

Dawn Weisz

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Marin Energy Authority Executive Committee Meeting Wednesday, September 18, 2013 9:00 A.M.

MEA Offices, Large Conference Room 781 Lincoln Avenue, Ste. 320, San Rafael, CA 94901

Agenda - Page 1 of 1

- 1. Board Announcements (Discussion)
- 2. Public Open Time (Discussion)
- 3. Report from Executive Officer (Discussion)
- 4. Job Descriptions and Compensation Studies for MCE Positions (Discussion/Action)
- 5. Draft Policy and Process for Service in New Communities (Discussion/Action)
- 6. Review 9.25.13 Special Meeting Agenda (Discussion/Action)
- 7. Review 10.3.13 Regular Board Agenda (Discussion/Action)
- 8. Board Member & Staff Matters (Discussion)
- 9. Adjourn













September 18, 2013

TO: Marin Energy Authority Executive Committee

FROM: Ashley Aberi, Project Aide

Dawn Weisz, Executive Officer

Katie Gaier, Human Resources Consultant

RE: Job Descriptions and Compensation Studies for MCE Positions (Agenda

Item #4)

ATTACHMENT: A. Job Description for Regulatory Analyst

B. Job Description for Regulatory Counsel

Dear Board Members:

SUMMARY:

As MCE has grown from a new program concept into an operational business serving a large customer base the job classifications and staffing needs have grown and adapted as well. On July 7, 2011, your Board approved a set of job descriptions for the agency that reflected agency needs at that time. Since that time there has been a need to adjust the job descriptions and compensation levels of several positions to conform to new requirements and responsibilities needed by the agency.

In August, 2013 MCE reviewed the job descriptions for two positions within the regulatory team of the agency: Regulatory Analyst and Regulatory Counsel. Job descriptions were updated where needed. In addition a compensation comparison study was conducted for these two positions to evaluate the current appropriate compensation levels for each position.

The methodology used to conduct the compensation comparison study involved matching job descriptions from a variety of public agencies to the two identified MCE positions. In conducting the analysis there was a primary focus on the duties and responsibilities performed, as well a review of the education, experience, and skills required for each position.

The compensation study used public agencies from around California that provide similar services. Because MCE is a public agency that operates like a private electric company, only public agencies that were also revenue generating agencies were included in the study. Public agencies with corresponding positions were included in the benchmarking process that resulted in an average minimum and maximum annual salary for each position. Private agencies were excluded from this study.

In the compensation study there are two variables that did not remain constant: 1. cost of living in the employer community, and, 2. inclusion of a 'deferred compensation' pension as part of the benefits package for the employee. All of the public agencies studies provided health and

welfare benefits, similar to MCE, but also provided deferred pension benefits to employees. In contrast, MCE does not offer a deferred benefits pension to employees, but instead contributes 10% of annual salary to a defined contribution 401(a) plan for employees. This approach avoids future liability for the agency, but should be noted when identifying appropriate compensation levels.

The attached job descriptions have been standardized to provide basic documented information for compliance with the Americans with Disabilities Act and appropriate qualifications, knowledge, skills and other requirements that are job-related and meet legal guidelines as well as indicate exempt and non-exempt status as determined by the Fair Labor Standards Act. Although the recommended salary range for each position is targeting 25% or below for each position, it should allow for the position to be filled adequately and also to allow for some growth by employees within the range.

The Board-approved budget for FY14 would not need any adjustment to account for the recommended compensation levels for each position. Adequate budget was projected for an increase in staff costs during this fiscal year while hiring delays and conservative hiring practices have resulted in continued savings on staffing costs.

Regulatory Analyst

The Regulatory Analyst works under direction from the Legal Director and has responsibility for a wide range of MCE regulatory matters, with particular emphasis on representation of MCE's interests at the California Public Utilities Commission (CPUC). The Regulatory Analyst evaluates proposed regulatory policies to assess the impact on MCE, helps develop MCE positions on issues, and develops analyses, written reports, and presentation materials to support MCE's position. The Regulatory Analyst represents MCE in administrative proceedings before applicable regulatory agencies, including the CPUC, and participates as an expert witness in regulatory proceedings.

Recommendation: Approve revised Job Description for Regulatory Analyst and set salary range for this position at \$68,650 - \$83,600 with exact compensation to be determined by Executive Officer within existing Board approved budget.

Regulatory Counsel

The job description for the Regulatory Counsel has been revised to include the higher level legal work that the position performs. The Regulatory Counsel works under direction of the Legal Director and has responsibility for a wide range of MCE regulatory matters, with particular emphasis on representation of MCE's interests at the California Public Utilities Commission (CPUC) and other California regulatory agencies. The Regulatory Counsel evaluates proposed regulatory policies and applications to assess the legal impact on MCE, helps develop MCE positions on issues, develops analyses, persuasive filings, and strategy to support MCE's position. The Regulatory Counsel represents MCE in administrative proceedings before applicable regulatory agencies, such as the CPUC, California Energy Commission, California Air Resources Board, or California Independent System Operator. The Regulatory Counsel is responsible for legal procedure before these bodies, including written and oral advocacy and cross-examination.

Recommendation: Approve revised Job Description for Regulatory Counsel and set salary range for this position at \$75,500 - \$91,900 with exact compensation to be determined by Executive Officer within existing Board approved budget.

Recommendations:

- 1. Adopt the proposed job descriptions as attached.
- 2. Adopt compensation ranges for each position with exact compensation to be determined by Executive Officer within existing Board-approved budget and commensurate with experience and performance.



Regulatory Analyst Job Description

Summary

The Regulatory Analyst works under direction from the Legal Director and has responsibility for a wide range of Marin Energy Authority (MEA) regulatory matters, with particular emphasis on representation of MEA's interests at the California Public Utilities Commission (CPUC). The Regulatory Analyst evaluates proposed regulatory policies to assess the impact on MEA, helps develop MEA positions on issues, and develops analyses, written reports, and presentation materials to support MEA's position. The Regulatory Analyst represents MEA in administrative proceedings before applicable regulatory agencies, including the CPUC, and may participate as an expert witness in regulatory proceedings. Performs related work and other analytic tasks for MEA as required.

Class Characteristics

The Regulatory Analyst performs assignments under the general supervision of the Legal Director. Regulatory Analyst participates as a MEA representative before various regulatory agencies, including the CPUC, in matters affecting community choice aggregators (CCAs) and other electric utilities, including in ratemaking proceedings, rulemakings, and proposed rules and regulations. The Regulatory Analyst is tasked with reviewing and drafting comments and briefs; providing technical and/or analytic input on regulatory matters; preparation of data requests, testimony, and hearing exhibits, participation in administrative hearings; and researching and preparing analyses for the Legal Director.

Essential Duties and Responsibilities (Illustrative Only)

- Develop policy on key regulatory issues affecting MEA.
 - Represent MEA in regulatory proceedings through preparation of data requests and
- Responses, analytical models, testimony, and exhibits. Review, analyze and summarize filings prepared by utilities and other entities.
- Analyze and interpret regulatory proposals, legislation, and other policy issues.
- Work with Regulatory and Legal Counsel, technical experts and external regulatory counsel to develop effective and persuasive communications before the CPUC.
- Develop reports and analysis for the MEA Board of Directors on regulatory developments.

Supervisory Responsibilities

This job may have some supervisory responsibilities.

Break-down of Time spent on various work areas

Regulatory – CPUC Filings and Case Management	65%
Regulatory – Data Analysis	25%
Other Analytical Tasks	10%

Qualifications

Experience/Education

Bachelor's or Master's degree in accounting, economics, engineering or finance. Minimum of two (2) years of progressively responsible experience in regulatory affairs at an electric utility or in a closely related field.

Knowledge

- Knowledge of California electric utility regulatory issues, CPUC regulatory practices and procedures.
- Experience in utility rate design, electric resource planning or regulatory relations.
- Knowledge of Excel, Word, Adobe Acrobat, and PowerPoint.

Language and Reasoning Skills

- Exercise exceptional analytical skills, sound judgment, creative problem solving, and commercial awareness.
- Analyze and interpret large amounts of information quickly and accurately, and make sound policy recommendations.
- Develop high-quality writing, research and communication work products.
- Deliver clear and persuasive oral communication.
- Interact effectively with administrative bodies and MEA's Regulatory and Legal Counsel, Executive Officer and Board of Directors.
- Manage projects and time efficiently.

Ability to

- Manage multiple priorities and quickly adapt to changing priorities in a fast paced dynamic environment.
- Take responsibility and work independently, as well as coordinate team efforts.
- Be thorough and detail-oriented.
- Work accurately and swiftly under pressure.
- Demonstrate patience, tact, and courtesy.

Physical Demands

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. While performing the duties of this job, the employee is frequently required to use hands to finger, handle, or feel and reach with hands and arms. The employee must occasionally lift and/or move up to 20 pounds.

Work Environment

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The noise level in the work environment is usually moderate.



Regulatory Counsel Job Description

Summary

The Regulatory Counsel works under direction of the Legal Director and has responsibility for a wide range of Marin Energy Authority (MEA) regulatory matters, with particular emphasis on representation of MEA's interests at the California Public Utilities Commission (CPUC) and other California regulatory agencies. The Regulatory Counsel evaluates proposed regulatory policies and applications to assess the legal impact on MEA, helps develop MEA positions on issues, develops analyses, persuasive filings, and strategy to support MEA's position. The Regulatory Counsel represents MEA in administrative proceedings before applicable regulatory agencies, such as the CPUC, California Energy Commission, California Air Resources Board, or California Independent System Operator. The Regulatory Counsel is responsible for legal procedure before these bodies, including written and oral advocacy and cross-examination.

Class Characteristics

The Regulatory Counsel works under the direction of the Legal Director. Regulatory Counsel participates as a MEA representative before various regulatory agencies, including the CPUC, in matters affecting community choice aggregators (CCAs) and other electric utilities, including in ratemaking proceedings, rulemakings, and proposed rules and regulations. The Regulatory Counsel is tasked with writing persuasive motions, comments, and legal briefs; providing strategic and legal input on regulatory matters; oral advocacy in workshops, administrative hearings, evidentiary hearings, and private meetings; and conducting analysis and preparing position documents on legislative matters for the Legal Director and Executive Officer.

Essential Duties and Responsibilities (Illustrative Only)

- Initiate and coordinate regulatory relations activities with staff and decision makers in regulatory agencies, PG&E employees, interested parties, and process stakeholders.
- Analyze potential bills and conduct legislative advocacy in partnership with lobbyists at the California State Legislature.
- Represent MEA in regulatory proceedings through preparation of data requests, motions, briefs, comments, testimony, and other legal documents.
- Review, analyze and summarize filings prepared by utilities and other entities.
- Analyze and interpret regulatory proposals, legislation, and other policy issues.
- Work with Legal Director, technical experts and external regulatory counsel to develop effective and persuasive communications before the CPUC.
- Represent MEA before the CPUC and other regulatory bodies.
- Write persuasive legal briefs to regulatory bodies on behalf of MEA and its customers.
- Engage in relationship building with community stakeholders in order to facilitate regulatory and legislative goals.

- Cross-examination of witnesses during legal and/or regulatory hearings.
- Participation in settlements at the CPUC.

Supervisory Responsibilities

This job may have some supervisory responsibilities.

Breakdown of Time Spent on Various Work Areas

• Re	egulatory	80%
• Le	egislative	10%
• Ot	ther Analytical Tasks	10%

Oualifications

- Law degree from an ABA approved law school and admission to the California Bar. In addition, a Bachelor's or Master's degree in accounting, economics, engineering or finance is desirable.
- Minimum of two (2) years of progressively responsible experience in regulatory affairs at an electric utility, preferably a legal position or in a closely related field.

Knowledge of

- California electric utility regulatory law and issues, CPUC regulatory practices and procedures.
- Utility rate design, electric resource planning or regulatory relations.
- CCA Related issues.
- Excel, Word, Adobe Acrobat, and PowerPoint.

Language and Reasoning Skills

- Exercise exceptional analytical skills, sound judgment, creative problem solving, and commercial awareness.
- Analyze and interpret large amounts of information quickly and accurately, and make sound policy recommendations.
- Develop high-quality legal writing, research and communication work products.
- Deliver clear and persuasive oral communication.
- Interact effectively with administrative bodies and MEA's Legal Director, Executive Officer and Board of Directors.

Skills and Abilities

- Manage multiple priorities.
- Manage projects and time efficiently.
- Quickly adapt to changing priorities in a fast paced, dynamic environment.
- Take responsibility and work independently, as well as coordinate team efforts.
- Be thorough and detail-oriented.
- Work accurately and swiftly under pressure.
- Demonstrate patience, tact, and courtesy.

Physical Demands

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Work Environment

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MCE Expansion and Ratepayer Impacts





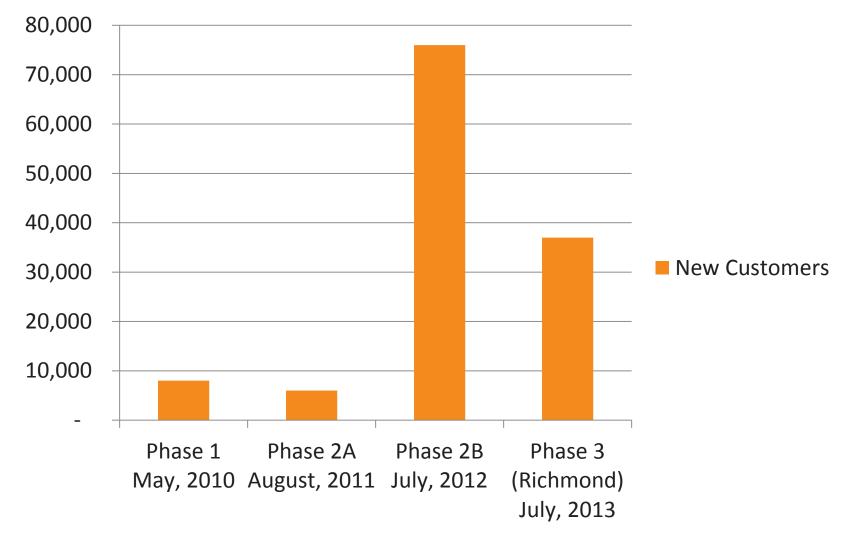




Introduction

- Expansion of MCE service to new communities involves several policy issues: political, economic, environmental and strategic.
- Focus of this presentation is on estimating expansion's direct economic benefits to MCE ratepayers from increasing program sales.
- The specific benefits and costs of a contemplated expansion would be determined through a more detailed applicant analysis.

MCE Expansion History



Expansion Experience

- Expansion within the PG&E service territory is operationally straightforward as protocols are well-defined for enrollment of additional customers – expansion to SCE or SDG&E territory would be more challenging.
- Primary workload increases are related to the initial electric procurement, update of Implementation Plan, communications, and customer service (e.g., opt out processing, enrollment and billing).
- Lessons learned from Phase 2B expansion, particularly in communications and opt-out processing, were applied successfully to Richmond.

How Can Expansion Benefit MCE Ratepayers?

- Greater scale efficiencies can reduce MCE program costs and help reduce customer rates.
- Additional electric purchases can reduce average power supply costs if lower cost power is available in the market.
- Growth through expansion offsets customer attrition that might otherwise result in a slow decline.
- Expansion can enhance MEA credit standing as continuing customer/member growth signals health and competitive success.

Estimated MCE Rate Benefits

Source of Rate Benefit	Impact	Est. Rate Impact for +20% Load Growth	Est. Rate Impact for +100% Load Growth
Fixed costs spread over larger sales base	Small rate benefit because these fixed costs represent only about 5% of MEA budget	Approx. 1% reduction	Approx. 3% reduction
Incremental market purchases may reduce average power supply cost	Depends on market at time of expansion; Currently a modest benefit because MEA supply cost is close to market; could be a detriment if market power prices are increasing	Approx. 1% to 2% reduction	Approx. 2% to 5% reduction
Total		2% to 3% reduction	5% to 8% reduction

COR Impacts on Staff Capacity

Addition of 2 FTE specifically to serve Richmond:

(Annual cost: \$93,000)

- Customer Specialist (Ben Choi)
- Communications and Outreach (Elena Velez .5 FTE)
- Communications and Outreach (Ashley Aberi .5 FTE)

Addition 2 FTE to benefit Agency as a whole:

(Annual cost: \$116,000)

- Legal Analyst (Shalini Swaroop)
- Local Project Development (Rafael Silberblatt .5 FTE)
- Energy Efficiency (Rafael Silberblatt .5 FTE)

COR Impact on Indirect Job Creation

Energy Efficiency Programs: multifamily and small commercial: Modest increase in activity (25%)

- Contract jobs (energy audits, retrofits, upgrades)
- Job training programs

Solar installations: Modest increase expected due to new opportunity sites

- FIT-driven solar installations
- Net Energy Metering driven solar installations

COR Impact on Agency Budget FY2012/13

MCE total revenue FY13: \$ 53,000,000

COR- specific costs:

\$ 350,000

- Staff positions
- Communications Expenses
- Technical Consultants

COR Impact on Agency Budget FY2013/14

MCE Total Revenue: \$86,900,000

Projected COR customer revenue: \$20,800,000

Less expenses

•	Power supply cost	\$ 17,200,000
•	Billing/data management costs	\$ 700,000
•	Staff positions	\$ 100,000
•	Subtotal expenses	\$ 18,000,000

Net contribution to fixed costs: \$2,800,000

Rate benefit: $\approx 3\%$

Expansion Process for COR

The expansion to COR took approximately 24 months from initial consideration to service cutover.

- 1. Expansion criteria established
- 2. Member application/fee agreement
- 3. Applicant analysis
- Board approval
- 5. Implementation Plan update
- 6. Electric procurement
- 7. Communications/outreach
- 8. Enrollment

Questions?











renewable, reliable, affordable,

POLICY NO. 007 – NEW CUSTOMER COMMUNITIES

Whereas MEA's founding mission is to address climate change by using a wide range of renewable energy sources, reducing energy related greenhouse gas emissions and promoting the development of energy efficiency programs; and

Whereas creating opportunities for customer electric service in new communities may allow MEA to further progress towards its founding mission; and

Whereas MEA currently provides a minimum 50% renewable energy supply to all MCE customers (through its default Light Green retail service option), which substantially exceeds similar renewable energy supply percentages provided by California's investorowned utilities (IOUs); and

Whereas the addition of new communities to MEA's membership will inevitably increase state-wide renewable energy percentages due to MCE's specified minimum renewable energy supply percentage of 50%; and

Whereas the addition of new communities to MEA's membership will also decrease greenhouse gas emissions within the Western United States as a result of minimum renewable energy supply percentages exceeding such percentages provided by California's IOUs.

Therefore, it is MEA's policy to explore and support customer electric service in new communities to further agency goals.

In consideration of the above, MEA will allow access to service in new communities through two channels, affiliate membership or special-consideration membership, as applicable:

Affiliate membership considered if:

- 1. All applicable membership criteria are satisfied.
- 2. New community is located in a county that is not more than 30 miles from MCE existing jurisdiction, and
- 3. Customer base in new community is 40,000 or less.

Special-consideration membership considered if:

- 1. All applicable membership criteria are satisfied,
- 2. New community is located in a county that is more than 30 miles from MCE existing jurisdiction and/or the customer-base in the new community is greater than 40,000.

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MCE Affiliate Membership Process

<u>Step 1:</u> Governing body submits letter to MEA from new community jurisdiction, requesting consideration as a member.

<u>Step 2:</u> Staff evaluates request timing to determine if internal resources are available to consider request, and to ensure no impact to core agency functions.

Step 3: Request submitted to MEA Board to authorize initiation of membership analysis.

<u>Step 4:</u> Following MEA Board approval, staff executes contract with governing body of new jurisdiction to fund membership analysis. Staff undertakes and completes analysis.

<u>Step 5:</u> Results of membership analysis presented to governing body of new community and to MEA Board. 1). If all of the affiliate membership criteria below are met, community is automatically authorized to complete affiliate membership process. 2). If all criteria are not met but other compelling criteria are present, Board may consider approval of affiliate membership.

Affiliate Membership Criteria:

- A. Allowing for MCE service in new customer community will result in a projected net rate reduction for existing customer base.
- B. Offering service in new customer community will accelerate greenhouse gas reductions.
- C. Including new community in MCE service will increase the amount of renewable energy being used in California's energy market.
- D. There will be an increase in opportunities to launch and operate MCE energy efficiency activities and programs.
- E. New opportunities are available to deploy local solar and other distributed renewable generation through the MCE Net Energy Metering Tariff and Feed in Tariff.
- F. Greater demand for jobs and other economic activity is likely to result from service in the new community.
- G. The addition of the new community is likely to create a stronger voice for MCE at the State and regulatory level.

<u>Step 6:</u> Governing body of new jurisdiction approves a resolution requesting membership and a standard ordinance authorizing community choice aggregation service through MCE.

<u>Step 7:</u> MEA Board adopts a resolution authorizing membership of the additional incorporated municipality and submits updated Implementation Plan to CPUC.

ORDINANCE NO. XXX

ENERGY	OF THE CITY/TOWN COUN AUTHORITY JOINT POWER ENTATION OF A COMMUN	S AGREEMENT A	
The Ci	ty/Town Council of the City/To	wn of	ordains as follows:
electric service renewable ener	ON 1. The City/Town ofs to constituents within its serving sources, reducing energy relationships of energy efficiency programs.	ce area with the into	ent of using a wide range of
(Stat. 2002, ch. the "Act"), whi combine the ele	ON 2. On September 24, 2002, 838; see California Public Utilish authorizes any California cit ectricity load of its residents and ogram known as Community Ch	ities Code section 3 y or county, whose I businesses in a co	66.2; hereinafter referred to as governing body so elects, to
Aggregation (C Marin Energy a	ON 3. The Act expressly authority (MEA) was established then, as amended from time to the control of the contro	owers agency, and o	on December 19, 2008, the
			c Utilities Commission certified ompliance with the requirements
to	ON 5. In order to become a me individually adopt an ordinance orgram within its jurisdiction by	e electing to implen	nent a Community Choice
Community Chathrough the Cit	ON 6. Based upon all of the ab noice Aggregation program with y/Town of's participation zed to execute the MEA Joint Po	in the City/Town o in the Marin Energ	f's jurisdiction by and
and, before the published once	ON 7. This ordinance shall tak expiration of 30 days after its p with the names of the members , a newspaper of general ci	assage, a summary of the Council vot	of this ordinance shall be ing for and against the same in
	regoing ordinance was introduce held on Date, and		
AYES: NOES: ABSENT:	Councilmember Councilmember Councilmember	/s/	
		XXX, M	ayor
		/s/ XXX C	ity Clerk



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Marin Energy Authority SPECIAL MEETING

Wednesday, September 25, 2013 9:30AM – 4:00PM

The Marin Art & Garden Center, Livermore Pavilion 30 Sir Francis Drake Blvd. Ross, CA 94957

Agenda - Page 1 of 2

- 1. Board Announcements (Discussion)
- 2. Public Open Time (Discussion)
- 3. Report from Executive Officer (Discussion)
- 4. Historical Review and Annual Update (Discussion) (9:30 10:15)
 - Historical Timeline
 - Renewable Energy Procurement
 - Richmond Enrollment Complete
 - Energy Efficiency Programs Succeed
- 5. Presentation from SMUD on Peak-time Pricing Pilot (Discussion) (10:15 10:40)
- (10 min break)
- 6. MCE Support for Local Renewable Projects (Discussion/Action) (10:50 11:30)
- MCE Jurisdiction and Customer Expansion (Discussion) (11:30 – 12:00)

----LUNCH----











- 8. Presentation from Tesla on Battery Storage and Self Generation Incentive Program (Discussion) (1:00 1:50)
- 9. MCE Jurisdiction and Customer Expansion (Discussion/Action) (1:50- 3:00)
- 10. Completion of any Unfinished Items (3:00-4:45)
- 11. Board Member & Staff Matters (Discussion)
- 12. Adjourn



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Marin Energy Authority Board of Directors Meeting Thursday, October 3, 2013

San Rafael Corporate Center, Tamalpais Room 750 Lindaro St., San Rafael, CA 94901

Agenda

- 1. Board Announcements (Discussion)
- 2. Public Open Time (Discussion)
- 3. Report from Executive Officer (Discussion)
- 4. Consent Calendar (Discussion/Action)
 - C.1 9.5.13 Board Minutes
 - C.2 9.25.13 Board Retreat Minutes
 - C.3 Monthly Budget Report
 - C.4 Approved Contract Update
- 5. Energy Efficiency Update (Discussion)
- 6. Communications Update (Discussion)
- 7. Integrated Resource Plan (Discussion/Action)
- 8. Regulatory Update (Discussion)
- 9. Board Member & Staff Matters (Discussion)
- 10. Adjourn









