

RESOLUTION NO. 2019-13

RESOLUTION OF THE BOARD OF DIRECTORS OF SILICON VALLEY CLEAN ENERGY AUTHORITY DELEGATING AUTHORITY TO THE CHIEF EXECUTIVE OFFICER TO EXECUTE MASTER AGREEMENTS WITH NRG POWER MARKETING, LLC, WELLHEAD POWER EXCHANGE, LLC, AND DTE ENERGY TRADING, INC. AND TO AMEND APPROVED MASTER AGREEMENT WITH TRANSALTA ENERGY MARKETING (US) INC.

THE BOARD OF DIRECTORS OF THE SILICON VALLEY CLEAN ENERGY AUTHORITY HEREBY RESOLVES AS FOLLOWS:

WHEREAS, the Silicon Valley Clean Energy Authority (“Silicon Valley Clean Energy”) was formed on March 31, 2016;

WHEREAS, Silicon Valley Clean Energy launched service under a community choice aggregation program on April 3, 2017;

WHEREAS, to provide such service, Silicon Valley Clean Energy purchases energy, renewable energy, carbon free energy, resource adequacy and related products and services (the “Product”) from energy generating sources that are cleaner and have a higher percentage of renewable energy than that provided by the incumbent utility and at competitive prices;

WHEREAS, the EEI Master Agreement (“Master Agreement”) is an industry standard framework agreement used for the purchase of Product that establishes certain terms and conditions for the contractual relationship between an energy purchaser and energy supplier, but which does not require a purchaser to purchase or a supplier to supply the Product without further written agreements executed in accordance with the terms and conditions of a Confirmation (“Confirmations”);

WHEREAS, the following Suppliers are currently parties to an Approved Master Agreement:

3 Phases Renewables Inc.

Calpine Energy Services, L.P.

Direct Energy Business Marketing, LLC

Exelon Generation Company, LLC

Morgan Stanley Capital Group, Inc.

NextEra Energy Marketing, LLC

Pacific Gas and Electric Company

Powerex Corp.

Regenerate Power LLC

Shell Energy North America (US), L.P.

Southern California Edison Company

TransAlta Energy Marketing (US) Inc.

WHEREAS, the Board continues to reserve to itself the authority to authorize new Approved Master Agreements; and

WHEREAS, Silicon Valley Clean Energy desires to enter into three Master Agreements with NRG Power Marketing, LLC, Wellhead Power Exchange, LLC, and DTE Energy Trading, Inc. and to amend the Approved Master Agreement with TransAlta Energy Marketing (US) Inc.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the Board delegates authority to the Chief Executive Officer to:

1. Execute Master Agreements with NRG Power Marketing, LLC, Wellhead Power Exchange, LLC, and DTE Energy Trading, Inc. with terms consistent with the form of agreement presented to the Board of Directors, which following such execution by both parties, shall become an Approved Master Agreement, and
2. Amend the current Approved Master Agreement with TransAlta Energy Marketing (US) Inc. with terms consistent with the form agreement presented to the Board of Directors.

ADOPTED AND APPROVED this 14th day of August, 2019 by the following vote:

JURISDICTION	NAME	AYE	NO	ABSTAIN	ABSENT
City of Campbell	Director Gibbons				✓
City of Cupertino	Director Sinks	✓			
City of Gilroy	Director Tovar				✓
City of Los Altos	Director Bruins				✓
Town of Los Altos Hills	Director Corrigan	✓			
Town of Los Gatos	Director Sayoc	✓			
City of Milpitas	Director Nuñez				✓
City of Monte Sereno	Director Ellahie	✓			
City of Morgan Hill	Alternate Director Eulo	✓			
City of Mountain View	Director Abe-Koga	✓			
County of Santa Clara	Director Ellenberg	✓			
City of Saratoga	Director Miller	✓			
City of Sunnyvale	Director Smith	✓			


Chair

ATTEST:


Secretary