

APPROVED AS TO FORM AND LEGALITY

  
CITY ATTORNEY'S OFFICE

## OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

INTRODUCED BY COUNCILMEMBER DAN KALB AND COUNCIL PRESIDENT  
NIKKI FORTUNATO BAS

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**RESOLUTION IN SUPPORT OF NET ENERGY METERING FOR  
MULTI-FAMILY HOUSING AND SCHOOLS TO PROTECT  
CALIFORNIA RENTERS' AND SCHOOL DISTRICT'S ACCESS TO BILL  
CREDITS AND THE ENVIROMENTAL BENEFITS OF ROOFTOP  
SOLAR**

**WHEREAS**, Net Energy Metering (NEM) is designed to support the installation of customer-sited renewable energy generation; and

**WHEREAS**, NEM allows customers to receive bill credits for power generated by their solar system and shared with the power grid and ultimately save money on their utility bills; and

**WHEREAS**, NEM is what has allowed solar to become increasingly accessible to low- and moderate-income households; and

**WHEREAS**, in 2020 the California Public Utilities Commission (CPUC) launched a formal proceeding to update the current NEM structure as NEM 3.0, and a number of parties have submitted their proposal for what they believe NEM 3.0 should look like; and

**WHEREAS**, in December 2022, the CPUC issued a final decision updating the current NEM structure; and

**WHEREAS**, while, unlike a previous iteration of the proposal, the decision did not propose a tax on solar and solar-plus-storage consumers that intend to use NEM, the following negative provisions were adopted: 1.) Most residential NEM solar consumers who apply for a NEM interconnection after April 14, 2023, experience an average 75% reduction in the credit they receive for sharing their extra energy with the grid – from an average of \$.30/kilowatt-hours (kWh) to about \$.08/kWh 2.) Churches, nonprofits, or businesses who go solar after April 14, 2023, realize an even greater reduction in the solar credit; and

**WHEREAS**, despite this vastly reduced credit value for energy exported to the electric grid compared to the previous NEM tariff, the CPUC decision still allows customers to buy less energy from the utilities when they use their generated or stored energy on-site in real time; and

**WHEREAS**, the CPUC is now considering changes to net energy metering rules for multi-meter properties, which would impact multi-family tenants and cooperative residents as well as schools and farms; and

**WHEREAS**, recent proposals made by investor-owned utilities would deny multi-meter properties the right to buy less power from the utilities when they consume power directly from on-site solar, which would force tenants, schools, and farms to buy all of their power from the utility even when it is generated on their own rooftop or field – a patently absurd and unfair proposal as it would allow customers with only one electric meter to distinguish between on-site usage and exports while not allowing customers with multiple meters to do the same; and

**WHEREAS**, this and other proposals that seek to curtail rather than expand the ability for multifamily tenants and cooperative residents, schools, and farmers to benefit from bill savings through locally generated renewable energy violate the principles of equity, sustainability and energy security; and

**WHEREAS**, protecting rooftop solar and expanding access to rooftop solar in communities of concern will help California as well as the City of Oakland to move toward 100 percent clean energy, increase energy reliability, lessen the impacts of the climate crisis, and reduce climate injustices from dirty energy; and

**WHEREAS**, we are in a climate crisis and need to make the transition to clean energy more accessible, not less; now, therefore, be it

**RESOLVED:** That the Oakland City Council urges the California Public Utilities Commission and Governor to reject any proposals that seek to frustrate or dismantle the ability of multifamily tenants and schools to avail themselves of the benefits of local, renewable, and affordable energy through rooftop solar and battery storage; and be it

**FURTHER RESOLVED:** That the Oakland City Council calls on the California Public Utilities Commission to instead approve a net energy metering tariff for multifamily housing and schools that includes full credits and savings for multifamily tenants and schools from customer-generated energy (full “property netting”) as well as a gradual transition toward lower export rates to ensure a reasonable glidepath for the customer solar market; and be it

**FURTHER RESOLVED:** That upon adoption of this resolution the City Administrator sends copies of this resolution to Governor Gavin Newsom, State Senator Nancy Skinner, Assemblymember Buffy Wicks, and members of the California Public Utilities Commission Board.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND  
PRESIDENT FORTUNATO BAS

NOES –  
ABSENT –  
ABSTENTION –

ATTEST: \_\_\_\_\_  
ASHA REED  
City Clerk and Clerk of the Council of the  
City of Oakland, California