

Public Comment

RCEA Board of Directors
May 27, 2021 Meeting

From: [SUZANNE ATIYEH](#)
To: [Public Comment](#)
Subject: Wind
Date: Monday, May 10, 2021 9:34:23 AM

attn: Matthew Marshall

I am sending you a copy of a letter I submitted to the Times Standard recently.
I feel this topic deserves sincere consideration.

I would love to see an RFP process go out to draw innovative people to this area for a variety of cutting edge projects that are cleaner and less harmful. I truly believe California can set the standard if we use the bright people we have in state to put their minds to work.

Respectfully,
Suzanne E. Atiyeh

S. E. A.

Begin forwarded message:

From: SUZANNE ATIYEH [REDACTED] >
Date: April 21, 2021 at 11:18:50 AM PDT
To: letters@times-standard.com
Subject: My Word, attention Marc Valles

This letter is being written to those who hope that wind energy off our coast will be a benefit to Humboldt County. There are many reasons why people support the concept of wind energy units being built here, and then sold to buyers who may install them here, and elsewhere in the world.

Let's be clear about our thinking on this topic.

Who will benefit the most?

I've heard it said that since we have tremendous wind energy potential here, "it would be a gold mine."

For whom exactly?

For the people who own the turbines and sell that energy.

I hate to disillusion anyone, but mega companies such as Masdar, based out of Abu Dhabi and The UAE, are raking in millions of dollars off of everyone's wind, all over the world, including the US and Scotland. Do you think they care about our birds? Or fisheries?

We would get some money out of that, from jobs. Some.

**We would be selling our wind, our birds, our sea rights, our fisheries.
Let's take a look at that.**

The American Bird Conservancy has stated that the marine areas of Humboldt and Mendocino County are some of the most avian rich on the entire planet.

Does the fate of the world hinge on placing wind turbines in that exact same place, or could they be placed elsewhere?

Due to many factors, as of 2015, seabird abundance had already dropped by 69.7 % in just 60 years, which was noted in a paper published in PLOS ONE, coauthored by Edd Hammill of Utah State University.

Do we want to contribute to that in the very place where seabird life is so abundant?

Just because seabirds, such as the mighty albatross, shearwaters, and puffins are out of sight, are they also out of mind?

As noted by Ben Lascelles, a Senior Marine Officer with Birdlife International, “Most seabirds are long-lived and slow reproducing, this means even quite small increases in mortality can lead to significant population declines, which they take a long time to recover from.”

Are people willing to overlook years of concern for wildlife all of a sudden because of panic driven decision making?

Let’s at least try to be creative, and demand that our energy needs be met with an intellectually competitive process. We need solutions of the future. Not dreams from 1975.

Did we live to regret putting turbines in rivers which ate up our salmon?

Can we please quit trying to solve things with giant industrial solutions?

Isn’t that 20th century thinking? Isn’t that how we created a lot of problems in the first place?

This letter is not being written by some extremist. I realize that, while people have good intentions, they may not be thinking this through.

Sure, wind energy seems sexy and cool and clean, but what’s clean about putting one more hazard in the way of our ever shrinking seabird population, that people USED to care about until they didn’t?

Telling us they are putting the turbines at an altitude where birds aren’t flying etc. is just silly. I don’t have immediate answers for you folks, but once you wipe out the birds, and get to a minimal repopulation number, they aren’t coming back. If that happens you can just quit talking about the dams and the salmon, and live with the legacy you willingly created.

**Suzanne E. Atiyeh,
California Coastal National Monument Ambassador**



[Eureka, CA 95503](#)

S. E. A.

6.1 Net Energy Metering Legislation Update

From: Paul Woodworth
To: rbohn@co.humboldt.ca.us; dgrover@trinidad.ca.gov; sschaefer@cityofarcata.org; curren@bluelake.ca.gov; sbauer@ci.eureka.ca.gov; ferndale1057@gmail.com; mlosey@ci.fortuna.ca.us; wilsonf@cityofriodell.ca.gov; Wilson.Mike@hbmwd.com
Cc: [Matthew Marshall](mailto:Matthew.Marshall@hbmwd.com); [Aisha Cissna](mailto:Aisha.Cissna@hbmwd.com); [Lori Taketa](mailto:Lori.Taketa@hbmwd.com); [Nancy Stephenson](mailto:Nancy.Stephenson@hbmwd.com); [Mike Avcollie](mailto:Mike.Avcollie@hbmwd.com)
Subject: Re: RCEA Agenda 5/27 AB1139
Date: Tuesday, May 25, 2021 9:26:47 PM
Attachments: [AB1139 RCEA 051621.pdf](#)

It seems the previous email was too faint to read, I am resending it here. Thank you for your patience.

To RCEA Chair Sheri Woo and Members of the Board:

We really appreciate that you will be taking action on AB1139 at Thursday's board meeting. I hope you already had a chance to read our letter, attached here.

The state Assembly is expected to vote on AB1139 also this Thursday. RCEA's opposition would send a strong message that it should go no further.

NEM 3.0 is being negotiated by the CPUC right now and will raise rates on future solar customers, however, current legislation guides the CPUC to protect the growth of distributed generation. AB1139 removes that protection, guides the CPUC to implement the worst case NEM 3.0 outcome for rooftop solar, and forces all new NEM installs to be public works state prevailing wage (\$80/hr in Humboldt). AB1139 would absolutely devastate the rooftop solar market and derail the growth of distributed generation.

If, before Thursday, you were independently able to encourage our Assembly Member Jim Wood to vote no on AB1139, that would be amazing.

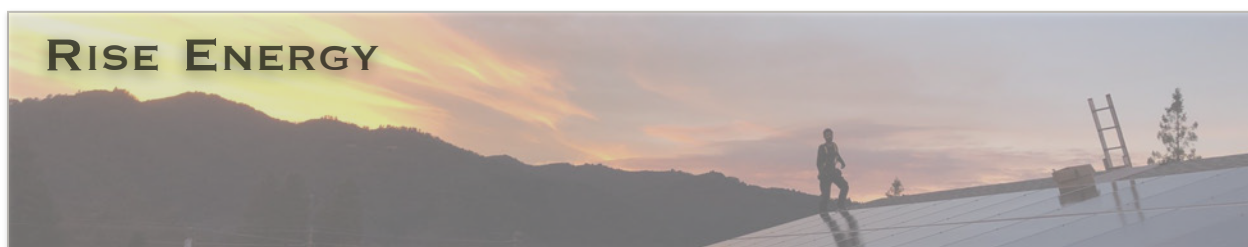
Additional information about NEM 3.0 and AB1139 is here: <https://www.nslimateaction.org/support-citizen-solar?fbclid=IwAR2JuQZm1LnP4bGUOu11JOCLCxGkXhCaXYGpX4W424h7Ubc55EvUW4fTbEw>

Thank you,
Paul Woodworth
707-502-7229

RISE ENERGY
1407 Peninsula Dr.
Arcata, CA 95521
CCL# 973891

On Tue, May 25, 2021 at 4:14 PM Paul Woodworth <solarpowerpaul@gmail.com> wrote:

To RCEA Chair Sheri Woo and Members of the Board:
We really appreciate that you will be taking action on AB1139 at Thursday's board meeting. I hope you already had a chance to read our letter, attached here.
The state Assembly is expected to vote on AB1139 also this Thursday. RCEA's opposition would send a strong message that it should go no further.
NEM 3.0 is being negotiated by the CPUC right now and will raise rates on future solar customers, however, current legislation guides the CPUC to protect the growth of distributed generation. AB1139 removes that protection, guides the CPUC to implement the worst case NEM 3.0 outcome for rooftop solar, and forces all new NEM installs to be public works state



May 15, 2021

Redwood Coast Energy Authority
633 3rd Street
Eureka, California 95501

To Matthew Marshall and the Redwood Coast Energy Authority Board:

It has been a pleasure to work with your organization on many local rooftop solar installations. We are reaching out to you today because we really need your help. There is a bill moving forward in our legislature that would effectively eliminate customer owned rooftop solar. For real, if this bill passed, there would no longer be a market for grid-tied rooftop solar in California. This would be devastating. Please oppose California Assembly Bill 1139.

As you know, Californians who invest in clean energy rooftop solar systems currently benefit from net energy metering (NEM). Through NEM, customers get credit on their energy bills when their solar systems export to the grid. This year, NEM is being renegotiated by the investor owned utilities (IOU's) and the California Public Utilities Commission (CPUC). The modeling used by the IOU's shows that customers with solar are being excessively and unfairly subsidized. This simply is not true, but the argument can be convincing when only a limited picture of our complex energy future is portrayed. Either way, there will be changes made to NEM by the CPUC decision expected in January 2022.

Existing NEM legislation guides the CPUC to benefit both the IOU's and solar customers. AB1139 would change that, directing the CPUC to remove benefits of NEM for solar owners. The California Solar and Storage Association (CALSSA.org) alerted us to this bill; their fact sheet prior to amendments, and current bill timeline, is attached. AB1139 is now in its 4th revision. Though it has changed significantly, all of the power to kill the rooftop solar market is still contained within the bill.

If AB1139 passes, it would:

- Change CPUC legislation to specifically "eliminate the requirement that... customer-sited distributed generation continues to grow sustainably."
- Value exported solar power at the hourly wholesale rate.
- Direct the utilities to charge all bundled kWh fees (except generation) to solar production, whether the power is used on-site or exported to the grid.

- Require public works state prevailing wage for all NEM solar installations.
- Retroactively halve the 20 year economic benefit of NEM for solar already installed.

Our energy future in California is legislated to have a carbon-free grid by 2045. How to reach this goal is complicated, it needs to be well considered and visionary. We appreciate the work RCEA is doing in this respect. Without distributed generation (i.e. rooftop solar plus storage) there must be massive investments in central generation (ie. huge solar fields and wind farms) and major investments in transmission infrastructure to meet our climate goals. As we worked to advocate for a local onshore wind project recently, and failed, one thing was clear: rooftop solar was the most desired pathway forward. Central generation will be a necessary component of our energy future, but for many reasons, it should not be our only path.

If AB1139 passes, energy bills for customers with solar would increase dramatically, it would also set us on the path towards maximum rate increases for everyone. Current legislation guarantees IOU's profit on top of expenses to build out infrastructure, paid for by ratepayers. This makes building expensive grid infrastructure profitable for the IOU's, even when inefficient. Customer owned distributed generation reduces the need for central generation and transmission infrastructure which reduces costs for everyone on the grid. Local generation also makes the grid safer and more resilient.

AB1139 would profit the IOU's at the expense of ratepayers while derailing progress towards distributed generation and our clean energy goals. It would kill California's robust rooftop solar industry, devastating hundreds of small businesses like ours and eliminating thousands of jobs, it would hurt our customers and your customers who have rooftop solar already installed; including low-income households, schools, farms, municipalities, non-profits, churches, and renters. Please reject the outdated modeling used by the IOU's and support the people's vision of locally owned distributed energy generation for a sustainable future.

Please let our representatives in Sacramento know that RCEA opposes AB1139 and supports the installation of more rooftop solar plus storage to reach our goal of an affordable, resilient, safe, equitable, carbon-neutral electrical grid. A roadmap for regulators to use electrical grid modeling that includes distributed generation can be found at localsolarforall.org.

Many thanks for all the good work that you do!

Sincerely,
Rise Energy Crew
solarpowerpaul@gmail.com
707.502.7229

Paul Woodworth
Abner Carlile-Roy
Evan Johnson

Joshua Ponce
Rowan Gratz
Amber Woodworth

Gordon Bishop
William Erickson
Graham McNamee

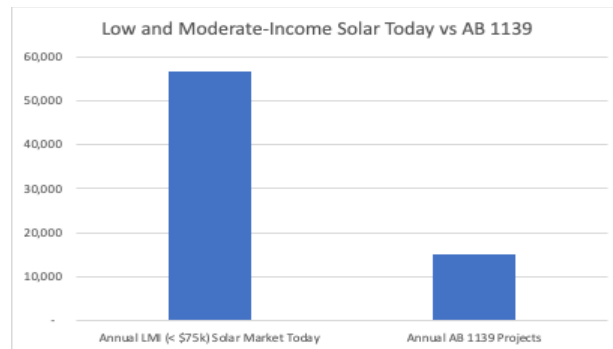


AB 1139 (Gonzalez) Would Harm Low- and Moderate-Income Consumers and Reduce Access to Rooftop Solar

AB 1139 would move California backward in achieving energy equity by harming existing low-income solar users, eliminating the market for multifamily housing, and bringing solar benefits to fewer at-risk communities than today's net metering-based market.

AB 1139 (Gonzalez) Would Add Fees, Cut Savings for Low- and Moderate-Income Solar Users

AB 1139 would allow utilities to charge a \$50 average monthly fee on all low-income solar users regardless of whether they ever export a single electron back to the grid.ⁱ It would also slash the value of solar exported to the grid by 80%.ⁱⁱ Rooftop solar would no longer provide financial savings for low- and moderate-income consumers. Simple payback for a solar system, i.e., when the cumulative monthly bill savings cover the upfront cost, would go from 11 years today to over 45 years. AB 1139 would eliminate the general market for rooftop solar, but it would also reduce the number of solar systems built to service low- and moderate-income consumers to 75% of what it is today.ⁱⁱⁱ



AB 1139 (Gonzalez) Would Hurt 150,000 Existing Low-Income Solar Users

AB 1139 would hurt 150,000 income-eligible CARE consumers who have solar on their home today by retroactively changing their net metering contract, adding fees and reducing compensation for energy exported to the grid on hot summer days. Instead of saving \$122-\$178 on average monthly bills, monthly savings would be reduced to \$37-\$56, a 70% reduction of today's solar savings. This would not be enough to cover the upfront cost of the system, thus harming consumers who were encouraged by the state to embrace clean energy. This kind of retroactive policy is bad for all consumers, but it is especially damaging to working-class solar users.

Low-Income Customer Savings Before and After AB 1139^{iv}

	SDG&E-CARE Monthly Savings	SCE-CARE Monthly Savings	PG&E-CARE Monthly Savings
NEM Today	\$178	\$122	\$139
AB 1139	\$56	\$37	\$45

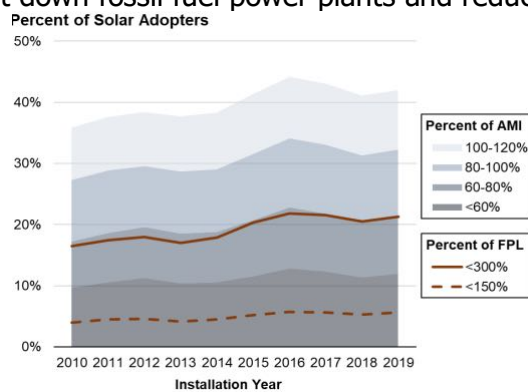
AB 1139 (Gonzalez) Would Put Solar Renters Under Water, Killing the Market for Multifamily Solar

Tenants at multifamily housing projects with solar would pay *more* under AB 1139 than they would if their properties did not have solar. New fees would outweigh solar credits. Projects under development

designed to bring solar benefits to low-income renters would be scrapped, and new projects would not be pursued. Even if the upfront cost of the solar system was covered through a grant, renters of a solarized multifamily housing project under AB 1139 would see their monthly utility bills increase by 60%.^v A solar system wouldn't just be a bad long-term investment for California renters as a result of this bill, they would pay the utility *more* money per month after going solar than before. AB 1139 would put thousands of current and future low-income tenants at financial risk.

AB 1139 (Gonzalez) Would Reverse Positive Trends in Low-Income Solar Adoption

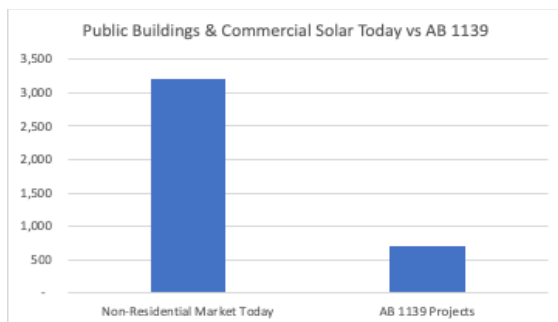
California has invested over \$1 billion to incentivize low-income solar adoption through 2030, with net metering as a critical driver of the economic success of those programs. At present, 15% of all net-metered solar users (150,000) are on income-eligible CARE rates.^{vi} An additional 30,000 rental units serving over 100,000 people at multifamily affordable housing projects are under development via the Solar on Multifamily Affordable Housing (SOMAH) program. According to a recent Lawrence Berkeley National Labs report, solar adoption among low- and moderate-income households is trending upward, covering 42% in 2019, or 60,000 installations. AB 1139 would reverse this positive trend, leaving solar for only the wealthy, save for a relatively small number of fully subsidized systems. This would have a negative effect on efforts to shut down fossil fuel power plants and reduce persistent air pollution.



Solar Adoption Trends by Income (LBNL)^{vii}

AB 1139 (Gonzalez) Would Harm Solar Projects for Schools and Other Public Buildings

AB 1139 would set aside \$500 million to provide discounts for solar on public buildings. Given the negative economics of rooftop solar created by this bill, however, this amount of money would have to completely cover the cost of the system and still, the bill would greatly decrease the financial savings of schools and other public sector buildings. Without the positive economics of solar, efforts to add energy storage to create more resilient communities would falter. Ultimately, California would see just 700 public buildings go up solar under AB 1139, compared to the 3,000 public sector and commercial projects built annually today.



AB 1139 (Gonzalez) Would Bar the CPUC Cutting Costs for All Ratepayers from Rooftop Solar

The last paragraph in Section 5 of AB 1139—enacting PUC section 2827, subdivision (h)—would prohibit the CPUC from deferring distribution system upgrades due to the build-out of distributed energy. This

would eliminate ratepayer savings that would otherwise accrue thanks to the rise in rooftop solar adoption, also known as “non-wires alternatives.” Subdivision (h) states, “...the commission shall not authorize or permit any distributed resources located on the customer side of the meter to be used to defer investment by an electrical corporation in the distribution system.” This language would have utilities build more infrastructure even if cheaper alternatives are available, allowing them to reap a 10% return on investment.

AB 1139 (Gonzalez) Would Kill Hundreds of Small Businesses, Tens of Thousands of Jobs

The vast majority of California’s estimated 2,000 solar companies are small to medium-sized businesses providing energy services within their region of the state. AB 1139 would put the majority of these companies out of business by eliminating the general market. The shuttering of these small businesses would come with a loss of tens of thousands of jobs for solar workers. The solar industry employs approximately 70,000 solar workers today, the majority of whom work in the distributed energy sector.

AB 1139 (Gonzalez) Promotes Exaggerated “Cost Shift” Numbers to Enrich Utilities

AB 1139 promotes exaggerated claims about a solar user “cost shift.” Utilities claim that consumers buying less grid-supplied electricity is a “cost shift,” but in reality, they want to protect their profits. Nobody should be charged for energy they don’t buy from the grid, but that is exactly what the utilities would achieve under AB 1139. Utilities don’t make money selling electrons in California, but they do profit from reinforcing a system that is based on moving electrons across great distances. The CPUC’s recent white paper highlights runaway transmission costs, totaling \$4 billion in 2021 alone, driven by the utilities’ desire for increased profit at the expense of all ratepayers. In contrast, all ratepayers save when one ratepayer goes solar because the energy is delivered to end users without the build-out of more poles and wires. In 2018 alone—thanks to rooftop solar and energy efficiency—state energy officials canceled or modified dozens of massive power line maintenance projects, saving all ratepayers \$2.6 billion.^{viii} A recent study found a major expansion in rooftop solar across the country would save Americans \$473 billion.^{ix} California can lower costs for all ratepayers by continuing to develop rooftop solar and by further encouraging the addition of energy storage.

Conclusion

AB 1139’s provisions to set aside \$1 billion in government funds to further promote energy equity and access for at-risk communities is laudable. But the bulk of AB 1139 harms existing consumers, including low-income consumers, and all but eliminates the rooftop solar market.

ⁱ Based on a system size of 6 kW that covers 85% of the customer’s electricity needs.

ⁱⁱ Current credits average 17.3 ¢/kWh. Credits under AB 1139 would be 3.1 ¢/kWh.

ⁱⁱⁱ Consumer bill savings would be so small under AB 1139 that solar systems for low- and moderate income (LMI) consumers would need to be fully subsidized by the funds created in the bill. Those funds would deliver far fewer systems for LMI consumers than what is built under today’s NEM-based market. To calculate the number of LMI projects supported by this bill, we assume the cost of a medium-sized solar system (6 kW) is \$20,580. \$300 million would only cover the development of 15,000 solar homes per year, which is 75% of today’s 56,700 solar homes under today’s NEM program.

^{iv} Assumes average system size of 6 kW, residential CARE rate for exports under current NEM 2.0 program.

^v Assumes a two-bedroom, one-bath apartment that offsets nearly 90% of its annual electric consumption.

^{vi} Based on data that appears in the CPUC’s White Paper “Utility Costs And Affordability of the Grid of the Future,” Feb. 2021, pages 28-29, and in <https://www.californiadgstats.ca.gov>, 150,000 CARE customers in three IOU territories have rooftop solar. This compares to the 1,075,000 total residential solar projects.

^{vii} Residential Solar-Adopter Income and Demographic Trends: 2021 Update, LBNL.

^{viii} <https://www.utilitydive.com/news/efficiency-ders-saving-26b-in-avoided-transmission-costs-caiso-says/519935/>

^{ix} <https://www.latimes.com/environment/newsletter/2021-01-07/how-rooftop-solar-could-save-americans-473-billion-dollars-boiling-point>

From CALSSA email 5/11/2021

AB 1139 is a real threat that you should take very seriously. It passed its first policy committee by a vote of 12-0. If that isn't evidence enough that you should drop everything and help us defeat AB 1139, I don't know what is.

So, what are we doing about it? Well, first, let's understand the additional steps AB 1139 must go through to become law:

1. It must pass the Assembly Appropriations Committee. AB 1139's author, Lorena Gonzales, chairs that committee so it is safe to say it will clear that hurdle easily. All bills must make it out of Assembly Appropriations by May 21.
2. Then, Assembly Floor. This is where every assemblymember (there are 80) will have a chance to cast a vote on or before June 4.
3. It goes next to the Senate where its first stop would be the Senate Energy Committee. By July 14th, the Energy Committee would need to hear AB 1139 and vote it out.
4. After Senate Energy, AB 1139 would need to clear Senate Appropriations by August 27.
5. AB 1139 would then move to the Senate Floor where it would need 21 aye votes by September 10.
6. The Governor's Desk is the last stop. Within 30 days, he could either veto or sign the bill, or he could do what is called a "pocket veto" in which he ignores the bill and does nothing after which the bill is automatically dead. You never want to let a bill get this far in the process, both for the political optics (e.g. the legislature has spoken) and for real-politick reasons such as you just never know what is going to happen at the end of a legislative session.

From: [Joshua Ponce](#)
To: [Public Comment](#)
Subject: AB 1139
Date: Thursday, May 27, 2021 3:53:51 PM

Please support distributed generation and our local solar jobs by taking a public stance against assembly bill 1139. Our County rejected the last large scale wind project and the public did this in favor of rooftop solar. This bill will kill rooftop solar just as it is taking off in our county. We need distributed generation to provide grid stability, jobs, and ultimately it serves as a key to Californias goal of carbon neutrality by 2045.

Thank you,

Joshua Ponce



1sunforall@gmail.com

-RISE ENERGY-