 (Padilla) - Lowering Resource Adequacy Costs

SB 1138, CalCCA’s sponsored bill on lowering the cost of resource adequacy (RA), will be heard in the Senate Energy, Utilities and Communications Committee on April 7th. Staff will provide an update on the outcome of that hearing in the staff report for the May Board of Directors meeting.

MCE encourages member communities to consider adopting a formal support position on SB 1138. All support received before the bill is voted on by the full Senate will be registered in the Floor Analysis, and a strong showing of statewide support will help this bill advance to the Assembly. On March 3rd, MCE’s Board Clerk circulated the author’s fact sheet on the bill, along with a support letter template in case it is helpful for member communities’ deliberative processes.

c. Additional Positions Taken

The table below lists positions MCE has registered to date, followed by brief descriptions of the bills included in the table but not discussed in previous staff reports.

Bill Number and Author	Subject	MCE Position
AB 1761 (Rogers)	PCIA data transparency	Support
SB 1138 (Padilla)	RA hourly transactability	Support
AB 2111 (Papan)	Transmission planning	Support
AB 1684 (Ward)	Cooling systems in common interest developments	Support
AB 2508 (Hoover)	Funding for Public Purpose Programs including energy efficiency	Oppose

AB 2111 (Papan) would adjust the state’s transmission planning process to account for greater uncertainty around load forecasts, climate change impacts, critical supply chains, and other factors that are harder to predict today than they have been historically. The bill calls for the state to examine a wider range of scenarios and evaluate the full cost implications of each, which will allow the Public Utilities Commission and Independent System Operator to design

a resource portfolio and transmission plan that limit total system costs while supporting the state's climate and reliability goals. This process adjustment could help California meaningfully reduce interconnection timelines, resource constraints, and electricity costs. AB 2111 is co-sponsored by Sonoma Clean Power and Peninsula Clean Energy.

AB 1684 (Ward) promotes both extreme heat protection and energy efficiency by prohibiting restrictions on installing or upgrading cooling systems owned by residents of common interest developments like condominiums and housing cooperatives. Though the bill is focused on cooling, eliminating barriers to installing high efficiency heat pumps also promotes electrification because heat pumps can replace gas heaters as well as traditional air conditioning units. It also helps ensure that residents can stay safe and comfortable in their homes during increasingly hot summer months. MCE supported a similar bill in 2025 that addressed restrictions faced by residents of mobile home parks.

AB 2508 (Hoover) would shift the funding source for many Public Purpose Programs, including energy efficiency programs like MCE's, out of rates and into the volatile and scarce Greenhouse Gas Reduction Fund (GGRF). The focus of MCE's advocacy on this bill is to preserve funding for our energy efficiency programs, which are held to rigorous cost-effectiveness analysis at the PUC. Statewide, the energy efficiency programs that this bill targets constitute roughly 1.5% of an average customer's bill and deliver roughly \$5 in grid benefits for every \$1 invested. Meanwhile, GGRF funds are hotly contested in annual state budget negotiations because there is never enough funding to cover all the investments prioritized by legislators and the Governor. Constraints on these funds are even tighter after the passage of SB 840 (Limón, 2025) which established priorities for how GGRF money will be spent moving forward, and those priorities do not contemplate funding Public Purpose Programs. Finally, recent quarterly cap-and-trade auction revenues have been lower than anticipated, which further limits the potential reach of GGRF funds. As such, requiring energy efficiency to be funded through the GGRF would likely wind up eliminating these valuable programs altogether.

II. California Public Utilities Commission (CPUC)

a. Resource Adequacy (RA) Proceeding

In February, the CPUC Energy Division released its report on hourly load obligation transactability (LOT) within the SOD framework, advocating against implementing a transactability program. MCE worked with CalCCA to file its initial rebuttal of the ED Report, along with CalCCA's proposals for an hourly LOT program, on March 3, 2026. CalCCA filed additional comments to refute the Energy Division's report, stating that the report focuses on an LSE's ability to comply rather than the cost of compliance, thereby sacrificing affordability for reliability, and also that the report overstates concerns of administrative burden in

conducting an hourly LOT program. CalCCA filed reply comments on March 30, 2026, continuing to push for an hourly LOT program.

MCE also worked with CalCCA to file comments on Track 1 proposals in the RA proceeding. CalCCA filed opening comments on March 6, 2026, and then filed reply comments on March 20, 2026. Key recommendations in the reply comments state that the CPUC should: address the forthcoming impacts of data center loads on RA requirements; include co-located energy-only (EO) resources in the accounting of charging sufficiency and reliability; reject PG&E's proposal to terminate the Local Capacity Requirement Reduction Compensation Mechanism (LCR-RCM), which aims to incentivize LSE's procurement of local reliability resources; reject the CAISO's proposal for accounting for the qualifying capacity of storage resources, in favor of CalCCA's proposal under the Slice-of-Day (SOD) framework.

Track 1 is scheduled to continue on April 1, 2026, to cover issues related to local capacity requirements (LCR) and flexible capacity requirements (FCR) as published in the CAISO's 2027 LCR and FCR reports.

Track 2 is scheduled to begin in early April 2026, and will consider system and flexible capacity requirements for the 2028 program year and the 2028-2030 local RA requirements. Track 2 will also consider modifications to the planning reserve (PRM) margin for the 2028 and 2029 compliance years, including consideration of the results of Energy Division's annual Loss of Load Expectation (LOLE) study.

Fiscal Impact: There is no direct fiscal impact on MCE at this time.

b. Power Charge Indifference Adjustment

In February 2025, the CPUC issued an OIR to update Energy Resource Recovery Account (ERRA) and PCIA policies and processes. Per law, the CPUC is required to ensure "indifference" and prevent cost shifts between bundled and unbundled customers. This entails the Investor-Owned Utilities (IOUs), such as Pacific Gas & Electric (PG&E) recovering electricity costs from CCA customers that were incurred on their behalf before they departed PG&E service, and reducing those costs by the value of benefits that remain with PG&E customers. To facilitate this process, the Commission established the PCIA, a charge paid by all customers on the PG&E side of the bill.

In this proceeding, the CPUC is evaluating potential changes to the methodology of calculating the PCIA through three tracks.

Track 1:

Track 1 considered interim changes to the calculation of the Resource adequacy (RA) Market Price Benchmark (MPB), one of the inputs used to calculate the PCIA, on an

expedited basis. The Commission voted out a Decision in Track 1 in 2025 that changed the calculation of the RA MPB and allowed the IOUs to apply this change to rates retroactively.

CalCCA filed an Application for Rehearing (AfR) followed by a Petition for Writ of Review (or appeal) on the Track 1 Decision in January 2026. The appeal argues that the Commission violated the indifference principle and acted illegally by approving retroactive application of the methodology and did so by relying on insufficient evidence. As part of this strategy, CalCCA filed a reply to the Commission's response in the case in early April restating our positions.

Track 2:

In January 2026, the Commission issued a Scoping Memo for Track 2 of this proceeding to consider the following issue: All 3 IOUs purchase resources and their associated Renewable Energy Certificates (REC) and bank a portion of them to use for compliance with the Renewable Procurement Standard (RPS) program at a later time. Customers that departed IOU service should receive value for the resources and RECs that they paid for. The Commission is currently evaluating how the IOUs should value RECs that they banked prior to 2019 and convey that value to departed customers.

In March, CalCCA filed Opening and Rebuttal Testimony in this proceeding. Customers that departed IOU service after the IOUs purchased and banked RECs prior to 2019 do not receive any value when IOUs use those RECs for current bundled customer compliance. CalCCA argued that this goes against the indifference principle that unbundled customers need to receive value for resources or attributes that they paid for. The current methodology values the RECs at \$0 and therefore shifts costs onto unbundled customers. CalCCA proposed that the IOUs should be required to value any pre-2019 banked RECs at the current RPS MPB and credit to the appropriate PCIA vintage. As an alternative, the IOUs should be required to allocate those RECs to the appropriate LSE and that LSEs' RPS compliance obligation should be reduced accordingly.

Track 3

The Commission issued a Scoping Memo in Track 3 of this proceeding in February 2026 to consider additional PCIA related issues, including data access and timelines for the proceeding.

CalCCA filed Opening Comments in late March on the Scoping Memo. CalCCA recommended that the Commission first resolve data access and confidentiality issues in Phase 1 of Track 3 to ensure that all parties have equal access to data to evaluate proposals and their impact. After 6 months of data production, the Commission should start Phase 2. In

Phase 2, CalCCA recommended that the Commission scope broad items that address PCIA and ERRRA structural, methodological, and implementation issues.

MCE will continue to actively engage in this proceeding through 2026 and provide updates as they become available.

Fiscal Impacts: There are no immediate fiscal impacts to MCE. The PCIA is a charge on the PG&E side of the bill, but changes to the PCIA impact MCE customers' overall bill and MCE's rate competitiveness.

c. PG&E 2023 General Rate Case (GRC) Phase II

PG&E files a GRC Application with the Commission every four years to request approval for its generation and distribution related revenue requirements. In Phase I of a GRC Application, the Commission reviews and approves PG&E's cost amounts to be recovered over the application period. In Phase II, the Commission reviews and approves how those costs are allocated across different customer groups and rate classes.

In its 2023 GRC Phase II Application, PG&E proposed to increase its CCA services and filed information on how it calculates the Provider of Last Resort (POLR) administrative fee. CCA service fees reflect services PG&E provides to CCAs as the authorized billing agent. The POLR fee is intended to reflect the administrative costs PG&E would incur in case of a mass involuntary return of CCA customers to PG&E service, and currently PG&E is allowed to use a proxy fee that is equal to the cost for PG&E to process a single customer return. CalCCA filed Opening Testimony in early March in this case. CalCCA recommended that the Commission: (1) Reject PG&E's proposed increase to its CCA service fees because this increase is not based on up-to-date cost information and order PG&E to complete a cost study to support future recommended changes; (2) Reject PG&E's proposal to update its service fees via a Tier 2 Advice Letter outside of the GRC. PG&E should not be allowed to bypass the GRC process for fee increases as this does not allow the Commission to conduct a holistic review of customer costs; and (3) Direct PG&E to update its POLR fee. The current calculation does not reflect PG&E's actual process and costs that it would incur for processing a mass involuntary return.

MCE will continue to work with CalCCA and other PG&E CCAs on this case through 2026.

Fiscal Impacts: There are no immediate fiscal impacts to MCE. However, approval of PG&E's service fee increase would impact MCE's budget in the future.

d. Energy Efficiency

In March, MCE submitted its Application for Approval of 2028-2031 Energy Efficiency (EE) Portfolio Plan and 2032-2035 EE Business Plan to the Commission. MCE requested \$133,096,000 dollars for 8 years (2028-2035) of EE programs from the California Public Utilities Commission and of that \$65,251,000 for program years 2028-2031. MCE is largely proposing to continue administering and refining its existing suite of 2024-2027 EE programs approved in June 2023 across the required Resource Acquisition, Market Support and Equity segments. MCE's Application seeks Commission approval to continue to deliver a balanced and diverse portfolio of EE programs serving residential, commercial, industrial, public, and agricultural customers.

MCE proposes to administer two new programs: the Home Energy Savings-Resource program and the Low-Global Warming Potential (GWP) Accelerator program. The Home Energy Savings-Resource Program focuses on implementing a direct installation strategy designed to help customers adopt electrification space and water heating systems. The single-family program will provide a fixed rebate per electrification measure and provide the homeowner with an assessment and installation contractor. Rebates will be based on market research and will be commensurate with other successful rebate programs. The MCE Low-GWP Refrigerant Acceleration Program focuses on helping small grocery and restaurant businesses retrofit old refrigeration systems to run on low-GWP refrigerants. The program will combine both low-GWP refrigerant and EE incentives to reduce typical installation costs by between 25 and 50 percent.

MCE proposes to continue administering its Integrated Demand Side Management program that integrates EE measures with measures that load shift energy usage of peak times. Additionally, MCE submits a variety of policy recommendations to improve EE programs in its service area and statewide.

MCE is one of 13 total program administrator (PA) applicants that submitted applications in March. MCE anticipates that the Commission will consolidate all Applications into one proceeding and review simultaneously. The last Application proceeding ran from March 2022 with a Final Decision issued in June 2023. Protests and Responses to Applications are due May 1st with replies from the PAs due May 18th.

Fiscal Impacts: If approved, MCE will be authorized to receive and administer \$133,096,000 dollars for EE programs from 2028-2035 and of that \$65,251,000 for programs in 2028-2031 from the Commission.

e. Self Generation Incentive Program (SGIP)

In March 2026, MCE, Clean Energy Alliance, Peninsula Clean Energy Authority, San Diego Community Power and the City of San José, administrator of San José Clean Energy jointly submitted comments in response to the questions posed by the Assigned Commissioner's

Rulings on Verification of SGIP Total Eligible Project Cost Before Distributing Incentive Payments issued in both February and March. Joint CCAs offered practical recommendations to ensure beneficial, effective and efficient disbursement of SGIP rebates to a category of low-income customers seeking the Residential Solar and Storage Equity funds. Joint CCAs submitted relevant data and expertise from its administration of related programs seeking to leverage the SGIP rebate. Joint CCAs encouraged the Commission to right-size related verification requirements so that low-income customers are not unintentionally burdened by delayed rebate administration. The Joint CCAs requested the Commission adopt their verification and administration recommendations.

Fiscal Impacts: There are no immediate fiscal impacts to MCE.

f. Disconnections

In February, the CPUC scheduled a March 11th workshop for stakeholders to discuss remaining issues in the proceeding, including continuation of the Arrearage Management Program (AMP) and Percentage of Income Payment Plan (PIPP) programs, disconnection rate caps, and further methods for protecting customers. Along with scheduling the workshop, the CPUC also issued a ruling seeking comments across these same topics. CalCCA filed comments recommending that the CPUC: 1) Open a successor proceeding that will discuss customer protections in the context of affordability, disconnections, and arrearages; 2) Maintain disconnection rate caps and discontinue the use of disconnections as the primary lever to address arrearages; and 3) Establish PIPP and AMP as permanent programs to continue providing bill assistance and arrearage management assistance to vulnerable customers.

Fiscal Impacts: There are no immediate fiscal impacts to MCE.

III. California Energy Commission (CEC)

a. Integrated Energy Policy Report (IEPR)

On March 10, 2026, the CEC put out a Notice of Request for Comments on their Draft Scoping Order for the 2026 IEPR Update. The Draft Scoping Order outlines the topics to be covered in this year's IEPR Update and includes updating the California Electricity Demand Forecast; assessing challenges and opportunities in deploying in-state geothermal resources; and reporting the CEC's progress on matters of energy equity and environmental justice.

MCE worked with CalCCA to file comments on the Draft Scoping Order, recommending that the CEC: 1) include CCAs in the process of gathering and verifying information for new loads (particularly data centers) to be included in the energy demand forecast; 2) require that data center loads meet certain milestones (e.g., interconnection agreement) to be included in the

energy demand forecast; 3) exclude a new data product known as “known loads,” produced by the CEC in collaboration with the IOUs, from being included in the demand forecast’s Planning Scenario; and 4) reduce barriers to developing in-state geothermal resources, with a focus on streamlining permitting processes.

The final IEPR Scoping Order is scheduled to be released in April 2026. The CEC is expected to adopt the order instituting an informational proceeding for the 2026 IEPR update in May, 2026 and conduct workshops beginning in late May covering the topics of the Draft Scoping Order and processing the submitted comments.

Fiscal Impacts: There is no direct fiscal impact on MCE at this time.

IV. California Independent System Operator (CAISO)

a. Demand and Distributed Energy Market Integration (DDEMI)

On March 13, the CAISO held a workshop to discuss the release of the Track 1 Straw Proposal and Track 2 Issue Paper. The Track 1 Straw Proposal focuses on Distributed Energy Resource (DER) exports as part of demand response resource participation in CAISO markets and related performance measurement enhancements. The Track 2 Issue Paper examines participation pathways for large loads and enhancements to demand flexibility to support participation from resources outside the CAISO market. MCE and CalCCA filed comments in support of the Track 1 Straw Proposal. CalCCA also commented on Track 2, seeking additional clarification regarding the proposal and recommending that the CAISO include CCA representatives in its coordination framework efforts, given that CCAs comprise roughly one-third of the CAISO load and manage significant DR and DERs through customer programs.



April 16, 2026

TO: MCE Board of Directors
FROM: Alice Havenar-Daughton, VP of Customer Programs
RE: Customer Programs Update (Informational Item)

Dear MCE Board Members:

Summary:

The following tables provide key metrics on current MCE Customer Programs. CPUC-funded energy efficiency programs operate on a calendar year basis, whereas MCE-funded programs operate on a fiscal year basis. Accordingly, program results are presented in alignment with each funding cycle. Detailed information on each program is provided below the tables.

1. ENERGY EFFICIENCY

Home Energy Savings
2025: <ul style="list-style-type: none">• 347 low- or moderate-income homes upgraded• 119 no-cost heat pumps installed• Program expenditures: \$2,623,613• Value of no-cost projects delivered to customers: \$2,089,777• Lifecycle Gross GHG Emissions Reductions: 4,753 MT/CO₂e• \$ per MT/CO₂e: \$552
Results from prior years (2019-2024): <ul style="list-style-type: none">• 1,700 single family homes upgraded• Saved participants over 500,000 kWh and over 7,000 therms• Program expenditures: \$9,800,000• Customers save an average of \$143 per year on energy bills
Results from Richmond Rising Grant (2023-present): <ul style="list-style-type: none">• 46 homes received solar installs• 49 homes received energy efficiency upgrades• 36 homes received electrification upgrades

Funding	CPUC (\$2,8000,000 annually), California Strategic Growth Council grant (\$3,000,000), Chevron grant (\$35,000)
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Multifamily Energy Savings	
<p>2025:</p> <ul style="list-style-type: none"> • 424 units at 12 properties upgraded • \$3.26M in rebates distributed • Lifecycle Gross GHG Emissions Reductions: 920 MT/CO2e • Program expenditures: \$988,112 • \$ per MT/CO2e: \$1,073 <p>Results from prior years (2013-2024):</p> <ul style="list-style-type: none"> • 4,700+ multifamily units upgraded • Saved participants more than 1.4 million kWh and 108,000 therms (approximately \$666,240 in annual energy bill savings) • Distributed nearly \$1.2 million in incentive payments to customers 	
Funding	CPUC (\$1,706,03 annually)

Flex Market Commercial Efficiency	
<p>2025:</p> <ul style="list-style-type: none"> • 21 projects • Forecasted to save 1,618,000 kWh annually (approximately \$485,400 in annual energy bill savings) • Lifecycle Gross GHG Emissions: 3,332 MT/CO2e • Program expenditures: \$1,782,376 • \$ per MT/CO2e: \$535 <p>Results from prior years (2021-2024):</p> <ul style="list-style-type: none"> • Installed 103 projects that are forecasted to save over 8,650,000 kWh annually (approximately \$2,595,000 in annual energy bill savings) 	
Funding	CPUC (\$6,733,937 annually)

Flex Market Residential Efficiency	
<p>2025:</p> <ul style="list-style-type: none"> • Launched in mid-2025, focusing on heat pump water heaters • 54 projects approved for installation • Total Expenditures: \$192,092 • Lifecycle Gross GHG Emissions: 213 MT/CO2e 	

- \$ per MT/CO2e: \$903

Funding	CPUC (\$809,783 annually)
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Small Business Energy Advantage

2025:

- 167 businesses upgraded
- Average annual bill savings of \$490
- Over \$570,000 in incentives
- GHG Emissions Reduction methodology is still being developed for this program

Results from prior years (2024):

- Provided 40 small businesses with over \$135,000 in incentives to install efficient equipment

Funding	CPUC (\$973,276 annually)
----------------	---------------------------

Energy Management

2025:

- Energy Coaching:
 - 29 properties participated in forecasted to save 1,091,918 kWh and 76,440 therms (approximately \$693,000 in annual bill savings)
- Capital Projects:
 - 4 projects savings 25,000 kWh and 4,000 therms annually
- Expenditures: \$1,157,848
- Lifecycle Gross GHG Emissions Reductions: 3,853 MT/CO2e
- \$ per MT/CO2e: \$300

Results from prior years (2016-2024):

- Energy Coaching:
 - \$240,000 in incentives to 12 participants
 - Saved over 3.7 million kWh of electricity and over 315,000 therms annually (approximately \$1,828,200 in annual energy bill savings)
- Capital Projects:
 - Over 1,000 projects
 - 13.5 million kWh and 1 Million therms saved
 - \$5.7M in rebates awarded

Funding	CPUC (\$1,775,805 annually)
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Green Workforce Pathways

2025:

- Placed 13 jobseekers with local electrification contractors in MCE's service area

- 23 contractors provided with stipends to attend manufacturer training
- 64 job seekers provided with career readiness services
- Launched the [Contractor Finder Tool](#) on MCE's website
- Hosted the E-Contractor Academy at MCE's Concord Offices and at the UA Local 342 JATC in Concord
 - 15 participants representing 13 small, minority, women-owned construction businesses, ranging across different trades from general, electrical, plumbing to HVAC, solar and seismic engineering
- GHG emissions reductions are not tracked for this program because it is a workforce program and does not directly influence the installation of equipment

Marin Community Foundation Grant:

- Launched the LIME Foundation's Next Gen Trades Academy in San Rafael
- ABC7 aired a [broadcast segment](#) in January 2026

Results from prior years (2021-2024):

- Placed 48 job seekers with local electrification contractors in MCE's service area
- Supported 139 job seekers in career readiness workshops

Funding	CPUC (\$1,055,940 annually), Marin Community Foundation Grant (\$380,000)
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2. TRANSPORTATION ELECTRIFICATION

MCE Sync
<ul style="list-style-type: none"> • 3,150 vehicles with Smart Charging enabled <p>Current Fiscal Year (April 1- Dec. 31, 2025):</p> <ul style="list-style-type: none"> • Shifted out of peak: 773,169 kWh • Customer savings (avg): \$61/EV • Customer incentives (avg): \$67.42 • Customer incentives (total): \$296,656 • Expenditures: \$558,483 <p>Chargewise Pilot:</p> <ul style="list-style-type: none"> • 522 vehicles on a Dynamic Rate with Smart Charging enabled • 98% of charging shifted out of peak periods • 30% of charging occurred during the day (9am-3pm) • Participants earned an average of \$19/month in dynamic rate credits in addition to the average monthly savings of \$11/month on their electricity bill • Participating customers have earned approximately \$120,000 in dynamic rate credits

Funding	MCE Resiliency Fund FY 2025/26 (\$926,692)

EV Rebates	
Current Fiscal Year:	
<ul style="list-style-type: none"> • 1,297 rebates issued for EV purchase or lease using \$2,718,500 in MCE rebates <ul style="list-style-type: none"> ○ 610 new vehicles (\$2,135,000 in MCE rebates) ○ 687 used vehicles (\$1,374,000 in MCE rebates) • Lifecycle Gross GHG Emissions Reductions: 46,692 MT/CO₂e • Expenditures: \$3,900,000 • \$ per MT/CO₂e = \$84 	
Results from prior years (2022-2024):	
<ul style="list-style-type: none"> • 1,367 rebates for EV purchase or lease using \$4,170,000 in MCE rebates <ul style="list-style-type: none"> ○ 1,007 new vehicles (\$3,498,000 in MCE rebates) ○ 360 used vehicles (\$672,000 in MCE rebates) 	
EV Rebate Program (2019-2022):	
<ul style="list-style-type: none"> • 347 rebates issued for EV purchase or lease using \$1,211,000 in MCE rebates 	
Funding	MCE Local Programs Fund FY 2025/26 (\$4,566,480)

EV Charging Program	
Current Fiscal Year:	
<ul style="list-style-type: none"> • 179 new charging ports installed, 749 under reservation • \$734,500 in MCE incentives provided (41% of project costs covered by MCE rebates) • 126 Charging Planning Reports delivered (80% to low-income or disadvantaged communities) • GHG Emissions Reductions are not tracked for this program because of the administrative burden of tracking charging station usage data 	
Results from prior years (2018-2024):	
<ul style="list-style-type: none"> • 1,232 new charging ports installed using \$2,390,000 in MCE incentives 	
Charge up Contra Costa (2022-present):	
<ul style="list-style-type: none"> • 92 ports installed in low-income communities in Contra Costa using \$545,000 in grant funding 	

	<ul style="list-style-type: none"> 128 additional ports under construction
Funding	MCE Local Programs Fund FY 2025/26 (\$1,710,745), CEC Grant - Charge Up Contra Costa (\$1,200,000), Marin Community Foundation Grant (\$180,000)

Charged by Public Power	
	<ul style="list-style-type: none"> Launched in 2024 Collected over 600 survey responses Reached 131 focus group participants Starting project host site identification GHG Emissions Reductions are not tracked for this program because of the administrative burden of tracking charging station usage data
Funding	DOE Grant (\$1,000,000)

3. BUILDING ELECTRIFICATION

Heat Pump Water Heater Incentives	
	<p>FY 2025/26:</p> <ul style="list-style-type: none"> 216 heat pumps installed \$463,570 in MCE incentives Lifecycle Gross GHG Emissions Reductions: 2,862 MT/CO₂e \$ per MT/CO₂e = \$162 <p>Results from prior Years (2022-2024):</p> <ul style="list-style-type: none"> 600 heat pumps installed using \$854,000 in MCE incentives
Funding	MCE Local Programs Fund FY 2025/26 (\$800,000)

Emergency Water Heater Loaner Program	
	<p>Results 2024-2025:</p> <ul style="list-style-type: none"> Launched in 2024, closed to new applicants at the end of 2025 10 heat pump water heaters installed using emergency loaners since the program Expenditures: \$15,000 Lifecycle Gross GHG Emissions Reductions: 133 MT/CO₂e \$ per MT/CO₂e = \$113
Funding	MCE Local Programs Fund FY 2025/26 (\$142,000)

4. ENERGY STORAGE PROGRAM

Energy Storage for Residents and Critical Facilities	
<ul style="list-style-type: none"> Program closed to new applicants <p>Results from prior Years (2020-2024):</p> <ul style="list-style-type: none"> 1.25 MWh of non-residential storage installed at 13 sites 1.24 MWh of residential storage installed at 76 homes Lifecycle Gross GHG Emissions Reductions: 4,820 MT/CO₂e Cumulative MCE Expenditures: \$4,384,000 \$ per MT/CO₂e = \$910 	
Funding	MCE Resiliency Fund FY 2025/26 (\$306,000), Marin Community Foundation Grant (\$750,000), Self Generation Incentive Program Funding (>\$1,000,000)

Department of Energy Storage Grant	
<p>Current program status:</p> <ul style="list-style-type: none"> 12 applications received 2 sites selected for federal funding 	
Funding	DOE Grant (\$500,000), MCE Match Funding (\$500,000)

Solar Storage Credit Program	
<ul style="list-style-type: none"> 1,469 active customers 	
Funding	MCE Operational Funds FY 2025/26 (\$250,000)

Program Participation by Community

The following tables summarize community participation by county across MCE’s customer programs.

Contra Costa County									
Community	Home Energy Savings	Multi-Family Energy Savings	Flex Market Commercial Efficiency	Small Business Energy Advantage	Energy Management	MCE Sync	EV Rebate	EV Charging	Energy Storage
Concord	✓	✓	✓	✓	✓	✓	✓	✓	
Danville	✓	✓	✓	✓	✓	✓	✓	✓	✓
El Cerrito	✓	✓	✓	✓	✓	✓	✓	✓	✓
Hercules				✓		✓	✓		
Lafayette	✓			✓	✓	✓	✓		✓
Martinez	✓	✓	✓	✓	✓	✓	✓	✓	✓
Moraga	✓		✓	✓	✓	✓	✓	✓	✓

Oakley	✓	✓		✓	✓	✓	✓	✓	
Pinole	✓		✓	✓	✓	✓	✓	✓	✓
Pittsburg	✓	✓	✓	✓	✓	✓	✓	✓	✓
Pleasant Hill	✓			✓	✓	✓	✓		
Richmond	✓	✓		✓	✓	✓	✓	✓	✓
San Pablo	✓	✓	✓	✓	✓	✓	✓	✓	✓
San Ramon	✓	✓		✓	✓	✓	✓	✓	✓
Walnut Creek	✓	✓	✓		✓	✓	✓	✓	✓
Uninc. Contra Costa County	✓	✓		✓	✓	✓	✓		

Marin County

Community	Home Energy Savings	Multi-Family Energy Savings	Flex Market Commercial Efficiency	Small Business Energy Advantage	Energy Management	MCE Sync	EV Rebate	EV Charging	Energy Storage
Belvedere		✓			✓	✓	✓	✓	
Corte Madera	✓	✓			✓	✓	✓	✓	
Fairfax	✓	✓		✓	✓	✓	✓	✓	✓
Larkspur	✓	✓			✓	✓	✓	✓	
Mill Valley	✓	✓	✓		✓	✓	✓	✓	✓
Novato	✓	✓	✓	✓	✓	✓	✓	✓	✓
Ross						✓		✓	
San Anselmo	✓			✓	✓	✓	✓	✓	✓
San Rafael	✓	✓		✓	✓	✓	✓	✓	✓
Sausalito	✓				✓	✓	✓	✓	✓
Tiburon	✓	✓			✓	✓	✓	✓	
Uninc. Marin County	✓	✓		✓	✓	✓	✓	✓	✓

Napa County

Community	Home Energy Savings	Multi-Family Energy Savings	Flex Market Commercial Efficiency	Small Business Energy Advantage	Energy Management	MCE Sync	EV Rebate	EV Charging	Energy Storage
American Canyon	✓			✓	✓	✓	✓	✓	✓
Calistoga	✓				✓	✓		✓	
City of Napa	✓	✓	✓	✓	✓	✓	✓	✓	✓
St. Helena	✓				✓	✓	✓	✓	
Yountville					✓	✓	✓	✓	

Uninc. Napa County	✓				✓	✓	✓	✓	✓
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Solano County									
Community	Home Energy Savings	Multi-Family Energy Savings	Flex Market Commercial Efficiency	Small Business Energy Advantage	Strategic Energy Management	MCE Sync	EV Rebate	EV Charging	Energy Storage
Benicia	✓	✓			✓	✓		✓	✓
Fairfield	✓	✓	✓	✓	✓	✓		✓	
Vallejo	✓	✓	✓	✓	✓	✓		✓	
Uninc. Solano County	✓					✓			✓

Detailed Program Information

1. Home Energy Savings

Description: MCE's Home Energy Savings program aims to improve the comfort, efficiency and indoor air quality of low- and moderate-income households living in single family homes. The program offers free energy assessments and education with single point-of-contact customer service and free energy-efficient and electrification measures.

The program serves homeowners and renters whose household income is 200%-400% of the Federal Poverty Guidelines. This typically exceeds the income limit for services provided by programs like PG&E's Energy Savings Assistance program. However, income constraints often prevent this group from participating in market-rate programs.

Richmond Rising is an initiative funded by a \$35M grant awarded to the City of Richmond by the Strategic Growth Council. MCE was a sub awardee for this grant to expand Home Energy Savings and the installation of rooftop solar in Richmond.

2. Multifamily Energy Savings Program

Description: MCE's Multifamily Energy Savings program helps transform multifamily homes into healthier, more energy efficient, all-electric spaces. The program is designed to make electrification and energy upgrades easier by breaking down common barriers like high upfront costs, complex decision-making, and the technical expertise needed to get started. The program offers free energy assessments for common areas and units, support with contractor selection and project planning and rebates for in-unit and common area measure upgrades such as ENERGY STAR® appliances, efficient lighting, insulation, windows, and water fixtures, electrification upgrades including heat pumps, induction stoves, electric dryers, and panel upgrades.

3. Efficiency Flex Market

Description: MCE's Commercial Flex Market programs provide energy efficiency incentives directly to project developers or contractors known as aggregators. The incentives are based on metered energy savings, instead of traditional energy efficiency programs that utilize deemed or custom models. These programs do not limit the technology or energy saving strategies implemented, resulting in the opportunity to maximize energy efficiency and load-shifting projects. Because the incentive is paid directly to the aggregator, the value is passed along to the customer in the way that best drives the success of the project, either by reducing upfront costs or getting paid based on energy savings performance.

MCE's Residential Flex Market was relaunched in 2025 after contractors shared that the previous incentive process made it hard to manage cash flow between project completion and the later measurement period used to calculate payments. The updated program now provides an upfront rebate at installation based on estimated savings, plus a performance bonus a year later based on the project's actual energy savings.

4. Small Business Energy Advantage

Description: MCE's Small Business Energy Advantage program helps small businesses in underserved communities become more resilient by providing equitable access to bill-reducing energy efficient upgrades that improve health, comfort, and safety. Unlike traditional programs, MCE's Small Business Energy Advantage program focuses on businesses that have historically been overlooked, ensuring real-world impacts and lasting community benefits.

The program offers free energy assessments and tailored education for all enrolled businesses, no-cost and low-cost energy efficiency upgrades, ongoing support, including project planning, installation, and post-installation follow-up to ensure satisfaction and connect businesses to additional resources.

5. Strategic Energy Management

Description: The Strategic Energy Management program offers a long-term approach to help multifamily properties and businesses save money, earn financial incentives, and better manage their energy usage. Participants can access free onsite assessments, cohort-style training, individual coaching, and peer-to-peer learning to build a stronger energy culture within their organization. The program offers customized opportunities to change how existing equipment is used (rather than installing new equipment) so the customer can see significant bill savings with little to no-upfront cost.

6. Green Workforce Pathways

Description: MCE's Green Workforce Pathways program supports both residential service contractors and job seekers. For contractors, the program provides no-cost training on cutting-edge clean technologies and connections to vetted job seekers to help grow their business. For job

seekers, the program offers individualized career support services and opportunities for paid positions with local energy contractors.

7. MCE Sync

Description: MCE Sync is a load-shifting app that helps EV drivers automate their EV charging at home to use the least expensive and cleanest energy on the grid. On average, 80% of EV charging happens at home, with every EV adding around 50% to a resident's overall electricity usage. As the EV market continues to grow, the importance of smart EV charging will be even more significant. Shifting electricity load toward lower-cost energy hours when more renewables are available bolsters grid resiliency from outages during critical periods.

In late 2024, MCE partnered with EV.Energy to launch ChargeWise, a CEC grant funded pilot. The ChargeWise Pilot deploys dynamic rates that align charging to wholesale electricity prices. Customers who opt into this pilot can take advantage of very low daytime pricing to earn EV charging credits. The customers are provided a credit for the difference between their based electricity rate and the dynamic rate offered by the pilot.

8. EV Charging

Description: MCE's EV Charging program provides multifamily properties and businesses with EV charging rebates, along with free technical assistance. The program offers:

- Up to \$4,500 per networked Level 2 charging port plus \$500 per L2 charging port for projects located in state-designated priority population areas and up to \$875 per networked Level 1 charging port
- Stackable rebates with other regional EV charging programs
- Technical assistance including a customized EV Charging Planning Report, which includes a site assessment, load study, available incentives, recommended vendors, and user pricing

9. Charged by Public Power

Description: MCE's Charged by Public Power program supports the planning and deployment of EV chargers and clean mobility options – such as bikeshare and carshare – in nine historically underserved communities across MCE's service area. Priority communities include Concord, Fairfield, Napa, Pittsburg, Richmond, San Pablo, San Rafael, Unincorporated Contra Costa County, and Vallejo.

To ensure community-driven decision-making, the program established the Community Electric Transportation Council (CETC), which includes representatives from local governments, transit agencies, and community-based organizations. The CETC plays a key role in shaping inclusive engagement strategies, assessing transportation needs through surveys and focus groups, and informing the design and placement of EV chargers based on direct community input.

10. Heat Pump Water Heater Incentives

Description: To help increase adoption, MCE offers rebates to contractors for each energy-efficient heat pump water heater unit they install in the home of an MCE market-rate customer and slightly higher incentives for equipment installed in low- and moderate-income homes or multifamily properties. This can be combined with other energy efficiency rebates to further reduce costs.

11. Emergency Water Heater Loaner Program

Description: Approximately 90% of water heater replacements are emergency replacements. The urgency of restoring hot water to a home compresses a customer's timeframe in deciding whether to switch to a heat pump water heater or continue burning fossil fuels. Customers are often unwilling to go without hot water during the time it takes to complete the retrofit requirements. The ability to provide an emergency replacement heat pump water heater solution that doesn't inconvenience the customer is essential to moving California toward its carbon-neutral goals.

MCE's Emergency Water Heater Incentive provides contractors \$1,500 to help cover the cost of installing and maintaining a temporary loaner water heater (gas or electric) as part of the customer's permanent heat pump water heater installation.

12. Energy Storage for Residents and Critical Facilities

Description: MCE's Energy Storage Program provided rebates, monthly bill credits and for battery energy storage systems paired with solar, in exchange for allowing MCE to discharge the battery daily from 4-9pm to manage peak loads and mitigate high energy costs. The program is currently closed to new customers, but staff are continuing to support some customers through the installation process which includes PG&E project approval (Permission to Operate) and to provide performance payments to non-residential batteries for 7 years post installation.

13. Department Of Energy (DOE) Energy Storage Grant

Description: In 2025, MCE offered a grant to our municipal customers to support the installation of storage on municipal sites funded by a DOE Energy Storage Grant that was awarded to MCE. The batteries will be used to provide resiliency and to offset peak demand.

14. Solar Storage Credit Program

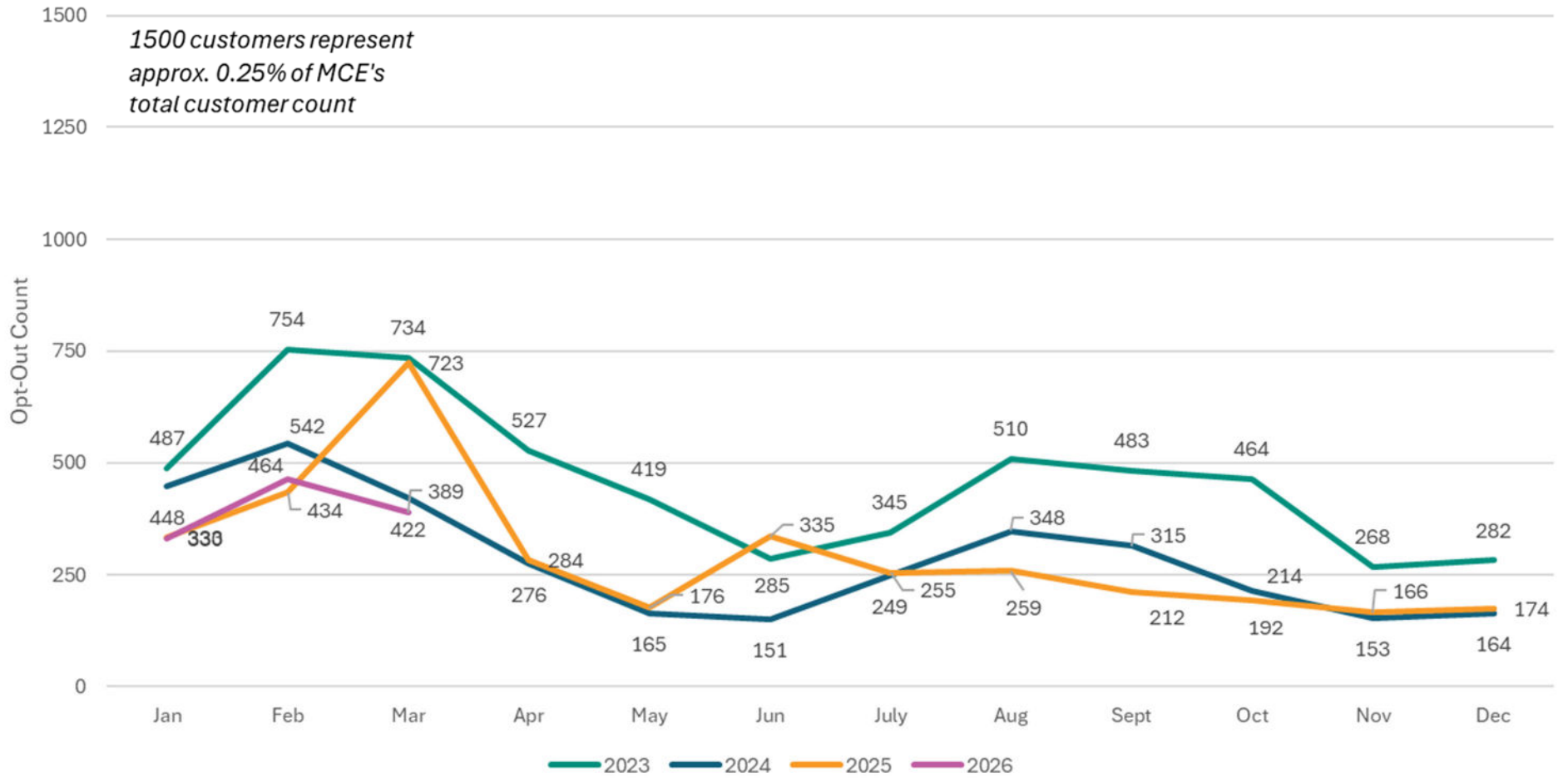
Description: MCE offers customers with solar and storage at their home a monthly bill credit (\$10-\$20) in exchange for automating their battery to discharge down to a 20% reserve margin daily from 4-9 p.m., except to prepare for or during a power outage.

Recommendation:

Discussion only.

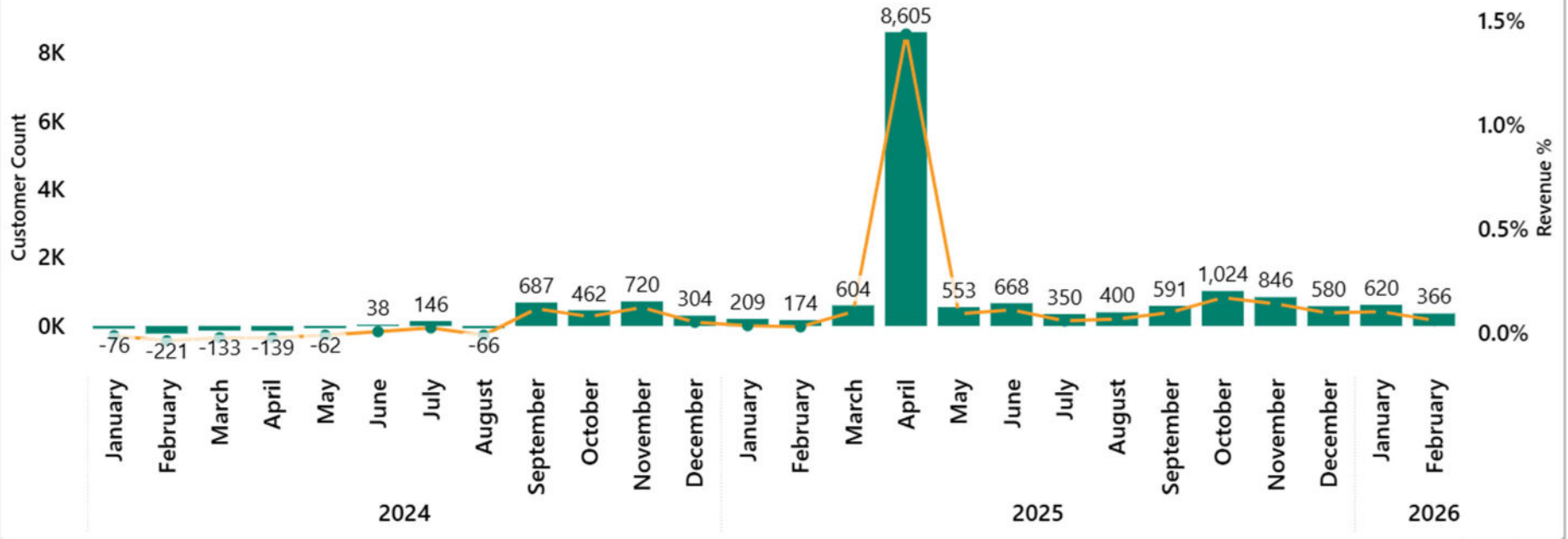
YOY Comparison of Opt-Out Requests

1500 customers represent
approx. 0.25% of MCE's
total customer count

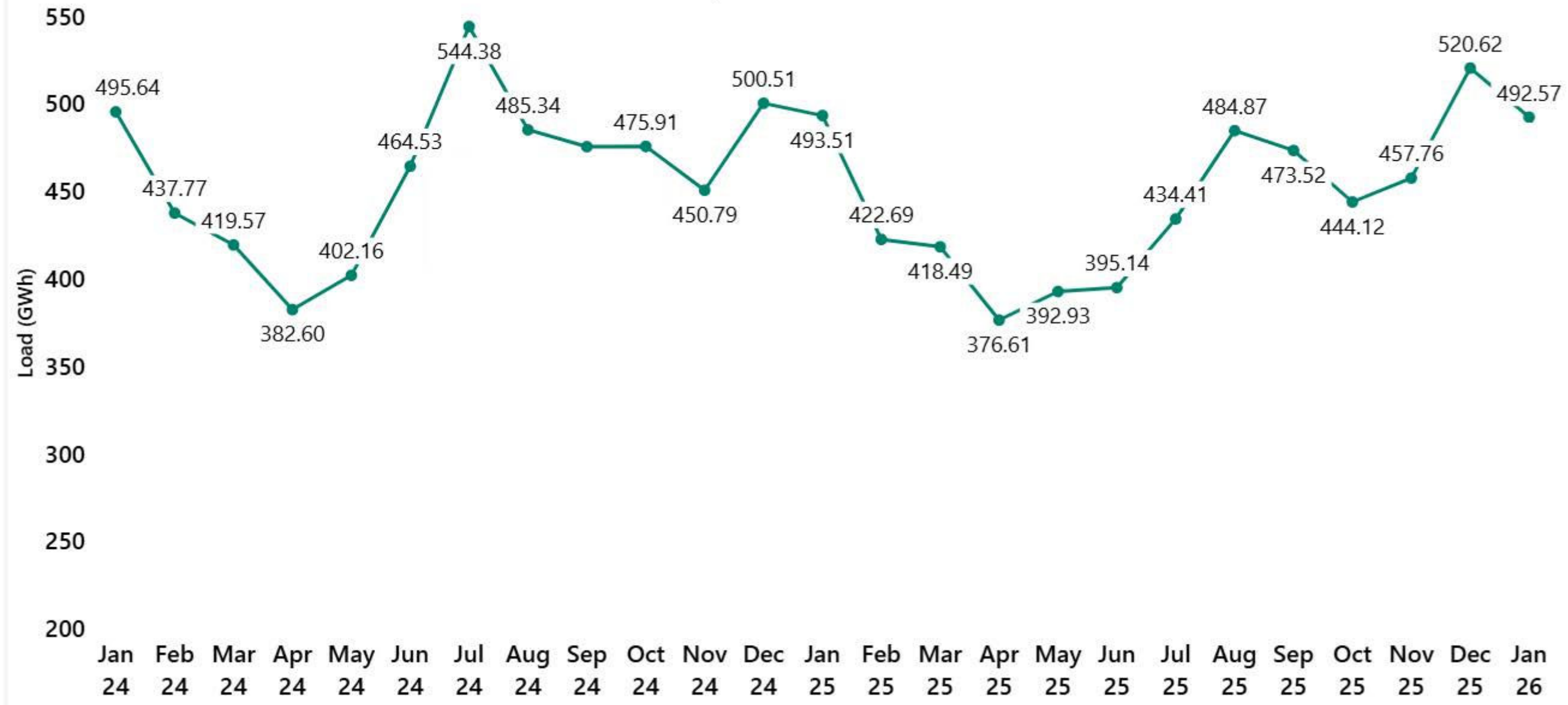


Net Customer Change and Revenue Impact - Monthly

● Net Change in Customers ● % Change in Revenue

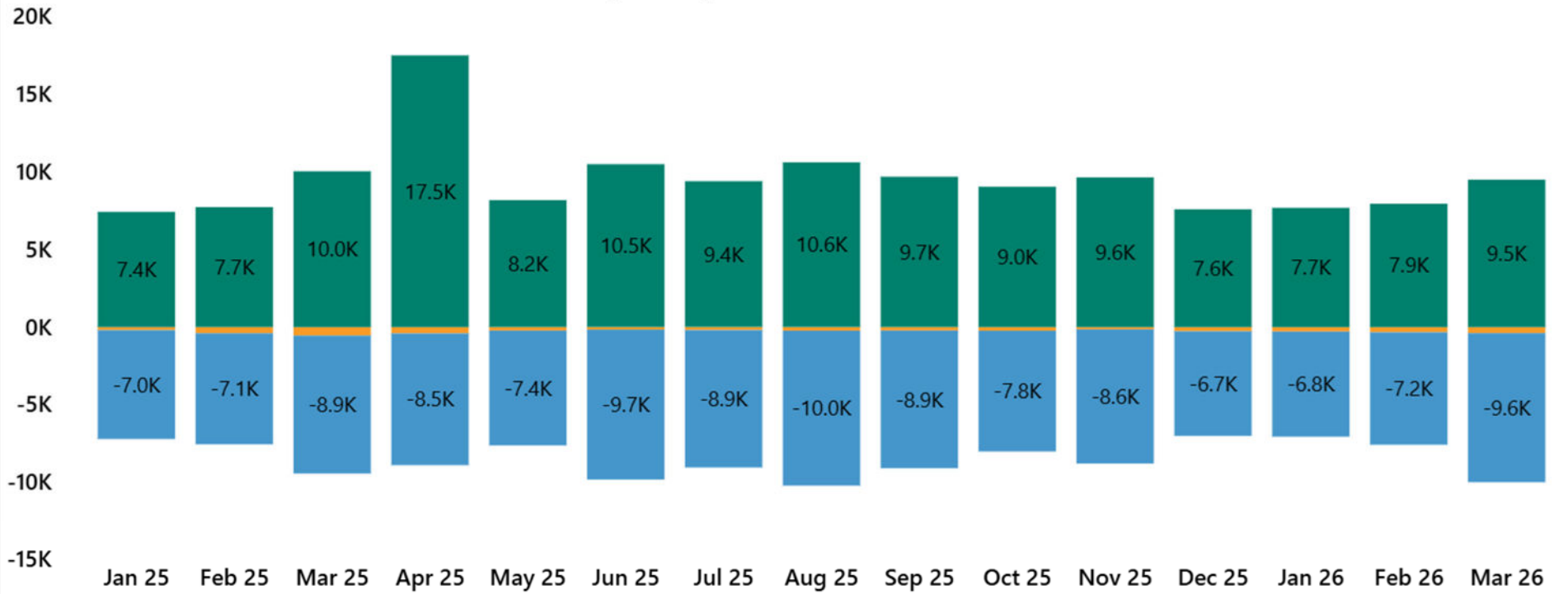


Monthly Active Customers Load Trend



Customer Movement - Monthly

● Opt In ● Opt Out ● Move In ● Move Out



MCE
CELEBRATES
15
YEARS OF SERVICE

Supplier Diversity

2026 REPORT



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Year 2025 in Review

Diverse businesses

\$4.4 million

spent on 12 diverse businesses

Local businesses

\$13.2 million

spent on 179 local businesses

Small and micro businesses

\$1.8 million

spent on 11 certified small businesses

\$590,000

for MCE’s Small Business Energy Advantage Program

Community Benefits

\$19 million

in CPUC funding in 2025

\$12 million

in active federal and non-CPUC funding for 2025

Low income households & small businesses

\$5 million

allocated for 30,000 lower income households and small businesses with monthly MCE Cares bill credits of \$20–\$25

Introduction

MCE's vision is to lead California to an equitable, clean, affordable, and reliable energy economy by serving as a model for community-based energy, energy efficiency, and cutting-edge, clean-tech products and programs.

MCE's mission is to confront the climate crisis by eliminating fossil fuel greenhouse gas emissions, producing renewable energy, and creating equitable community benefits.

MCE is a not-for-profit public agency and the preferred electricity provider for more than 600,000 customer accounts and 1.8 million residents and businesses across Contra Costa, Marin, Napa, and Solano Counties. Setting the standard for clean energy in California since 2010, MCE leads with 60–100% renewable power at stable rates, serving a 1,400 MW peak load, significantly reducing greenhouse emissions, and reinvesting millions in local programs.

MCE has supported the California Public Utilities Commission's (CPUC) Supplier Diversity Program since 2018. MCE's historic efforts are detailed in the [2021 Supplier Diversity Report](#), the first filing year after the passage of California Senate Bill 255, which reinforced the CPUC's Supplier Diversity Program.

MCE's expenditures on certified diverse vendors last year totaled \$4,460,353.70. Expenditures on certified small businesses totaled \$1,876,770.26.

How MCE Works

YOU

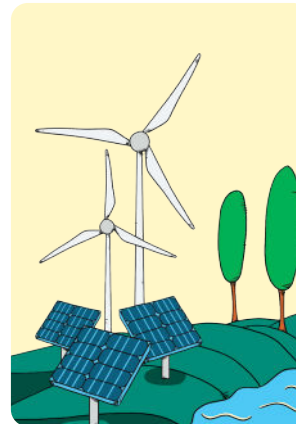
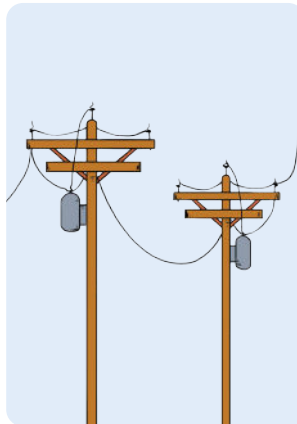
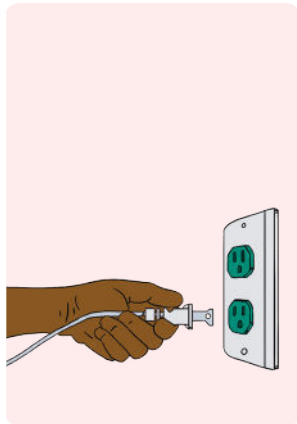
Benefit from cleaner air, stable rates, choice, and local control

PG&E

Delivers energy, maintains lines, and sends bills

MCE

Buys and builds clean and renewable energy for you



Residents and businesses served

1.8 million

Greenhouse gas emissions reduced

500,000 MT of CO₂e

Customer accounts

600,000

Bill savings compared to PG&E

\$48 million

New renewables

1,085 MW

Member communities

38

Green jobs supported in California

7,100

New workers trained

616

Committed to new renewables

\$4.5 billion

Description of Supplier Diversity Program Activities During the Previous Calendar Year

2025 External Activities

Annual Certify & Amplify event

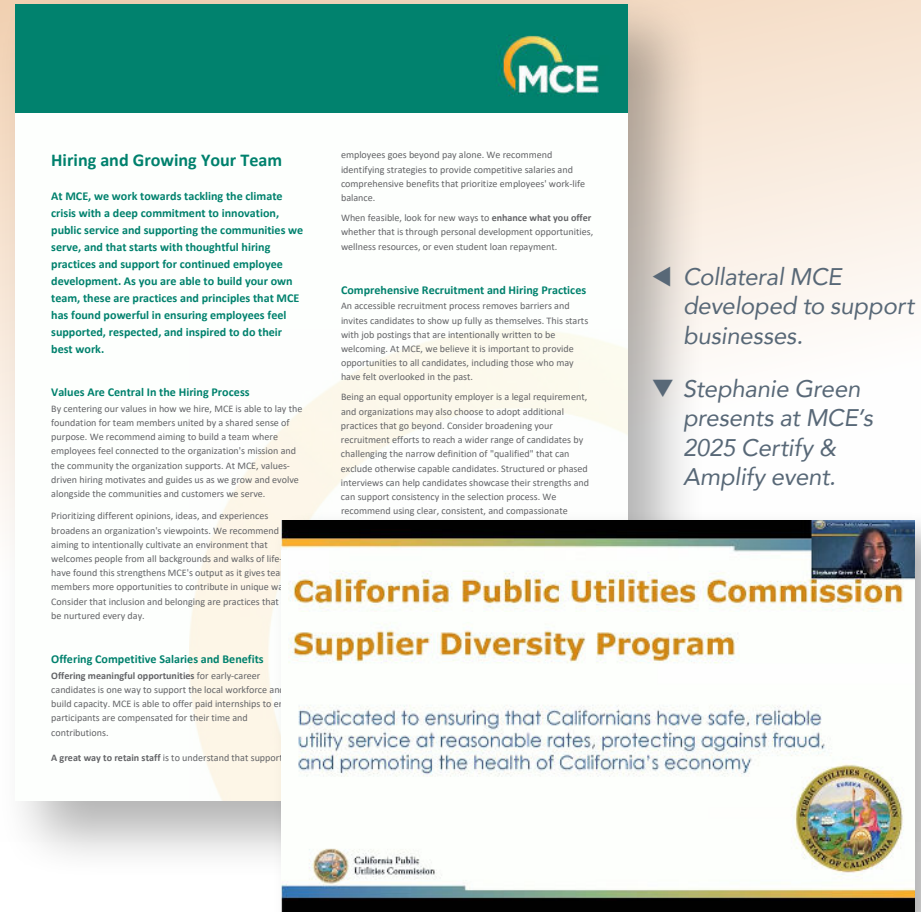
MCE held its [seventh Certify & Amplify event](#) on July 18, 2025. This annual virtual workshop explains CPUC's General Order (GO) 156 certification process, helps local businesses expand networks and connect to contracting opportunities, and builds capacity.

Highlights

- 14 attendees
- Nearly 450,000 social media impressions
- 50% of respondents reported being more confident in starting or completing the GO 156 certification process
- For the second time, MCE co-hosted the event in partnership with [Silicon Valley Clean Energy](#), amplifying the event's reach and enhancing collaboration with partners
- 50 registrants that received access to the video recording and resources including a new 1-pager *Hiring and Growing Your Team*.

Speakers

- Dr. Vic Baker, Founder and CEO, EquitiFY, a certified diverse business enterprise
- Stephanie Green, Small Business and Community Outreach Manager, CPUC
- Jon Gaskell, Business Outreach Liaison, California Department of General Services



CPUC events

MCE continued to join quarterly meetings with the CPUC and other Community Choice Aggregators (CCAs) to collaborate on supplier diversity efforts. MCE frequently engaged in discussions and contributed relevant updates to conversations that addressed:

- Supplier diversity events such as MCE's annual Certify & Amplify event
- Strategies to engage diverse vendors
- Milestones CCAs have reached throughout the year
- CPUC's supplier diversity best practices

MCE programs that support small, diverse, local businesses

Since 2010, MCE has administered cutting-edge clean energy programs to help residents and businesses save money, address climate change, and reduce greenhouse gas emissions. The following MCE programs involve or serve local, small, and diverse businesses.

Energy efficiency bill savings

MCE has administered ratepayer-funded energy efficiency programs since 2013. The CPUC approved MCE's 2024–2031 Business Plan and Energy Efficiency Portfolio Plan of programs in June 2023.

MCE's [Energy Management Program](#) offers no-cost energy assessments, project management, and generous rebates for energy efficiency capital projects. Three hundred thirty-three measures have been implemented since 2021 that produce more than 8.7 million kilowatt hours in energy savings annually.

MCE's [Small Business Energy Advantage Program](#) supports small businesses located in underserved communities to achieve bill savings and non-energy benefits such as improved health, comfort, and safety. Qualifying small businesses are matched with an energy expert to identify potential upgrades that can be installed immediately including LED upgrades, smart thermostats, and air purifiers.

- \$590,000 in incentives have funded projects for 150 participating small businesses that saved \$75,000 on energy bills annually, along with other non-energy benefits.
- Eight community partnerships have been established to support program outreach efforts:
 - Contra Costa County's Green Business Program
 - Marin Green Business Program
 - Napa County Green Business Program
 - Concord Chamber of Commerce
 - Canal Alliance
 - Vallejo Main Street
 - San Pablo Economic Development Corporation
 - Hispanic Chamber of Commerce of Marin



◀ The Marina Bay Community in Richmond accessing MCE's EV charging rebates.

Electric vehicle (EV) charging rebates

MCE's [EV Charging Program](#) offers rebates with bonus incentives for stations connected to 100% renewable energy service. MCE rebates can be stacked with local and state incentives for additional funding.

- 1,917 charging ports installed and committed at workplaces and multifamily properties
- \$4.7 million spent and committed to rebates

In 2024, MCE and its partners GRID Alternatives and the Bay Area Air District tested and offered a no-cost, turnkey installation program model for affordable multi-family properties in Marin County and the cities of Richmond, San Pablo, and Vallejo.

MCE's Strategic Energy Management

MCE's [Strategic Energy Management \(SEM\) Program](#) helps businesses and property management organizations reduce operating costs and utility bills with little to no capital investment. To maximize financial incentives earned by saving energy, and to build a stronger energy management culture, participants have access to a suite of tools at no cost including virtual training, on-site assessments, and individual coaching. MCE provides comprehensive SEM services to 30 businesses in Contra Costa, Marin, Napa, and Solano Counties.



▲ Solano-County based Electrify My Home participates in MCE's Green Workforce Pathways program.



▲ MCE staff conducts in-person outreach in Vallejo for its Small Business Energy Advantage program.

Green Workforce Pathways

In 2020, MCE launched [Green Workforce Pathways](#) to help residential contractors train employees on energy efficient technologies and increase all-electric home installations. Since its launch, MCE has invested \$2.6 million in the program, helping to create more than 8,160 job hours.

Benefits to contractors and their workforce include:

- Stipends for contractors to train, hire, and retain new employees
- Matching job seekers with vetted contractors
- Personalized, on-the-job consultation with energy experts
- Retention support
- Reimbursements towards tools and equipment
- Access to building science training
- Career coaching for job seekers entering the green construction field
- Career-readiness training to prepare job seekers

In 2025, MCE partnered with Emerald Cities Collaborative and the PG&E Pacific Energy Center to offer a free, six-week, in-person workshop series at the MCE Concord office to support small and diverse business owners. The training aimed to help contractors learn about energy efficiency and building electrification. A total of 15 participants completed the series and received access to no-cost professional services, like coaching on providing estimates and certification support.

MCE supports workforce development with partners like the Canal Alliance, the LIME Foundation, RichmondBUILD, GRID Alternatives, Future Build, the Marin City Community Development Corporation, SEI, the Association for Energy Affordability, Emerald Cities Collaborative, the Rebuilding Together East Bay Network, Build It Green, and the Rising Sun Center for Opportunity.

Local renewable energy development

MCE's Feed-In Tariff (FIT) Plus Program incentivizes the development of small scale renewable energy projects in MCE's service area. Projects must be between one and five megawatts, include 50% local labor, and use prevailing wage union labor. MCE generates 46 megawatts of renewable energy from 21 local projects, approximately 29 megawatts of which are FIT projects.

2025 Internal Activities

In 2025, MCE staff supported supplier diversity programs, including hosting MCE's Certify and Amplify event, attending quarterly CPUC Supplier Diversity Program calls with the CPUC and other CCAs, and engaging with CalCCA's Equity Committee. To further support the growth of local and diverse businesses, MCE staff created a resource focused on "Hiring and Growing Your Team" which shared MCE's hiring best practices with registrants from the Certify and Amplify event.

To improve supplier diversity data collection and reporting, MCE continued to use an efficient, automated way to cross-reference the Supplier Clearinghouse and the California Department of General Services Clearinghouses to streamline vendor identification. Staff used a pre-built function in Google Sheets to cross-reference the clearinghouses and reduce the possibility of human error. In addition, MCE encouraged its departments to increase automation in vendor communication and data analysis, and improve upon survey response rates.

MCE's Board of Directors adopted a [Sustainable Workforce and Diversity Policy](#) in 2017 (Appendix A) and implemented complementary [Sustainable Workforce Guidelines](#) in 2022 (Appendix B). Together, these reinforce MCE's commitment to develop local energy projects, quality workforce training, California jobs, and workforce initiatives in low-income and disadvantaged communities. They also reinforce MCE's commitment to work with sustainable businesses, businesses in CalEnviroScreen-designated SB 535 disadvantaged communities, and disabled, veteran owned businesses whenever possible.

Communicating current and upcoming contracting opportunities

Any business interested in working with MCE can provide their contact information and service type through MCE's [solicitations web page](#). This page includes five categories of business services that MCE typically contracts for:

- Energy efficiency, EV, and load-shifting program implementation and evaluation
- Energy supply project development
- Marketing, community outreach, creative, and event production
- Non-energy related services and construction
- Technology, finance, and human resources

After indicating interest, a business is notified about relevant upcoming solicitations and opportunities to contract with MCE. MCE publicizes requests for proposals, requests for offers, and requests for qualifications on the solicitation web page.

MCE also distributes solicitations to industry clearinghouses, local publications, partner agencies, and the CPUC's Supplier Diversity Clearinghouse website. This helps ensure that certified diverse suppliers are aware of MCE contracting opportunities.

In 2025, MCE issued solicitations for eight different services including concepts for CPUC funded energy efficiency programs, community partnerships, scheduling coordinators, and short term energy purchases. Given that the CPUC's Supplier Diversity Clearinghouse changed vendors, there was a delay in updating the staff contact information. As a result, MCE's solicitations for 2025 were not shared on the CPUC Supplier Clearinghouse. Now that the contact information for the Clearinghouse is correct, upcoming solicitations will be shared through the Supplier Clearinghouse. MCE will work with the new Clearinghouse vendors to continue sharing business opportunities with diverse vendors.

Collecting supplier diversity data

MCE's data collection processes continue to evolve to maximize effectiveness. MCE has moved away from a manual process of cross-referencing contracted vendors with CPUC's Supplier Diversity Clearinghouse by importing the entire clearinghouse database into Google Sheets and running a simple formula to identify eligible certified vendors. The same was done with the Department of General Services database of small and micro businesses. If the look-up function identified a certified vendor, MCE staff counted them in this report. Following this built-in efficiency, MCE sought to expand this effort by adding automatic location search functions into the data analysis. MCE is currently improving the HTML to complete this task. In addition, MCE typically collects data from the contracts and finance team. In 2025, staff identified a different data collection process that saves time and reduces bottlenecks.

Another improvement includes moving the vendor data into a content management system (CMS) platform that allows for automated and bulk communication efforts for all vendors. This data analysis improvement strategy is still underway and includes transferring data from Google Sheets into Excel, along with automated, built-in functions that allow for cross-referencing and location searches to determine local status.

While these efforts are underway, MCE continues to collect data manually through a direct email outreach approach. MCE staff asked contracted vendors to complete the Supplier Diversity Survey (Attachment E). MCE aims to implement the data collection improvement strategies in 2026. MCE also conducts dedicated outreach to encourage qualified by not certified vendors to complete the process and answers questions as needed.

In compliance with the California Civil Rights Initiative (1996), MCE does not give preferential treatment to bidders based on race, sex, color, ethnicity, or national origin. MCE collects this information only after contracts are signed. Responses are kept separate from procurement decision makers in order to not influence any current or future solicitation or selection processes. MCE has attempted to collect supplier diversity and labor practice information from its suppliers with a survey since 2019.

As a result of the survey, MCE determined that there are contracts with vendors that are qualified but not yet certified as diverse businesses.

- 8 qualified, but not yet certified vendors, adds to the number of diverse businesses.
- 3 qualify as women-owned business enterprises, 4 as minority-owned business enterprises, and 1 as LGBTQIA+-owned business enterprises. Their services include legal services, marketing and graphic design, management and DEI consulting, translation services, and electrical contracting.
- Together, they represent an additional \$163,566 in non-power expenditures for diverse businesses.

If these eight vendors are included, MCE's total spend on diverse businesses in non-power services increases from **\$1,821,522 to \$1,985,089, an increase of 7.96% to 8.67% of non-power expenditures.**



◀ A battery is installed at the Pittsburg Unified School District through MCE's Energy Storage program.

Equitable hiring and recruiting

MCE strengthens equity in hiring by using anonymous applicant screening and requiring diverse representation on interview and selection panels.

To attract and retain diverse staff, MCE provides competitive salaries, benefits, workers' compensations, and leaves. To aid recruitment of diverse staff, MCE hosts a paid internship program, posts job opportunities to local community colleges, and works with diverse chambers of commerce. Staff receive funds for personal development, student loans, and costs associated with business development.

MCE informs staff of their labor rights on an ongoing basis in the Employee Handbook and on posters in the MCE offices. MCE supports worker organizing and collective bargaining within their legal obligations consistent with the National Labor Relations Act.

MCE educates staff with anti-bias, anti-racist resources, such as multicultural calendars. Staff have been trained on topics such as cross-cultural skills, implicit bias, BIPOC in the workplace, cultural communication assessments, microaggressions, equity, and how to cultivate a call-in culture.

MCE's turnover rate in 2025 was 9% — lower than the industry average of 15.4%.

MCE creates entry-level opportunities for diverse community members to work in the renewable energy industry through internships and employment. Intern candidates are identified by local partners and community members that suggest individuals who, in many cases, would not otherwise have high-value employment opportunities. MCE has hosted 67 interns to date that are paid at least \$20 per hour for three to six months.

Also, MCE expands access to contracting and hiring opportunities by sending all requests for proposals to the Supplier Diversity Clearinghouse, ensuring that historically underrepresented groups are fully included in the process.



“I saw vision become an inspiring reality at the RichmondBUILD Graduation where local workers were honored for helping to build MCE Solar One, a 10.5 MW solar facility. After seeing how polluting industry impacts low-income communities around California, I was grateful for the opportunity to help shepherd a green energy project that created clean, local, good-paying jobs. MCE spent two years training and investing in local workers and businesses to bring this solar project to life. Each worker who spoke at the graduation shared how they were impacted personally at a deep level.”

DAWN WEISZ, MCE'S FOUNDING AND CURRENT CEO



▲ MCE's 2025 Community Power Coalition Symposium brought together 80+ local organizations.



▲ MCE's 2025 staff retreat in the Town of Ross.

Community support

MCE uses sponsorships to fund organizations that benefit low-income, or state-designated disadvantaged communities. In 2025, roughly 62% of MCE community sponsorship dollars were committed to these targeted investments. This includes support of key workforce partners for relevant school-to-career pathway development and training in MCE's service area:

- **Marin County:** Canal Alliance, College of Marin, Interfaith Power and Light, Marin Climate and Energy Partnership, Marin Conservation League, and Resilient Neighborhoods
- **Napa County:** Climate Action Now!, Puertas Abiertas, and Recolte Energy
- **Solano County:** Hispanic Chamber of Commerce and Solano Climate Reality Project
- **Contra Costa County:** Asian Pacific Environmental Network, Communities for a Better Environment, Contra Costa College, East Contra Costa Community Alliance, Opportunity Junction, San Pablo Economic Development Corporation, and Rubicon Programs

MCE uses its community compensation guidelines to offer up to \$75 per hour for members who serve as educational or project partners.

According to the U.S. Census American Community Survey, more than 10% of residents in MCE's service area speak English less than well. Recognizing that Spanish is the most used non-English language in its service area, MCE has hired five Spanish bilingual staff members to support the language needs of its diverse community.

In 2025, MCE contracted with Soluna Outreach Solutions to conduct a community language study to understand local barriers to participation in services among customers proficient in primary languages other than English. In addition, MCE hosted a discussion with its Community Power Coalition to share the results and collect feedback from community partners about best practices for engaging with residents and businesses in languages other than English. As a result, MCE integrated community feedback into its language accessibility plans and operations.

In 2025, MCE launched a second round of its Community Partnership Program to fund local organizations, including non-profits, government agencies, and other community-based organizations to educate communities about MCE's clean energy programs and services. MCE has awarded five partners with \$114,000 to encourage clean energy adoption.

MCE board and staff demographics

In 2025, MCE staff conducted a voluntary demographic survey of its Board of Directors and staff.

Staff

- 55% over 40 years old
- 58% women
- 56% minority
 - 1 American Indian / Alaskan Native
 - 16 Asian
 - 8 Black / African American
 - 16 Hispanic / Latino
 - 3 Native Hawaiian or Pacific Islander
- 3 two or more races
- 13% as LGBTQIA+
- 1% non-binary or third gender
- 1% protected veterans
- 1% persons with a disability

Board of Directors

- 88% over 40 years old
- 59% women
- 29% minority
- 6% protected veterans
- 0% transgender / non-binary
- 12% persons with a disability

Details about MCE's energy equity, supplier diversity, and inclusion efforts are available at mceCleanEnergy.org/climate-justice. To learn more, contact us at info@mceCleanEnergy.org or call **(888) 632-3674**.



▲ MCE's 2025 board retreat in Concord.



▲ MCE enrolls Hercules as its 38th member community in 2025.



“Every day, I hear from constituents focused on making ends meet. For 15 years, MCE has helped lower energy bills through efficiency programs and bill discounts. Since enrolling with MCE, the customers in my district have received more than \$4.2 million dollars in energy efficiency funding and rebates for EVs and EV charging. From installing energy storage at Pittsburg Unified School District school sites, to new EV charging at the Contra Costa County seat, we’re ensuring no one is left behind as we build a cleaner, more equitable future.”

SHANELLE SCALES-PRESTON,
CONTRA COSTA COUNTY SUPERVISOR
AND MCE BOARD CHAIR



“MCE pioneered the movement in California for both cleaner electricity and choice of electricity provider. Marin, Contra Costa, Napa and Solano residents and businesses in MCE service area have been among the most fortunate in America to have easy access to 100% carbon free electricity from the grid. For those community members like me who are concerned about the climate crisis, MCE has offered an important, easy and often cost-saving way to be part of the solution.”

WEI-TAI KWOK, CONTRA COSTA ADVOCATE

SECTION 9.1.2

Summary of Purchases

MCE sent a Supplier Diversity Survey (Appendix D) to vendors to collect data on certification status, barriers to certification, and internal supplier diversity efforts. MCE will continue to expand its engagement strategy to increase the response rate for future reports. The survey was previously used to collect partial subcontractor information but was not sufficient to yield information for this report. MCE reports diverse-supplier spending in a single category when a vendor holds multiple diversity certifications, following the CPUC’s guidance. This approach prevents double-counting and keeps supplier diversity reporting consistent.



▲ Clearway’s Daggett Solar-Plus-Storage project in San Bernardino County supplies electricity to more than 181,000 homes.

Supplier diversity results of goods and services (non-power purchases) if procured

2025									
		Direct Spend ¹ \$	Sub Spend ² \$	Total \$	%	Product Spend \$	Service Spend \$	Total \$	%
Minority Male	African American	—	—	—	—	—	—	—	—
	Asian Pacific American	\$334,540	—	\$334,540	1.18%	—	\$334,540	\$334,540	1.18%
	Hispanic American	\$17,959	—	\$17,959	0.06%	—	\$17,959	\$17,959	0.06%
	Native American	—	—	—	—	—	—	—	—
	Total Minority Male	\$352,499	—	\$352,499	1.25%	—	\$352,499	\$352,499	1.25%
Minority Female	African American	\$10,307	—	\$10,307	0.04%	—	\$10,307	\$10,307	0.04%
	Asian Pacific American	—	—	—	—	—	—	—	—
	Hispanic American	—	—	—	—	—	—	—	—
	Native American	—	—	—	—	—	—	—	—
	Total Minority Female	\$10,307	—	\$10,307	0.04%	—	\$10,307	\$10,307	0.04%
Total Minority Business Enterprise (MBE)		\$362,806	—	\$362,806	1.28%	—	\$362,806	\$362,806	1.28%
Women Business Enterprise (WBE)		\$1,553,701	—	\$1,553,701	5.49%	\$ 94,985	\$1,458,716	\$1,553,701	5.49%
Lesbian, Gay, Bisexual, Transgender Business Enterprise (LGBTBE)		—	—	—	—	—	—	—	—
Disabled Veteran Business Enterprise (DVBE)		—	—	—	—	—	—	—	—
Persons with Disabilities Business Enterprise (DBE)		—	—	—	—	—	—	—	—
8(a)*		—	—	—	—	—	—	—	—
Total Supplier Diversity Spend		\$1,916,507	—	\$1,916,507	6.77%	\$94,985	\$1,821,523	\$1,916,507	6.77%
Net Procurement**		\$28,292,383							
Net Product Procurement		\$5,405,955							
Net Service Procurement		\$22,886,428							
Total Number of Diverse Suppliers that Received Direct Spend		11							

¹ **Direct** — Means Direct Procurement: when a CCA directly procures from a supplier.

² **Sub** — Means Subcontractor Procurement: when a prime contractor, in contract with a CCA, procures from a subcontractor to fulfill its contractual obligation(s).

* **8(a)** — Businesses owned and controlled by persons found to be disadvantaged by the U.S. Small Business Administration pursuant to Section 8(a) of the Small Business Act, as amended (15 U.S.C. 637 (a)) or the U.S. Secretary of Commerce, pursuant to Section 5 of Executive Order 11625 (GO 156 Section 1.3.13).

** **Net Procurement** includes purchase orders, non-purchase orders, and credit card dollars.

% — Percentage of Net Procurement.

Description of supplier workforce

Following the passage of SB 1177, the supplier diversity templates released in January 2025 include a new chart to track the amount of California workforce represented by all vendors, not just diverse vendors. For this report, MCE has manually gathered workforce data from its responsive vendors through direct email outreach and identified processes to increase efficiencies and automate survey distribution in order to collect necessary workforce data from all vendors. This new process includes transferring vendor information into a CMS system to conduct bulk email outreach and data collection.

Diverse business suppliers

Of the 12 certified diverse suppliers, 9 suppliers provided workforce data and reported that the majority of their workforce is based in California.

Small business suppliers

MCE contracted with several small businesses that are certified by the California Department of General Services, from security to landscaping to energy efficiency. These businesses are outlined in Appendix D.

Last year, MCE did business with 11 certified small or micro businesses, representing \$1,876,770.

Local business suppliers

MCE defines “local” as businesses with their headquarters within MCE’s four county area of Contra Costa, Marin, Napa, and Solano. In 2025, MCE did business with 179 different local businesses totaling \$13,285,650. Their services include call-center support, local energy production, security, printing, marketing and design, environmental consultants, website support, community engagement, community workforce development, newspapers, and meals. Local vendors who either have diverse certification, small certification, or who are qualified for certification but have not completed the process are excluded from MCE’s local spend.

The largest portion of local expenditures was on goods and services related to power supply procurement.

- \$13,285,650 spent on 179 local vendors
 - \$8,860,035 on 15 vendors related to power
 - \$4,425,615 on 164 vendors related to non-power



▲ MCE conducts outreach to Napa businesses for its Small Business Energy Advantage program.



▲ The 4.5 acre Fallon Two Rock solar farm in Marin County is MCE’s latest local project.

Supplier	Average % of workforce
Hitachi Energy USA, Inc.	0%
Modern Health	36%
Modern Health Subcontractor	0%
iMobile Services, Inc.	100%
iMobile Services, Inc., Subcontractor	100%
Print2Assist, Inc.	100%
Granicus, LLC	6%
Association for Energy Affordability	45%
Lightning Services Inc., d.b.a. Lightning Electric	100%
Vericlean	67%
Community Media Center of Marin	100%
ZGlobal, Inc.	98%
Crook Beales Design, Inc.	100%
Hardy Wilson Photography, LLC	100%
Strategic Energy Innovations	54%
Rural California Public Media, d.b.a. Northern California Public Media	95%
Hilary Stoddard Design, LLC	0%
International Contact, Inc.	16%
ev.energy	4%
Chandler Asset Management	82%
PaulosAnalysis	100%
PaulosAnalysis Subcontractor	0%
Community Energy and Equity Resources, LLC	0%
Community Energy and Equity Resources, LLC, Subcontractor	100%
Cool the Earth	100%
Cool the Earth Subcontractor	100%
Aleta George	100%

Supplier, continued	Average % of workforce
Maier Accountancy	100%
JSR Strategies, LLC	50%
Michael Troller Design	100%
Lamb Consulting	100%
Optimization Solutions, LLC	0%
Pacific Energy Advisors	100%
Midsummer Kitchen	100%
Midsummer Kitchen Subcontractor	100%
Kilowatt Engineering, Inc.	44%
A Fork Full of Earth	100%
Award Advisors Subcontractor	0%
BRB Law, LLP	67%
Cottonwood Solar, LLC	0%
Cottonwood Solar, LLC, Subcontractor	0%
The Energy Authority	1%
Wylie Communications, Inc.	0%
Great Valley Solar 1, LLC	100%
Central Coast Community Energy	100%
White Pine Renewables	90%
Niemela Pappas & Associates	100%
Soluna Outreach Solutions, LLC	100%
Studio PR, LLC	100%
Epik Solutions	89%
Energy 2001	100%
Sum of Average Percentage	3,344%
Number of Suppliers	53
Calculation of average %	Average %
3,344% / 53 =	63%

Supplier Diversity Program

Small and local business expenditures

	Small business	Suppliers	Local businesses	Suppliers	Small & local \$
All	\$1,876,770	11	\$13,285,651	179	\$15,162,421
Non-power	\$1,876,770	11	\$4,425,615	164	\$6,302,386
Power	—	—	\$8,860,036	15	\$8,860,036

MCE's diverse suppliers

Diverse suppliers	Qualification and certification
Calitho (Acme Press, Inc.)	WBE
Ecology Action of Santa Cruz (Inc.)	WBE
Energy 2001, Inc.	WBE
Energy Conserv. Opt — Future Power Corp	MBE + WBE
Epik Solutions, Inc.	MBE
JSR Strategies (Inc.)	WBE
Lamb Consulting	WBE
Niemela Pappas & Associates	WBE
Print2Assist, Inc.	WBE
Soluna Outreach Solutions, LLC	MBE
Strategic Energy Innovations, Inc.	WBE
Studio PR, LLC	WBE



“We’ll just keep trying to do the right thing, as we always do, for as long as we can. I imagine that this point is the main theme of all our hard work — to do the best for the Earth and all her children, all the time, with every action and decision we make. We may lose most efforts, but we are engaged in ‘right livelihood,’ and that’s what matters most. Hopefully, some greater purpose is holding all of us as we try to win a better future for our lovely world and her kids.”

CHARLES MCGLASHAN (1961–2011),
MCE FOUNDING BOARD CHAIR AND
MARIN COUNTY ADVOCATE



“What inspires me most about MCE is knowing that our work makes our communities stronger, healthier, and more resilient. I’m inspired by the programs and rebates we offer that make homes and workplaces healthier, more efficient, and more affordable — especially for those most impacted by climate change. Ultimately, we’re helping clean up the air, which benefits the health of people, animals, and our planet. Seeing the tangible difference we’ve made over the years is deeply rewarding and keeps me motivated every day.”

JAMIE TUCKEY, CHIEF CUSTOMER OFFICER,
STARTED DURING MCE’S LAUNCH

SECTION 9.1.3

Supplier Diversity Program Expense

In 2025, the below efforts included 21 staff for a total of 435.5 hours, representing \$47,540.

This year’s program expense costs also include a robust marketing campaign to increase engagement with the 2025 Certify & Amplify event, representing \$3,450.

Expense category	Year (actual)
Wages	\$47,540.69
Other employee expenses	—
Program expenses	\$3,450
Reporting expenses	\$6,287.77
Training	—
Consultants	—
Other	—
TOTAL	\$57,278.46



▲ Local interns tour MCE’s Solar One in Richmond.

SECTION 9.1.5

Description of Prime Contractor’s Utilization of Diverse Subcontractors

Summary of Prime Contractor Utilization of Certified Subcontractors

MCE will continue to engage with its prime suppliers to emphasize the importance of a robust and diverse supply chain workforce and to encourage them to collect data on their subcontractors. Many of MCE’s prime contractors are relatively small, and most of them do not use subcontractors in their work.

Staff increased the number of responses to its Supplier Diversity Survey by conducting direct email outreach to all active contractors. While direct email outreach has increased, the response rate from 2025 remains low. Therefore, the data collected on subcontractors remains sparse. Below are self-declared descriptions from MCE’s prime contractors about their work with diverse businesses and subcontractors:

- **Cool the Earth**, a nonprofit focused on climate education and household-level climate action, reported partnering with La Clínica, a community-based organization, to support clean transportation outreach in Vallejo. This partnership included a stipend. Cool the Earth also reported using event support and temporary staffing services through partnerships with local community-based organizations that serve disadvantaged communities. These nonprofits often employ individuals who are themselves members of the communities they support.
- **The Sacramento Municipal Utility District (SMUD)** subcontracted a portion of its billing and data management services to TechNet, a SMUD SEED vendor that is also a WBE and MBE. While the spending amount is confidential, TechNet is SMUD’s largest vendor through its contract with MCE and receives a significant share of MCE’s dollars under this agreement.

- **Keyes & Fox, LLP**, reported using EQ Research as a subcontractor under its contract with MCE. EQ Research is 50% LGBTQ-owned and provides litigation support services. Keyes & Fox also highlighted its participation in the Wisconsin Bar’s Diversity Program and will host its third intern from the program, which provides paid summer internships to students from diverse backgrounds at Marquette University and the University of Wisconsin Law School.
- **Future Power Corporation (d.b.a. Energy Conservation Options)**, a local minority-owned and women-owned business, stated that it uses multi-trade project labor agreements in its contract with MCE.

New diverse prime and subcontractor utilization

Category	New prime contractors #	New sub-contractors #
Minority male business enterprise	—	—
Minority female business enterprise	—	—
Total Minority Business Enterprise (MBE)	—	—
Women Business Enterprise (WBE)	1	—
Lesbian, Gay, Bisexual, Transgender Business Enterprise (LGBTBE)	—	—
Disabled Veteran Business Enterprise (DVBE)	—	—
Persons with Disabilities Business Enterprise (PDDBE)	—	—
8(a)	—	—
TOTAL	1	—

SECTION 9.1.6

List of Supplier Diversity Complaints Received and Current Status

In the last year, MCE received no complaints about its supplier diversity efforts.

SECTION 9.1.9

Description of Supplier Diversity Activities and Progress in Power (Energy) Procurement

MCE Power Expenditures

Most of a CCA's budget is spent on buying electric power. Unfortunately, there's not much diversity in this industry. Out of about 8,800 suppliers listed in the Supplier Clearinghouse, less than 0.5% are involved in electricity generation, and even fewer offer the type of energy CCAs purchase. Many suppliers focus on products not used by CCAs such as liquid fuels or circuit breakers. Since about 90% of a CCA's budget is spent on buying electric power, and given the lack of little diversity, it is challenging to increase spending on diverse suppliers.

The following table, on page 19, depicts annual power product results by minority-, women-, disabled veteran-, and LGBTQIA+- business enterprises. For this report, MCE has included Resource Adequacy (RA) costs as non-renewable, despite having received some renewable RA through its Power Purchase Agreements. Per guidance from CPUC staff in 2020, hedges have been excluded from this chart.



▲ Ribbon cutting for the Rosamond South Energy Center solar-plus-storage facility in Kern County.



▲ MCE's 2025 Community Power Coalition Symposium in Concord.

MCE power expenditures

2025									
		Direct Power Purchases \$	Direct Fuels for Generation			Totals \$ ¹			% ²
		Renewable & non-renewable power products	Diesel	Nuclear	Natural gas	Direct ³	Sub ⁴	Total \$ ⁵	
Minority Male	African American	—	—	—	—	—	—	—	—
	Asian Pacific American	—	—	—	—	—	—	—	—
	Hispanic American	—	—	—	—	—	—	—	—
	Native American	—	—	—	—	—	—	—	—
	Total Minority Male	—	—	—	—	—	—	—	—
Minority Female	African American	—	—	—	—	—	—	—	—
	Asian Pacific American	—	—	—	—	—	—	—	—
	Hispanic American	—	—	—	—	—	—	—	—
	Native American	—	—	—	—	—	—	—	—
	Total Minority Female	—	—	—	—	—	—	—	—
Total Minority Business Enterprise (MBE)		—	—	—	—	—	—	—	—
Women Business Enterprise (WBE)		\$2,543,846	—	—	—	\$2,543,846	—	\$2,543,846	0.77%
Lesbian, Gay, Bisexual, Transgender Business Enterprise (LGBTBE)		—	—	—	—	—	—	—	—
Disabled Veteran Business Enterprise (DVBE)		—	—	—	—	—	—	—	—
Persons with Disabilities Business Enterprise (DBE)		—	—	—	—	—	—	—	—
8(a)*		—	—	—	—	—	—	—	—
Total Supplier Diversity Spend		\$2,543,846	—	—	—	\$2,543,846	—	\$2,543,846	0.77%
Net Power Procurement		\$331,199,307							
Net Direct Power Purchases		\$331,199,307							
Net Direct Fuels for Generation		—							
Total Number of Diverse Suppliers		1							

Note: In preparing this year's report, staff discovered a user error from last year's excel calculation which impacted the total sum of all power expenditures. Staff have since corrected this error, made note of the process change in our project management trackers, and updated the methodology necessary to compile this year's report and all reports moving forward.

¹ Excludes purchases from the California Independent System Operator (CAISO), utilities, federal entities, state entities, municipalities and cooperatives.

² % — Percentage of Net Procurement.

³ **Direct** — Includes Direct Power Purchases and Direct Fuels for Generation. Means Direct Procurement: when a CCA directly procures from a supplier.

⁴ **Sub** — Means Subcontractor Procurement: when a prime contractor, in contract with a CCA, procures from a subcontractor to fulfill its contractual.

⁵ "Total" does not include pre-commercial development (COD) subcontracting values.

* **8(a)** — Businesses owned and controlled by persons found to be disadvantaged by the U.S. Small Business Administration pursuant to Section 8(a) of the Small Business Act, as amended (15 U.S.C. 637 (a)) or the U.S. Secretary of Commerce, pursuant to Section 5 of Executive Order 11625 (GO 156 Section 1.3.13).

Description of Supplier Diversity Program Activities Planned for the Next Calendar Year

In pursuit of supporting small, local, and diverse businesses, MCE looks forward to expanding its programs, policies, and efforts outlined in this report. Of particular interest is the sustained engagement and expansion of plans that support the business community. In 2026, MCE will:

Continue to strengthen MCE's commitment to supplier diversity and the Supplier Diversity Program by joining regular CPUC calls with other CCAs to discuss strategy, review existing supplier diversity processes, and make recommendations for improvements.

Host MCE's annual Certify & Amplify event. As in previous years, MCE will send an invitation through regular channels and partner with other CCAs to access a larger network of small and diverse businesses.

- **MCE will invite all vendors** identified as qualifying for GO 156 certification but not yet certified.
- **MCE will feature speakers from the CPUC and Department of General Services** to share information about the certification process and its benefits for local, small, and diverse business owners.
- **MCE will invite an industry expert** that has direct experience with certification in diversity, equity, and inclusion.
- **MCE will explore opportunities** to collaborate and leverage existing events to increase participation whether in-person or online.

Deepen relationships with chambers of commerce whose members are diverse and aim to build new relationships with those not yet reached. This will include sharing MCE's supplier diversity videos that feature speakers from CPUC, the Supplier Diversity Clearinghouse, and local businesses.

Continue its practice, begun in 2022, to send all requests for proposals directly to the Supplier Diversity Clearinghouse to share these opportunities with existing certified vendors.

Advance strategies to increase survey response rate and data collection methods. MCE will move the survey and vendor data to a CMS platform, improve and automate communication and outreach, and build-in efficiencies to the data analysis through Excel functions and streamlined data sources.

Embed MCE's Supplier Diversity program into existing programs such as MCE's Small Business Energy Advantage program and workforce development programs.

Review sponsorship and membership opportunities to increase engagement with diverse, community-based organizations. MCE currently targets at least 50% of its sponsorship budget toward events or organizations that focus on community equity.

Continue workforce development, internship programs, and diverse recruitment and hiring practices to grow the diversity of the energy sector and ultimately achieve more diversity in the management and ownership of power supply companies.



“I remember well the struggle to bring MCE to life. Critics said they couldn’t possibly compete with the big public utilities, and therefore member utility rates would rise. The battle was fought town by town in front of local Town and City Councils. Fast forward to 2025 and not only has MCE expanded to include 38 member communities, but it has also inspired the creation of 24 more CCAs in the state.”

**BOB HERBST, CLEAN ENERGY ADVOCATE
AND LOCAL BUSINESSMAN**

10.2 Plans to Encourage Prime Contractors to Subcontract Small, Local, and Diverse Businesses

MCE’s Sustainable Workforce Guidelines (Appendix B) provide a framework for how MCE prioritizes businesses. For example, MCE indicates a clear preference for bids that demonstrate contracts with community-based organizations and local associations serving disadvantaged and low-income communities.

In solicitation materials for energy procurement, MCE requires prime contractors in its service area to have project labor agreements and local hiring requirements that benefit local communities and smaller businesses. MCE gives preference to projects located within its service area and requires MCE-developed projects to follow prevailing wage compensation and benefit practices and use a combination of local, union, apprentice, and pre-apprenticeship labor.

In administering energy efficiency programs, MCE supports partnerships with organizations that offer workforce development in disadvantaged and low-income communities. In specific workforce development programs overseen by MCE, this includes a regional hire standard in which MCE and its partners match prospective job seekers with a hiring employer within the same county to stimulate regional economies and support residents. MCE proactively seeks services and supplies from local businesses, those that are Green Business certified, or those headquartered in CalEnviroScreen-designated disadvantaged communities.

MCE will continue to work with prime contractors to increase the transparency of their subcontractor base. In 2025, staff updated the Supplier Diversity Survey and will adjust the messaging in order to increase vendor response rates and obtain more information on the subcontractors working on MCE projects. Once more subcontractors are identified, MCE will be able to reassess its baseline of how many subcontractors are certified small, diverse, or local to its service area.

Sustainable Workforce and Diversity Policy

It is a priority interest of MCE to support sustainable workforce opportunities, local economic sustainability, and diversity through contracting for power resources, procuring goods and services, and implementing hiring initiatives within a framework of competitive service and the promotion of renewable energy, customer programs, and greenhouse gas reduction.

MCE shall facilitate and encourage diversity and a sustainable workforce through its support for:

1. Fair compensation in direct hiring, renewable development projects, customer programs, and procurement services;
2. Direct use of union members from multiple trades;
3. Quality training, apprenticeship, and pre-apprenticeship programs;
4. Business and workforce initiatives located in low-income and disadvantaged communities;
5. Direct use of businesses local to the MCE service area;
6. Development of locally generated renewable energy within the MCE service area;
7. Development of California-based job opportunities;
8. Direct use of Disabled Veteran-owned and Lesbian, Gay, Bisexual, and Transgender-owned Business Enterprises;
9. Direct use of green and sustainable businesses; and
10. Use of direct hiring practices that promote diversity in the workplace.



“Certification helped us gain exposure to new opportunities, particularly with organizations like MCE that are committed to supplier diversity. We decided to pursue certification to increase our visibility in the public utilities sector and open doors to more growth opportunities. It also gives us the ability to connect with other diverse and small businesses while supporting diversity within the supply chain.”

HUGO MATA, PRINCIPAL, SOLUNA
OUTREACH SOLUTIONS

Sustainable Workforce Guidelines

MCE's Sustainable Workforce and Diversity Policy: 011 established priority interests of MCE supporting sustainable workforce opportunities, local economic sustainability, and diversity through contracting for power resources, procuring goods and services, and implementing hiring initiatives. These principles are considered within a framework of competitive service and the promotion of renewable energy, customer programs, and greenhouse gas reduction. These guidelines demonstrate how MCE implements those principles in its daily activities.

Power Purchase Agreements with Third Parties

MCE executes Power Purchase Agreements (PPAs) as a result of various procurement activities, including formal solicitations or Requests for Offers (RFOs), bi-lateral negotiations, and standard offer programs. The most frequent means of procurement are through MCE's Open Season Solicitation, which is an annual process, and MCE's Feed-in Tariff Plus Program, which is first-come, first-served for qualified applicants.

Relevant information submitted by bidders will be used to evaluate proposed projects with the goal of promoting union labor and Project Labor Agreements (PLAs), multi-trade collaboration, and support of workers and communities where contracted projects will be located. When possible, MCE shall give preference to projects located within MCE's service area and community-based organizations and local associations serving disadvantaged and low-income communities. Below are the requirements MCE has established for participation in each procurement process.

Open season solicitation

Union labor: MCE has three tiers of requirements for union labor depending on the location of proposed projects:

1. Projects within Contra Costa County: Projects located in Contra Costa County must adhere to the terms of the PLA between MCE and International Brotherhood of Electrical Workers (IBEW) Local 302, dated June 20, 2017.
2. Projects within MCE's service area but outside of Contra Costa County: Any project within MCE's service area but outside of Contra Costa County must participate in a PLA of similar scope and requirements with participating unions for workforce hired as described in the PLA referenced above.
3. Projects outside of MCE's service area: MCE encourages bidders outside of MCE's service area to enter into project labor agreements of similar scope and requirements with participating unions for workforce as described in the PLA referenced above. Projects outside of MCE's service area are required to comply with any local hire and/or union labor requirements specific to the city, town, or jurisdiction where the proposed project is located.

Prevailing wage: Open Season requires that all contractors and subcontractors pay a minimum of Prevailing Wage, as set forth in the California Labor Code, during the development phase of project development.

Local hire: For projects located in MCE's service area, 50% of work hours are required to come from permanent residents who reside within the same county as the project.

Supplier diversity and labor practices: As part of its bid requirements, MCE collects information regarding supplier diversity and labor practices from project developers and their subcontractors regarding past, current and/ or planned efforts and policies. Respondents are required to submit a Labor Practices questionnaire and Supplier Diversity questionnaire so that MCE can comply with the reporting requirements of Senate Bill 255.

Optional elements: While not required, MCE requests Open Season bidders to submit proposals that are of interest to MCE, its member communities and project adjacent communities. These areas include information about PLAs, contractors and subcontractors owned by disabled veterans, local hire plans, projects located in disadvantaged communities (as defined by the California Environmental Protection Agency using the current version of CalEnviroScreen), local sourcing of materials and equipment, proposals for local community benefits, and support of workforce development initiatives.

Responsible procurement: MCE will not accept any proposals for projects that rely on equipment or resources built with forced labor.

Feed-in Tariff Plus

As with Open Season, MCE's FIT Plus program adheres to the same requirements for 1) union labor, 2) prevailing wage, 3) local hire, and 4) supplier diversity and labor practices.

MCE owned or MCE led generation projects

Any renewable development project that is developed by MCE qualifies as a public works project and requires prevailing wages to be paid. MCE strives to support local businesses, union labor, apprentice and pre-apprenticeship programs through multi-trade agreements and/or through multiple agreements for workforce development. Each contractor or subcontractor performing work on any MCE-developed project shall be required to use a combination of local labor, union labor, apprentice, and pre-apprenticeship and shall follow prevailing wage compensation and benefits practices. Apprenticeship programs must have been approved by the State Department of Apprenticeship Standards. For any MCE owned development projects, the public works rules will apply. MCE shall require contractors to disclose their GO 156 Clearinghouse certification and efforts to work with DVBE and LGBTBE companies. MCE will make all reasonable efforts to give preference to community-based organizations and local associations serving

disadvantaged and low-income communities.

Customer programs

MCE strives to support local businesses, union labor, and local apprenticeship programs in the implementation of its customer programs. In administering energy efficiency programs, MCE shall support partnerships with organizations that offer workforce development opportunities in disadvantaged and low-income communities. Contractors are required to submit a Supplier Diversity questionnaire, disclosing their GO 156 Clearinghouse certification status and other diversity efforts, so that MCE can comply with the reporting requirements of Senate Bill 255.

Services and supplies

MCE strives to support local business and fair compensation in the purchase of services and supplies for the agency. MCE shall proactively seek services from local businesses and businesses that have been Green Business certified and/or are taking steps to protect the environment and are headquartered in disadvantaged communities. Contractors are required to submit a Supplier Diversity questionnaire, disclosing their GO 156 Clearinghouse certification status and other diversity efforts, so that MCE can comply with the reporting requirements of Senate Bill 255. MCE will make all reasonable efforts to give preference to community-based organizations and local associations serving disadvantaged and low-income communities.

Direct hiring

MCE shall use reasonable efforts to recruit local employees and graduates of local programs, schools, colleges, and universities. MCE strives to provide fair and equitable compensation for its employees that aligns with regional market indicators for compensation levels for each position. MCE has developed job descriptions to reflect the education and experience necessary to perform essential job functions, and distributes job announcements to improve greater access to job opportunities by historically underrepresented groups, conduct anonymous reviews for screening of applicants, ensure diversity on interviewing and hiring panels, and salary reviews for compliance with gender pay equity laws.

MCE Solicitation Management Guidelines for Distribution Lists

Create your list in spreadsheet format, using either Microsoft Excel or Google Sheets. Include the following columns: company name, contact name, contact email. List only one email address per cell. If you would like your solicitation to be posted to a third-party website using an online portal, list all web addresses first.

If your solicitation is related to one or more of the following categories, reach out to MCE’s Administrative team to request the list of vendors who have signed up to get notified of upcoming solicitations via MCE’s website. Include these vendors in your list.

- Public Affairs, Marketing and Creative or Event Production
- Technology and Analytics, Finance, or Human Resources
- Non-Energy Related Services or Construction
- Energy Industry or Procurement
- Energy Efficiency, Demand Response, Workforce Development, Electric Vehicles, or EV Charging

Staff are encouraged to perform a keyword search through the Supplier Clearinghouse. Searching the Supplier Clearinghouse can direct you to additional potential vendors who are certified women, minority, LGBT, and disabled veteran-owned businesses — expanding the reach of your solicitation while helping to promote MCE’s supplier diversity goals.



Search by Business Description

BUSINESS DESCRIPTION

Tip: Try just a few letters of a keyword.

The Contracts Team does not review distribution lists. After drafting your list, double check for duplicate and incorrect email addresses. Finalize your list before solicitation distribution. Sending to additional parties after initial distribution can appear as though MCE is giving preferential treatment.

Solicitation materials are posted to MCE’s website. If you identify additional parties after distribution, please direct them to the “RFPs and Solicitations” page.

Looking for more guidance? Check out the Contracts Process Packet or reach out to MCE’s Contracts team for additional help.

APPENDIX D

MCE’s Qualified but not yet Certified Vendors

Vendor	Certification
Lightning Services Inc., d.b.a. Lightning Electric	WBE, MBE
Vericlean	MBE
Hilary Stoddard Design, LLC	WBE, MBE
Midsummer Kitchen	WBE, MBE
Susan K. Moxley	WBE

Local: Local Business Enterprise
LGBTBE: Lesbian, Gay, Bisexual, Transgender Business Enterprise
MBE: Minority Business Enterprise
WBE: Women Business Enterprise

Certified Small Business by the California Department of General Services

Vendor	DGS Certification
Build Momentum (Inc.)	SB, SB-PW
Carbon Zero Buildings	SB (Micro), SB-PW
Eco Performance Builders	SB (Micro)
Energy Resources Integration, LLC (Inc.)	SB (Micro)
Epik Solutions, Inc.	SB
Generation Green	SB (Micro)
Green Vine Landscaping, Inc.	SB (Micro), SB-PW
Green Water and Power, LLC (Inc.)	SB (Micro)
Grid Subject Matter Experts, LLC (Inc.)	SB
Most Likely To, Inc.	SB (Micro)
Safe and Sound Security, Inc.	SB

SB: Small Business
SB-PW: Small Business for the Purpose of Public Works
SB (Micro): Small Business — Micro

APPENDIX E

MCE Supplier Diversity Survey

MCE Supplier Diversity Survey

Please note that not all questions may apply to your business. For the questions that do not apply, please skip them or answer "not applicable."

*Pursuant to Proposition 209, MCE does not give preferential treatment based on race, sex, color, ethnicity, or national origin. Providing information in these categories is optional and will not impact the selection process. Responses are collected for informational and reporting purposes only pursuant to Senate Bill (SB) 255.

Business Name *

Email address *

In which State is your business located? *

In which City/Town is your business located? *

Please provide the total number of employees across all locations for your organization. *

Please provide the specific number of employees who reside in the state of California. *

Is your business certified under General Order 156 (GO 156)?*

General Order 156 (GO 156) is a California Public Utilities Commission ruling that requires utility entities to report annually on their contracts with majority women-owned, minority-owned, disabled veteran-owned, disabled-owned, and LGBT-owned business enterprises (WMDVLGBTBEs) in all categories. Qualified businesses become GO 156 Certified through the GO 156 Clearinghouse database at www.thesupplierclearinghouse.com

Choose one... ▾

Did your business use subcontractors for your MCE contract?*

Choose one... ▾

If applicable, please describe any hiring targets your business has for minority-owned, women-owned, LGBTQ-owned, disabled-owned, or disabled veteran-owned subcontractors.

Enter your answer

Does your business have a history of using apprenticeship programs, local-hires, union labor, or multi-trade project labor agreements?*

Local hires can be defined as labor sourced from within MCE's service area which includes the towns, cities, and unincorporated counties of Marin, Napa, Contra Costa, and Solano.

- Yes, apprenticeship programs in this recent contract with MCE
- Yes, local labor in this recent contract with MCE
- Yes, union labor in this recent contract with MCE
- Yes, multi-trade PLA in this recent contract with MCE
- Yes, apprenticeship programs but not in this contract with MCE
- Yes, history of local hire but not in this contract with MCE
- Yes, history of union labor but not in this contract with MCE

- Yes, history of multi-trade PLA but not in this contract with MCE
- Majority of workforce is California-based, but not local to MCE service area
- None of the above

If you answered yes to the previous question, please describe your history with labor agreements, union labor, multi-trade labor, apprenticeship labor, or how many local workers/businesses you employ for your contract with MCE.

Enter your answer

Does your business pay workers prevailing wage rates or the equivalent?*

Prevailing wage in California is required by state law for all workers employed on public works projects and determined by the California Department of Industrial Relations according to the type of work and location of the project. To see the latest prevailing wage rates, go to www.dir.ca.gov/Public-Works/Prevailing-Wage.html

Choose one... ▾

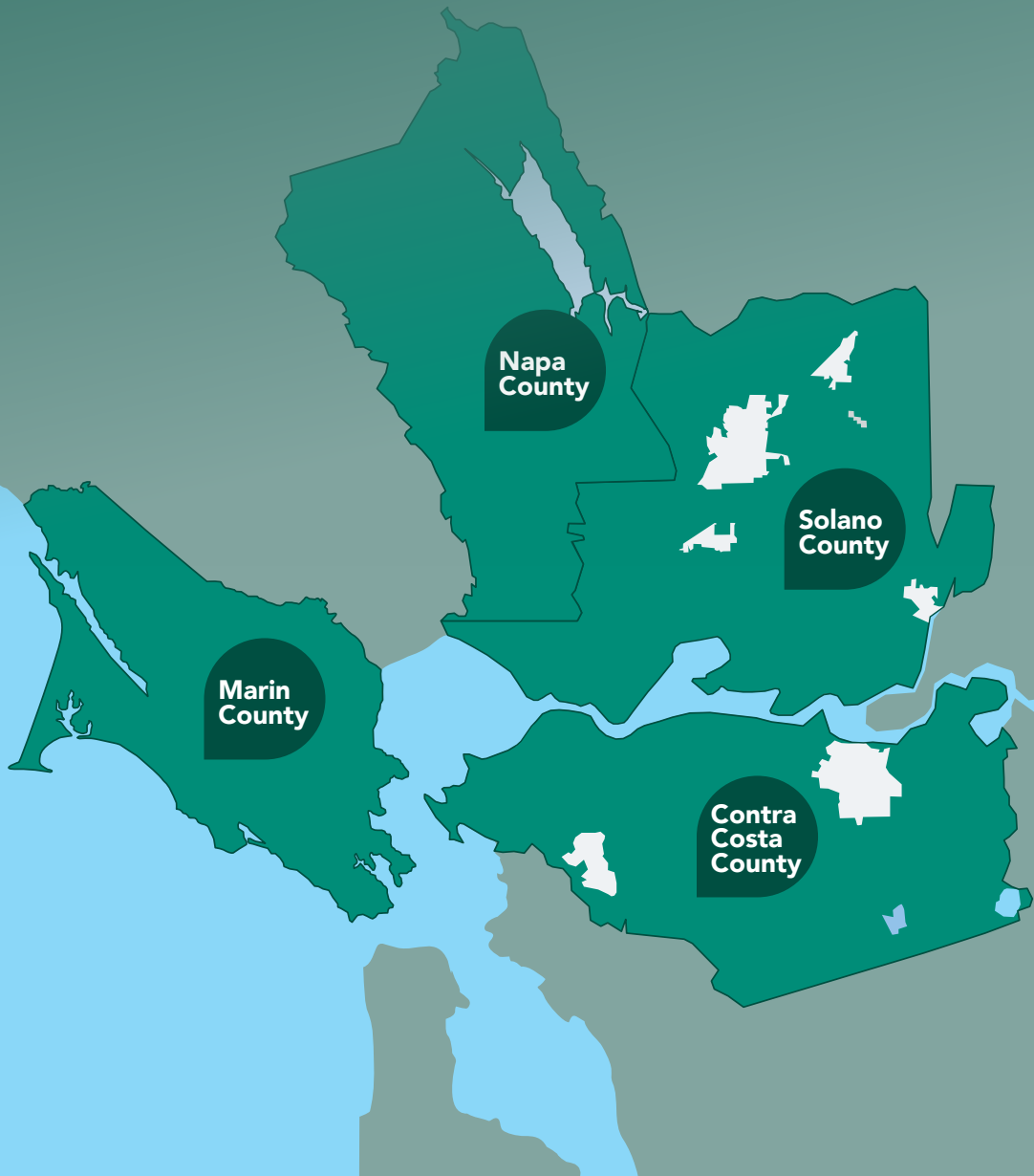
Is there anything else you'd like to add? If you'd like for us to promote your survey participation on our social media, please include your handles here.

Enter your answer

Submit

Proudly Serving 38 Member Communities

MCE is a not-for-profit public electricity provider, offering Bay Area customers renewable energy and local energy programs since 2010.



“From day one as a founding board member, I immersed myself in MCE’s mission. With all transformative work, you’ve got to fight, constantly recommit, and see it through. I envision MCE continuing to lead, evolve, and be adaptive while keeping the core mission at heart of serving the community — for people and the planet.”

ASSEMBLY MEMBER DAMON CONNOLLY,
FORMER MCE FOUNDING BOARD MEMBER



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April 16, 2026

TO: MCE Board of Directors
FROM: Sabrina Soldavini, Vice President of Policy
RE: Legislative and Regulatory Updates
ATTACHMENT: Regulatory Packet with Filings since the March Board Meeting

Dear MCE Board Members:

Summary:

Below is a summary of the key activities at the state and federal legislatures and the California Public Utilities Commission (CPUC), California Energy Commission (CEC), and the California Independent System Operator (CAISO) impacting Community Choice Aggregation (CCA) and MCE.

I. California Legislature

This month, hundreds of bills are being debated in policy committees in their houses of origin, and many will be amended or fail to advance. Meanwhile, budget subcommittees are holding hearings on the Governor's January budget proposal while closely watching state revenue forecasts. The state budget outlook is trending slightly more positive than it had been at the beginning of the year, driven by higher-than-anticipated revenue collections from the artificial intelligence sector.

a. Assembly Bill (AB) 1761 (Rogers) - PCIA Data Transparency

AB 1761, California Community Choice Association's (CalCCA) sponsored bill on Power Charge Indifference Adjustment (PCIA) data transparency, was unanimously voted out of the Assembly Utilities and Energy Committee on March 18th. The bill received formal support from more than 30 organizations, which is noteworthy for a bill that is heard so early in the policy committee process. Supporters included CCAs, local governments, environmental advocates, the League of California Cities, the California State Association of Counties, and the Rural County Representatives of California. AB 1761 will next be considered by the Assembly Appropriations Committee.

MCE encourages member communities to consider adopting a formal support position on AB 1761. All support received before the bill is voted on by the full Assembly will be registered in the Floor Analysis, and a strong showing of statewide support will help this bill advance to the Senate. On February 23rd, MCE’s Board Clerk circulated the author’s fact sheet on the bill, along with a support letter template to assist with member communities’ deliberative processes.

b. Senate Bill (SB) 1138 (Padilla) - Lowering Resource Adequacy Costs

SB 1138, CalCCA’s sponsored bill on lowering the cost of resource adequacy (RA), will be heard in the Senate Energy, Utilities and Communications Committee on April 7th. Staff will provide an update on the outcome of that hearing in the staff report for the May Board of Directors meeting.

MCE encourages member communities to consider adopting a formal support position on SB 1138. All support received before the bill is voted on by the full Senate will be registered in the Floor Analysis, and a strong showing of statewide support will help this bill advance to the Assembly. On March 3rd, MCE’s Board Clerk circulated the author’s fact sheet on the bill, along with a support letter template in case it is helpful for member communities’ deliberative processes.

c. Additional Positions Taken

The table below lists positions MCE has registered to date, followed by brief descriptions of the bills included in the table but not discussed in previous staff reports.

Bill Number and Author	Subject	MCE Position
AB 1761 (Rogers)	PCIA data transparency	Support
SB 1138 (Padilla)	RA hourly transactability	Support
AB 2111 (Papan)	Transmission planning	Support
AB 1684 (Ward)	Cooling systems in common interest developments	Support
AB 2508 (Hoover)	Funding for Public Purpose Programs including energy efficiency	Oppose

AB 2111 (Papan) would adjust the state’s transmission planning process to account for greater uncertainty around load forecasts, climate change impacts, critical supply chains, and other factors that are harder to predict today than they have been historically. The bill calls for the state to examine a wider range of scenarios and evaluate the full cost implications of each, which will allow the Public Utilities Commission and Independent System Operator to design

a resource portfolio and transmission plan that limit total system costs while supporting the state's climate and reliability goals. This process adjustment could help California meaningfully reduce interconnection timelines, resource constraints, and electricity costs. AB 2111 is co-sponsored by Sonoma Clean Power and Peninsula Clean Energy.

AB 1684 (Ward) promotes both extreme heat protection and energy efficiency by prohibiting restrictions on installing or upgrading cooling systems owned by residents of common interest developments like condominiums and housing cooperatives. Though the bill is focused on cooling, eliminating barriers to installing high efficiency heat pumps also promotes electrification because heat pumps can replace gas heaters as well as traditional air conditioning units. It also helps ensure that residents can stay safe and comfortable in their homes during increasingly hot summer months. MCE supported a similar bill in 2025 that addressed restrictions faced by residents of mobile home parks.

AB 2508 (Hoover) would shift the funding source for many Public Purpose Programs, including energy efficiency programs like MCE's, out of rates and into the volatile and scarce Greenhouse Gas Reduction Fund (GGRF). The focus of MCE's advocacy on this bill is to preserve funding for our energy efficiency programs, which are held to rigorous cost-effectiveness analysis at the PUC. Statewide, the energy efficiency programs that this bill targets constitute roughly 1.5% of an average customer's bill and deliver roughly \$5 in grid benefits for every \$1 invested. Meanwhile, GGRF funds are hotly contested in annual state budget negotiations because there is never enough funding to cover all the investments prioritized by legislators and the Governor. Constraints on these funds are even tighter after the passage of SB 840 (Limón, 2025) which established priorities for how GGRF money will be spent moving forward, and those priorities do not contemplate funding Public Purpose Programs. Finally, recent quarterly cap-and-trade auction revenues have been lower than anticipated, which further limits the potential reach of GGRF funds. As such, requiring energy efficiency to be funded through the GGRF would likely wind up eliminating these valuable programs altogether.

II. California Public Utilities Commission (CPUC)

a. Resource Adequacy (RA) Proceeding

In February, the CPUC Energy Division released its report on hourly load obligation transactability (LOT) within the SOD framework, advocating against implementing a transactability program. MCE worked with CalCCA to file its initial rebuttal of the ED Report, along with CalCCA's proposals for an hourly LOT program, on March 3, 2026. CalCCA filed additional comments to refute the Energy Division's report, stating that the report focuses on an LSE's ability to comply rather than the cost of compliance, thereby sacrificing affordability for reliability, and also that the report overstates concerns of administrative burden in

conducting an hourly LOT program. CalCCA filed reply comments on March 30, 2026, continuing to push for an hourly LOT program.

MCE also worked with CalCCA to file comments on Track 1 proposals in the RA proceeding. CalCCA filed opening comments on March 6, 2026, and then filed reply comments on March 20, 2026. Key recommendations in the reply comments state that the CPUC should: address the forthcoming impacts of data center loads on RA requirements; include co-located energy-only (EO) resources in the accounting of charging sufficiency and reliability; reject PG&E's proposal to terminate the Local Capacity Requirement Reduction Compensation Mechanism (LCR-RCM), which aims to incentivize LSE's procurement of local reliability resources; reject the CAISO's proposal for accounting for the qualifying capacity of storage resources, in favor of CalCCA's proposal under the Slice-of-Day (SOD) framework.

Track 1 is scheduled to continue on April 1, 2026, to cover issues related to local capacity requirements (LCR) and flexible capacity requirements (FCR) as published in the CAISO's 2027 LCR and FCR reports.

Track 2 is scheduled to begin in early April 2026, and will consider system and flexible capacity requirements for the 2028 program year and the 2028-2030 local RA requirements. Track 2 will also consider modifications to the planning reserve (PRM) margin for the 2028 and 2029 compliance years, including consideration of the results of Energy Division's annual Loss of Load Expectation (LOLE) study.

Fiscal Impact: There is no direct fiscal impact on MCE at this time.

b. Power Charge Indifference Adjustment

In February 2025, the CPUC issued an OIR to update Energy Resource Recovery Account (ERRA) and PCIA policies and processes. Per law, the CPUC is required to ensure "indifference" and prevent cost shifts between bundled and unbundled customers. This entails the Investor-Owned Utilities (IOUs), such as Pacific Gas & Electric (PG&E) recovering electricity costs from CCA customers that were incurred on their behalf before they departed PG&E service, and reducing those costs by the value of benefits that remain with PG&E customers. To facilitate this process, the Commission established the PCIA, a charge paid by all customers on the PG&E side of the bill.

In this proceeding, the CPUC is evaluating potential changes to the methodology of calculating the PCIA through three tracks.

Track 1:

Track 1 considered interim changes to the calculation of the Resource adequacy (RA) Market Price Benchmark (MPB), one of the inputs used to calculate the PCIA, on an

expedited basis. The Commission voted out a Decision in Track 1 in 2025 that changed the calculation of the RA MPB and allowed the IOUs to apply this change to rates retroactively.

CalCCA filed an Application for Rehearing (AfR) followed by a Petition for Writ of Review (or appeal) on the Track 1 Decision in January 2026. The appeal argues that the Commission violated the indifference principle and acted illegally by approving retroactive application of the methodology and did so by relying on insufficient evidence. As part of this strategy, CalCCA filed a reply to the Commission's response in the case in early April restating our positions.

Track 2:

In January 2026, the Commission issued a Scoping Memo for Track 2 of this proceeding to consider the following issue: All 3 IOUs purchase resources and their associated Renewable Energy Certificates (REC) and bank a portion of them to use for compliance with the Renewable Procurement Standard (RPS) program at a later time. Customers that departed IOU service should receive value for the resources and RECs that they paid for. The Commission is currently evaluating how the IOUs should value RECs that they banked prior to 2019 and convey that value to departed customers.

In March, CalCCA filed Opening and Rebuttal Testimony in this proceeding. Customers that departed IOU service after the IOUs purchased and banked RECs prior to 2019 do not receive any value when IOUs use those RECs for current bundled customer compliance. CalCCA argued that this goes against the indifference principle that unbundled customers need to receive value for resources or attributes that they paid for. The current methodology values the RECs at \$0 and therefore shifts costs onto unbundled customers. CalCCA proposed that the IOUs should be required to value any pre-2019 banked RECs at the current RPS MPB and credit to the appropriate PCIA vintage. As an alternative, the IOUs should be required to allocate those RECs to the appropriate LSE and that LSEs' RPS compliance obligation should be reduced accordingly.

Track 3

The Commission issued a Scoping Memo in Track 3 of this proceeding in February 2026 to consider additional PCIA related issues, including data access and timelines for the proceeding.

CalCCA filed Opening Comments in late March on the Scoping Memo. CalCCA recommended that the Commission first resolve data access and confidentiality issues in Phase 1 of Track 3 to ensure that all parties have equal access to data to evaluate proposals and their impact. After 6 months of data production, the Commission should start Phase 2. In

Phase 2, CalCCA recommended that the Commission scope broad items that address PCIA and ERRRA structural, methodological, and implementation issues.

MCE will continue to actively engage in this proceeding through 2026 and provide updates as they become available.

Fiscal Impacts: There are no immediate fiscal impacts to MCE. The PCIA is a charge on the PG&E side of the bill, but changes to the PCIA impact MCE customers' overall bill and MCE's rate competitiveness.

c. PG&E 2023 General Rate Case (GRC) Phase II

PG&E files a GRC Application with the Commission every four years to request approval for its generation and distribution related revenue requirements. In Phase I of a GRC Application, the Commission reviews and approves PG&E's cost amounts to be recovered over the application period. In Phase II, the Commission reviews and approves how those costs are allocated across different customer groups and rate classes.

In its 2023 GRC Phase II Application, PG&E proposed to increase its CCA services and filed information on how it calculates the Provider of Last Resort (POLR) administrative fee. CCA service fees reflect services PG&E provides to CCAs as the authorized billing agent. The POLR fee is intended to reflect the administrative costs PG&E would incur in case of a mass involuntary return of CCA customers to PG&E service, and currently PG&E is allowed to use a proxy fee that is equal to the cost for PG&E to process a single customer return. CalCCA filed Opening Testimony in early March in this case. CalCCA recommended that the Commission: (1) Reject PG&E's proposed increase to its CCA service fees because this increase is not based on up-to-date cost information and order PG&E to complete a cost study to support future recommended changes; (2) Reject PG&E's proposal to update its service fees via a Tier 2 Advice Letter outside of the GRC. PG&E should not be allowed to bypass the GRC process for fee increases as this does not allow the Commission to conduct a holistic review of customer costs; and (3) Direct PG&E to update its POLR fee. The current calculation does not reflect PG&E's actual process and costs that it would incur for processing a mass involuntary return.

MCE will continue to work with CalCCA and other PG&E CCAs on this case through 2026.

Fiscal Impacts: There are no immediate fiscal impacts to MCE. However, approval of PG&E's service fee increase would impact MCE's budget in the future.

d. Energy Efficiency

In March, MCE submitted its Application for Approval of 2028-2031 Energy Efficiency (EE) Portfolio Plan and 2032-2035 EE Business Plan to the Commission. MCE requested \$133,096,000 dollars for 8 years (2028-2035) of EE programs from the California Public Utilities Commission and of that \$65,251,000 for program years 2028-2031. MCE is largely proposing to continue administering and refining its existing suite of 2024-2027 EE programs approved in June 2023 across the required Resource Acquisition, Market Support and Equity segments. MCE's Application seeks Commission approval to continue to deliver a balanced and diverse portfolio of EE programs serving residential, commercial, industrial, public, and agricultural customers.

MCE proposes to administer two new programs: the Home Energy Savings-Resource program and the Low-Global Warming Potential (GWP) Accelerator program. The Home Energy Savings-Resource Program focuses on implementing a direct installation strategy designed to help customers adopt electrification space and water heating systems. The single-family program will provide a fixed rebate per electrification measure and provide the homeowner with an assessment and installation contractor. Rebates will be based on market research and will be commensurate with other successful rebate programs. The MCE Low-GWP Refrigerant Acceleration Program focuses on helping small grocery and restaurant businesses retrofit old refrigeration systems to run on low-GWP refrigerants. The program will combine both low-GWP refrigerant and EE incentives to reduce typical installation costs by between 25 and 50 percent.

MCE proposes to continue administering its Integrated Demand Side Management program that integrates EE measures with measures that load shift energy usage of peak times. Additionally, MCE submits a variety of policy recommendations to improve EE programs in its service area and statewide.

MCE is one of 13 total program administrator (PA) applicants that submitted applications in March. MCE anticipates that the Commission will consolidate all Applications into one proceeding and review simultaneously. The last Application proceeding ran from March 2022 with a Final Decision issued in June 2023. Protests and Responses to Applications are due May 1st with replies from the PAs due May 18th.

Fiscal Impacts: If approved, MCE will be authorized to receive and administer \$133,096,000 dollars for EE programs from 2028-2035 and of that \$65,251,000 for programs in 2028-2031 from the Commission.

e. Self Generation Incentive Program (SGIP)

In March 2026, MCE, Clean Energy Alliance, Peninsula Clean Energy Authority, San Diego Community Power and the City of San José, administrator of San José Clean Energy jointly submitted comments in response to the questions posed by the Assigned Commissioner's

Rulings on Verification of SGIP Total Eligible Project Cost Before Distributing Incentive Payments issued in both February and March. Joint CCAs offered practical recommendations to ensure beneficial, effective and efficient disbursement of SGIP rebates to a category of low-income customers seeking the Residential Solar and Storage Equity funds. Joint CCAs submitted relevant data and expertise from its administration of related programs seeking to leverage the SGIP rebate. Joint CCAs encouraged the Commission to right-size related verification requirements so that low-income customers are not unintentionally burdened by delayed rebate administration. The Joint CCAs requested the Commission adopt their verification and administration recommendations.

Fiscal Impacts: There are no immediate fiscal impacts to MCE.

f. Disconnections

In February, the CPUC scheduled a March 11th workshop for stakeholders to discuss remaining issues in the proceeding, including continuation of the Arrearage Management Program (AMP) and Percentage of Income Payment Plan (PIPP) programs, disconnection rate caps, and further methods for protecting customers. Along with scheduling the workshop, the CPUC also issued a ruling seeking comments across these same topics. CalCCA filed comments recommending that the CPUC: 1) Open a successor proceeding that will discuss customer protections in the context of affordability, disconnections, and arrearages; 2) Maintain disconnection rate caps and discontinue the use of disconnections as the primary lever to address arrearages; and 3) Establish PIPP and AMP as permanent programs to continue providing bill assistance and arrearage management assistance to vulnerable customers.

Fiscal Impacts: There are no immediate fiscal impacts to MCE.

III. California Energy Commission (CEC)

a. Integrated Energy Policy Report (IEPR)

On March 10, 2026, the CEC put out a Notice of Request for Comments on their Draft Scoping Order for the 2026 IEPR Update. The Draft Scoping Order outlines the topics to be covered in this year's IEPR Update and includes updating the California Electricity Demand Forecast; assessing challenges and opportunities in deploying in-state geothermal resources; and reporting the CEC's progress on matters of energy equity and environmental justice.

MCE worked with CalCCA to file comments on the Draft Scoping Order, recommending that the CEC: 1) include CCAs in the process of gathering and verifying information for new loads (particularly data centers) to be included in the energy demand forecast; 2) require that data center loads meet certain milestones (e.g., interconnection agreement) to be included in the

energy demand forecast; 3) exclude a new data product known as “known loads,” produced by the CEC in collaboration with the IOUs, from being included in the demand forecast’s Planning Scenario; and 4) reduce barriers to developing in-state geothermal resources, with a focus on streamlining permitting processes.

The final IEPR Scoping Order is scheduled to be released in April 2026. The CEC is expected to adopt the order instituting an informational proceeding for the 2026 IEPR update in May, 2026 and conduct workshops beginning in late May covering the topics of the Draft Scoping Order and processing the submitted comments.

Fiscal Impacts: There is no direct fiscal impact on MCE at this time.

IV. California Independent System Operator (CAISO)

a. Demand and Distributed Energy Market Integration (DDEMI)

On March 13, the CAISO held a workshop to discuss the release of the Track 1 Straw Proposal and Track 2 Issue Paper. The Track 1 Straw Proposal focuses on Distributed Energy Resource (DER) exports as part of demand response resource participation in CAISO markets and related performance measurement enhancements. The Track 2 Issue Paper examines participation pathways for large loads and enhancements to demand flexibility to support participation from resources outside the CAISO market. MCE and CalCCA filed comments in support of the Track 1 Straw Proposal. CalCCA also commented on Track 2, seeking additional clarification regarding the proposal and recommending that the CAISO include CCA representatives in its coordination framework efforts, given that CCAs comprise roughly one-third of the CAISO load and manage significant DR and DERs through customer programs.