

## SILICON VALLEY CLEAN ENERGY AUTHORITY

### RESOLUTION NO. 2021-16

#### A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SILICON VALLEY CLEAN ENERGY AUTHORITY UPDATING THE ANNUAL NEM SURPLUS CASHOUT POLICY

**WHEREAS**, the Silicon Valley Clean Energy Authority (“Authority”) was formed on March 31, 2016 pursuant to a Joint Powers Agreement to study, promote, develop, conduct, operate, and manage energy programs in Santa Clara County; and

**WHEREAS**, at the January 11, 2017 Board of Directors Meeting, the Board adopted Electric Schedule NEM-SVCE, establishing SVCE’s net energy metering policy and associated rates; and

**WHEREAS**, since 2017, annual SVCE payouts have continued to increase under the SVCE Annual Cash-Out terms of Electric Schedule NEM-SVCE, and now significantly exceed payouts under PG&E’s comparable annual net surplus compensation policy; and

**WHEREAS**, customers receiving annual payments are predominantly from higher-income areas, with 70% of customers receiving payments from the top two socioeconomic census quartiles; and

**WHEREAS**, SVCE seeks to reduce annual expenses on NEM surplus cash-outs, remain competitive with PG&E’s NEM surplus compensation policy, and introduce additional NEM surplus credit for low-income customers.

**NOW THEREFORE**, the Board of Directors of the Silicon Valley Clean Energy Authority does hereby resolve, determine, and order as follows:

Section 1. Update SVCE’s Annual Cash-Out terms for NEM customers as described in Attachment 1, Electric Schedule NEM-SVCE 2021, to pay NEM customers annual surplus compensation for surplus kilowatt hours based on a multiple of PG&E’s wholesale net surplus compensation rate, set at two times for non-CARE/FERA NEM customers, and two and one-half times for CARE/FERA customers, up to a maximum of \$5,000 in a year.

Section 2. The updated Cash-Out terms described in NEM-SVCE-2021 will

become effective as of the end-date of a customer's March-April 2022 billing cycle, so that the original terms of the annual NEM cash-out policy will apply through conclusion of the April 2022 annual cash-out cycle, and the new terms will be in effect thereafter.


**PASSED AND ADOPTED** this 11th day of August 2021, by the following vote:

JURISDICTION	NAME	AYE	NO	ABSTAIN	ABSENT
City of Campbell	Director Gibbons	✓			
City of Cupertino	Director Willey	✓			
City of Gilroy	Alternate Director Armendariz				✓
City of Los Altos	Director Fligor	✓			
Town of Los Altos Hills	Director Tyson	✓			
Town of Los Gatos	Director Rennie	✓			
City of Milpitas	Director Chua	✓			
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 Walia	✓			
City of Sunnyvale	Director Larsson	✓			

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Chair

**ATTEST:**

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Andrea Pizano, Board Secretary

**ATTACHMENT**

Electric Schedule NEM-SVCE