



CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY COUNCILMEMBER KALB AND
COUNCIL PRESIDENT FORTUNATO BAS

RESOLUTION IN SUPPORT OF: (1) BROADENING THE SOLAR NET ENERGY METERING (NEM) PROGRAM TO ACHIEVE GREATER ACCESS FOR ALL HOUSEHOLDS, PARTICULARLY LOW- AND MODERATE INCOME HOUSEHOLDS; (2) EXPANDING ACCESS TO OTHER CLEAN ENERGY TECHNOLOGIES THAT PAIR WITH SOLAR, SUCH AS BATTERY STORAGE; (3) ENSURING THAT SOLAR INSTALLATIONS CONTINUE TO GROW IN ORDER TO MEET STATE AND CITY OF OAKLAND CLEAN ENERGY AND CLIMATE GOALS; (4) CONTINUING TO EXCLUDE COUNTERPRODUCTIVE PROVISIONS SET FORTH IN THE INVESTOR OWNED UTILITIES (IOU) PROPOSAL SUCH AS HIGH MONTHLY FIXED FEES THAT WOULD DISINCENTIVIZE NEW SOLAR INSTALLATIONS; AND (5) MODERATING THE PROPOSED DRAMATIC SLASHING OF CREDITS FOR SHARING ELECTRICITY WITH THE POWER GRID

WHEREAS, Net Energy Metering (NEM) allows electricity 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 energy 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, with a number of parties having submitted their proposal for how they believe NEM 3.0 should be designed; and

WHEREAS, the California's Investor Owned Utilities (IOUs)—Pacific Gas and Electric, San Diego Gas & Electric and Southern California Edison—have submitted a joint proposal (the "IOU Proposal") that calls for drastic changes to NEM that would make customer-sited renewable energy more expensive, increase the amount of time it takes for customers to pay off their systems, and substantially curb the installation of distributed rooftop solar in California; and

WHEREAS, the IOU Proposal would make it nearly impossible for customer-sited renewables to continue to grow sustainably as mandated by state law as a result of high monthly fixed fees for all behind-the-meter solar installations, and slashing credits customers receive for sharing their excess electricity with the power grid; and

WHEREAS, proposals submitted to the CPUC by Protect Our Communities Foundation, California Solar & Storage Association, Vote Solar, GRID Alternatives, Solar Energy Industries Association, and others not only would encourage new solar adoption but also include additional subsidies for lower income customers; and

WHEREAS, on November 10, 2022, the CPUC released their latest NEM 3.0 Proposed Decision, which includes the following features:

- Most residential NEM solar consumers after April 2023 would see an average 75% *reduction* in the credit they can receive for sharing their extra clean energy with the grid – from an average of \$.30/kilowatt-hours (kWh) to only about \$.08/kWh.
- Churches, schools, or businesses who install rooftop solar after April 2023 would see an even bigger reduction in their solar credit, effectively discouraging these institutions from installing solar clean energy systems; and

WHEREAS, California cannot meet its vitally important clean energy targets in time with utility scale solar alone and needs to triple the amount of rooftop solar, as reported by the California Energy Commission 2021 SB 100 Joint Agency Report summary; and

WHEREAS, protecting and expanding access to rooftop solar in communities of concern will help California as well as the City of Oakland and East Bay Community Energy to move toward 100 percent clean energy, lessen emissions of heat-trapping greenhouse gases, and reduce climate injustices from dirty energy near and far; and

WHEREAS, we are in a climate crisis and need to make the transition to clean energy more accessible; now, therefore, be it

RESOLVED: That the Oakland City Council supports protecting and expanding rooftop solar via a strong succeeding Net Energy Metering tariff and expanding clean energy access by making it more not less accessible for people to adopt rooftop solar and related energy storage in order to meet California's ambitious clean energy targets and deploy solar in all communities and households, particularly those struggling to pay for their electricity bills; and be it

FURTHER RESOLVED: That the Oakland City Council declares that the NEM 3.0 proposed decision issued by the CPUC on November 10, 2022, while an improvement over its predecessor, is still too problematic; and be it

FURTHER RESOLVED: That the Oakland City Council urges the CPUC to

- (a) strengthen NEM to expand access to all households, particularly of those of low- and moderate-income;
- (b) expand access to other clean energy technologies that pair with solar, such as batteries;
- (c) ensure that solar installations continue to grow in order to meet State and local climate goals; and
- (d) continue to exclude provisions set forth in the harmful IOU Proposal such as high monthly fixed fees; and
- (e) moderate the proposed dramatic slashing of credits for sharing electricity with the power grid; and be it

FURTHER RESOLVED: That the City Council directs the City Administrator or his designee to immediately distribute this Resolution upon its adoption to Governor Gavin Newsom, State Senator Nancy Skinner, Assemblymembers Buffy Wicks and Mia Bonta, and commissioners of the California Public Utilities Commission.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES – FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

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