

TOWNSEND

PUBLIC AFFAIRS

EST TPA 1998

MEMO

To: City of Cupertino
Legislative Review Committee

From: Townsend Public Affairs, Inc.

Date: July 23, 2021

Subject: Consider adopting a position on SB 99 (Dodd) Community Energy Resilience Act of 2021

Bill Information

The official text of SB 99 can be found [here](#)¹.

Summary

SB 99 directs the California Energy Commission (CEC) to develop and implement a grant and technical assistance program to facilitate the development of local government plans and projects to reduce the adverse impacts of electrical power interruptions on critical facilities resulting from scheduled and unintended outages and to expedite the permit approval for distributed energy resources (DERs).

Specifically, this bill:

- Requires the CEC to take a number of steps, including:
 - Develop a plan for the structure and content of the plans, including development of a formula for prioritizing funds for critical facilities in low-income or disadvantaged communities that are most likely to experience deenergization events;
 - Develop a process for expedited permit review of DERs;
 - Conduct two public meetings to consider public comment;
 - Prioritize funding for proposals that support local collaborations for plans to achieve resiliency and renewable energy goals and integrate electric vehicles as battery storage resources;
 - Fund technical assistance to providers to assist in plan development;
 - Maintain a publicly available and searchable database of all funded plans and relevant metrics;
 - Annually report specified information about the grant program to the Legislature and post the report on its internet website; and
 - Prepare an annual summary of statewide program expenditures and hire an independent third-party evaluator to quantify and evaluate the effects of the grant program.

¹ https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB99

- Specifies that the plans include identification of critical facilities, hubs to accommodate and provide basic services to people who have lost power to their homes, areas most likely to experience utility-planned deenergization, critical facilities likely to need backup generation and possible resources, distribution grid improvements, and locations and funding sources for microgrids. The plans must be consistent with local general plans and other local government planning documents and ensure that a reliable electricity supply is maintained at critical facilities.
- Requires utilities to share information to identify critical facilities and areas most likely to experience deenergization events.
- Permits local governments to apply for grants and technical assistance and authorizes community choice aggregators and regional energy collaboratives to apply for funding and prepare a community energy resilience plan on behalf of one or more of the local governments it serves upon request of that local government.

Status

SB 99 was approved by the Assembly Utilities and Energy Committee (15-0) on June 30th. The measure is currently in the Assembly Appropriations Committee.

Support

The author states, “In the face of accelerating climate change impacts, California must address the vulnerability of its electrical grid to disruptive events. Devastating power outages in 2019 and 2020 – including PSPS events as well as the August 2020 capacity shortfall outages – affected millions of electricity customers and cost California billions of dollars.

“These disruptive events highlighted the importance of resilient energy, which is intrinsically local and can best be created through development of DERs within every community. Currently, the inability of local governments and communities to plan and deploy resilient local clean energy alternatives has resulted in vast public and private investment in fossil fuel backup generation, which runs counter to California’s decarbonization goals. What is needed, and what SB 99 provides, is a new state policy framework grounded in local government leadership that can realize the full system and societal benefits of DERs”

Supporters of AB 816 include: Bioenergy Assn of California; California Alliance for Community Energy; California Community Choice Assn; California Solar & Storage Assn; Center for Sustainable Energy; Coalition for Clean Air; Environment California; League of California Cities; Local Government Sustainable Energy Coalition; Marin Clean Energy; Sierra Club California; Silicon Valley Clean Energy; Union of Concerned Scientists; and the cities of Thousand Oaks and Watsonville.

Opposition

There is no official opposition to SB 99.

Legislative Platform

This bill falls under Cupertino's 2021 Legislative Platform in the Emergency Preparedness Section, Item #1 (page 4) and allows for a Support position.

Recommended Action

Adopt a support position on SB 99 and authorize the Mayor to send letters to the state legislature.