

**SILICON VALLEY CLEAN ENERGY AUTHORITY
RESOLUTION NO. 2023-09**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SILICON
VALLEY CLEAN ENERGY AUTHORITY MODIFYING THE
REINSTATMENT DATE OF THE DELINQUENT PAYMENT 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 May 10, 2017 Board of Directors Meeting, the Board adopted the policy FP10, the Delinquent Accounts & Collections Policy, authorizing return of SVCE customers to PG&E for non-payment; and

WHEREAS, in March of 2020, due to the outbreak of the COVID-19 pandemic and statewide shelter-in-place orders, PG&E suspended their service disconnection policy for non-payment, and SVCE suspended its return of customers to PG&E for non-payment; and

WHEREAS, since March of 2020, SVCE customer arrearage amounts have doubled to nearly \$6 million, and the number of customers in arrears has grown from 13,000 to 21,000; and

WHEREAS, COVID restrictions are being lifted, economic conditions are improving, and PG&E was scheduled to reinstate its service disconnection policy effective June 30th, 2021; and

WHEREAS, a broad range of payment plans, discounts and debt relief programs are now available to help impacted customers address their past-due payments; and

WHEREAS, SVCE seeks to reduce arrearage and avoid potential PG&E service disconnections by helping customers identify and utilize available debt forgiveness and financial support programs; and minimize customer returns to PG&E, financial write-offs of bad debt, and exposure to additional arrearage; and

WHEREAS, on June 9, 2021, the Board of Directors of the Silicon Valley Clean Energy Authority approved Resolution No. 2021-12 reinstating SVCE’s delinquent payment policy effective July 1, 2021; and

WHEREAS, on June 24, 2021, the California Public Utilities Commission voted to approve Decision D.21-06-036, extending PG&E’s service disconnection moratorium by three months, from June 30, 2021 to September 30th, 2021; and

WHEREAS, on July 16th, 2021, the Governor approved Assembly Bill 135, establishing the California Arrearage Payment Program (CAPP), which will provide direct credits to customers with past-due balances of 60 days or more, for debts incurred between March 4th 2020 and June 15th 2021, with credits to be applied no later than January 31, 2022; and

WHEREAS, on August 11th, 2021, the Board of Directors of the Silicon Valley Clean Energy Authority approved Resolution No. 2021-18, extending reinstatement SVCE's delinquent payment policy from July 1, 2021, to November 1, 2021; and

WHEREAS, on September 30th, 2021, PG&E announced that it is extending its service disconnection moratorium through January 1, 2022, and is automatically enrolling all residential and small business customers with past due balances over 60 days in new extended payment arrangements; and

WHEREAS, in January 2022, an estimated 11,000 SVCE customers will receive direct credits from the CAPP program and may not have their service disconnected for non-payment for a minimum of 90 days after receiving the credit such that the earliest any CAPP payment recipient would be eligible for service disconnection would be April 2022.

WHEREAS, in Spring 2022, an additional round of funding for the CAPP program was announced and made available to settle customer arrearages for a pandemic-related period of June 16, 2021 through December 31, 2021, to be applied to customer invoices no later than January 2023.

WHEREAS, as of January 2023, an additional group of SVCE customers will have received direct credits from the second iteration of the CAPP program and may not have their service disconnected for non-payment for a minimum of 90 days after receiving the credit such that the earliest any CAPP payment recipient would be eligible for service disconnection would be April 2023.

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

Section 1. SVCE's delinquent payment policy will be reinstated effective May 10, 2023. Affected customers will receive a minimum of three (3) monthly late payment notices before being returned to PG&E; no customer returns will occur before August 2023.

PASSED AND ADOPTED this 10th day of May 2023, by the following vote:

| JURISDICTION | NAME | AYE | NO | ABSTAIN | ABSENT |
|-------------------------|---------------------------|-----|----|---------|--------|
| City of Campbell | Director Scozzola | ✓ | | | |
| City of Cupertino | Director Mohan | ✓ | | | |
| City of Gilroy | Director Hilton | ✓ | | | |
| City of Los Altos | Director Meadows | ✓ | | | |
| Town of Los Altos Hills | Director Tyson | ✓ | | | |
| Town of Los Gatos | Director Rennie | ✓ | | | |
| City of Milpitas | Director Chua | | | | ✓ |
| City of Monte Sereno | Director Mekechuk | ✓ | | | |
| City of Morgan Hill | Director Martinez Beltran | ✓ | | | |
| City of Mountain View | Director Abe-Koga | | | | ✓ |
| County of Santa Clara | Director Lee | | | | ✓ |
| City of Saratoga | Director Walia | ✓ | | | |
| City of Sunnyvale | Director Klein | ✓ | | | |

DocuSigned by:
George Tyson
 5289D831B3DE450...

Chair

ATTEST:

DocuSigned by:
Andrea Pizano
 8BC3564ACEA848D...

Andrea Pizano, Board Clerk