

CITY AND COUNTY OF SAN FRANCISCO



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TO ALL INTERESTED PARTIES:

Attached is the City Attorney's title and summary for the measure entitled "San Francisco Renewable Energy Truth in Advertising Act." In preparing this title and summary, the City Attorney makes no representation regarding the merits or legality of the proposed legislation. Nor does the City Attorney verify or confirm any factual or legal assertion made in the proposal. The title and summary is presented as a "true and impartial statement of the purpose of the proposed measure." Elections Code § 9203.

Very truly yours,

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/s/ Joshua S. White

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DISCLOSURES REGARDING RENEWABLE ENERGY

State law allows local governments such as San Francisco to develop Community Choice Aggregation (CCA) programs, in which local governments may purchase energy to sell to residential and business customers in their jurisdiction. Under state law, local governments implementing a CCA program must give potential customers the choice to opt out.

San Francisco has created its own CCA program called CleanPowerSF, which the San Francisco Public Utilities Commission (SFPUC) will administer. The City, through its SFPUC, generates hydroelectric power at its Hetch Hetchy facilities in Tuolumne County. The City currently uses this power to meet its municipal power needs and does not sell electricity to most San Francisco residents or businesses.

CleanPowerSF has not commenced buying energy to sell to customers. Until CleanPowerSF begins doing so, most San Francisco residents and businesses must purchase their power from a private company.

State law requires all retail electricity suppliers, including CCAs, to disclose the sources of power being provided from various categories, including from eligible renewable energy resources.

This measure would require the City to inform customers and potential customers of its CCA program of the percentage of “renewable, greenhouse-gas free electricity,” as defined in the measure. The City would have to include this percentage in each communication sent to customers regarding its CCA program. This measure would also require the City to disclose this percentage in at least three written notices to each potential CCA customer before enrolling the customer in the CCA program.

This measure defines “renewable, greenhouse-gas free electricity” to mean:

- electricity derived exclusively from renewable resources located in or adjacent to the California border; or
- electricity generated by the City's Hetch Hetchy facilities.

This measure would also prohibit the City from engaging in any form of advertising or marketing, or from making any public statement, that the electricity it is supplying or will supply in a CCA program is “clean,” “green,” or any similar term, unless the electricity is “renewable, greenhouse gas-free electricity” under the measure.

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