

Community Renewable Energy Agency Board Meeting Minutes

The Community Renewable Energy Agency Board met in a regular public meeting on **Monday, May 6, 2024**, at Millcreek City Hall, located at 1330 E. Chambers Avenue, Millcreek, UT 84106 and participated electronically via GoToMeeting.

PRESENT:

Board Members

In person

Dan Dugan, Chair, *Salt Lake City*
Emily Quinton, *Summit County*
Christopher Thomas, *Salt Lake City*
Jeff Silvestrini, *Millcreek*

Electronic

Randy Aton, *Springdale*
Elissa Martin, *Grand County*
Pamela Gibson, *Castle Valley*
Luke Cartin, *Park City*
Jeremy Rubell, *Park City*
Patrick Schaeffer, *Kearns Metro Township*
David Brems, *Emigration Canyon Township*
Emily Paskett, *Salt Lake County*
Alexi Lamm, *Moab*
Samantha DeSeelhorst, *Cottonwood Heights*
Joe Frazier, *Oakley*
Roger Armstrong, *Summit County*
Kyla Topham, *Springdale*
Holly Smith, *Holladay*
Kaitlin Myers, *Moab*

In Person Attendees: Kurt Hansen, *Millcreek*; Alex Wendt, *Millcreek*; O₂ Utah staff

Electronic Attendees: Bob Davis, *Division of Public Utilities*; Brenda Salter, *Division of Public Utilities*; Lenise Peterman, *Helper City*; Sam Owen, *Salt Lake City staff*; Monica O'Malley, *Salt Lake City Staff*; Carson Hardy, *Orem staff*; Jeanne Everden, *Ogden resident*; Carmen Valdez, *HEAL Utah*; Zach Jacob, *West Jordan*

Minutes by Alex Wendt, Millcreek Deputy Recorder.

REGULAR MEETING – 1:00 p.m.

TIME COMMENCED: 1:03 p.m.

1. Welcome, Introduction, and Preliminary Matters

1.1 Purpose and Overview of Meeting

1.2 Current Participation Percentages included in Board Packet

2. Business Matters

2.1 Approval of April 1, 2024, Board Meeting Minutes

Board Member Silvestrini made the motion to approve the April 1, 2024, Board Meeting Minutes. Board Member Quinton seconded the motion. Chair Dugan asked for the vote. All Board Members voted yes. The motion passed unanimously.

2.2 Treasurer Report (Year-to-Date Contributions and Expenses)

Board Member Silvestrini said that there were three disbursements since the last meeting. These were to the legal counsel, the communications consultant, and to PacifiCorp.

2.3 Discussion Regarding Potential Pathway for Additional Communities to Join the Community Renewable Energy Agency

Board Member Emily Quinton explained how during the 2024 Legislative Session SB 214 made changes to the Community Renewable Energy Act, removing the requirement that a municipality adopt a resolution no later than December 31, 2019, stating a net 100% renewable energy goal. This change presents the possibility that other communities may join and participate in the Utah Renewable Communities Board. Rocky Mountain Power (RMP) is aware that more communities may join and stressed their desire to negotiate one program with one entity. Since the end of the 2024 legislative session the Board Officers have directly or indirectly heard of at least five communities who have an interest in joining. Board Member Thomas said he participated in a few meetings with various communities who would like to know what it means to join. Several communities are large, and it potentially means the energy acquisition changes a lot. Chair Dugan said growing the Program is beneficial in several ways; it helps the environment and the Program succeed. Board Member Silvestrini said adding more communities is great, however, the Board does not want to see new members delaying the current timeline. New communities need to join and contribute on an equal basis. Communities that previously joined passed resolutions of intent and put money towards the Agency to make this happen. If other communities want to participate on an equal basis that is great. Board Member Quinton spoke about a potential pathway for new communities. There should be an agreement addressing voting and payment to join. Other requirements include developing a low-income plan, creating community maps, load estimates and projections, and signing the Utility Agreement, and finally budgeting for noticing costs. These are all required elements of the Program Application that the existing 18 Utah Renewable Communities have ready for when RMP files with the Public Service Commission. If the Board creates a pathway that looks like this there will be a deadline to lessen potential delay. Board Member Quinton reviewed questions for Board Discussion. If allowing other communities to join requires amending and re-signing the governance agreement, how amenable are communities to doing so? How should the payment amount to join the URC board be determined? Should new communities be required to adopt a net 100% by 2030 renewable electricity goal? Assuming the URC board can define and adopt a pathway for other communities to join, what should the deadline for joining be? What else should the Board Officers be considering as we return in June with a potential pathway for board consideration?

Board Member Silvestrini said the Board took a long time negotiating the governance agreement. Right now, most votes are one community, one vote, however the electrical load and municipality population size will also matter. Some milestones of the governance agreement have passed and do not matter anymore. Because this was delicately negotiated and the Board wanted to respect every community, the governance agreement does not have an amendment provision that allows it to be amended without unanimous consent. He does not want to discourage new communities from joining but the group is committed to the Program and does not want to see hiccups. Chair Dugan explained how so far it has been one city, one vote, but this should be a program across Utah. For the five communities that are interested there is a lot of work to do, the low-income plan, maps, and load estimates took years to work on and you will have months. Board Member Quinton asked that communities please contact the Board Officers via Secretary Quinton with additional thoughts and questions.

2.4 Reports From Committees (Program Design, Low-Income Plan, Communications)

Board Member DeSeelhorst spoke about the informational posters, one of the required outreach steps. The posters will be shared with community organizations for posting in public facing spaces. The URC website has an existing low-income resource page which houses the community profiles. This was used in the early stages of the Low-Income Plan process. The page is primarily geared towards agency members rather than community members, which may be insufficient as the timeline moves forward. They have been curating content for a more public-facing energy affordability webpage. Each community is responsible for outreach to any organizations listed in your low-income plan that were not listed by many communities. This outreach must include offering a one-on-one meeting with the organization within one year of the Program being approved by the Public Service Commission. Provide the organization with a copy of your informational poster and provide the organization with a FAQ sheet.

Board Member Thomas gave the update from the Program Design Committee. Please budget for or encumber funds for noticing. PacifiCorp updated their 20-year plan through a filing on April 1st. PacifiCorp's request for proposals for new resources was cancelled. They will be scaling down and delaying resource acquisition until after 2030, and they plan to burn coal in Utah until 2042. There are no planned nuclear plants in Utah. The new version of the RMP plan has a decrease in solar by 68%, and clean energy storage decrease as well. This leaves questions to explore. What will the energy mix be in 2030 according to the updated plan? How much more new renewable energy will the program need to acquire to meet the net 100% target by 2030? Will the URC program be able to acquire more cost-effective renewable resources, given that the Agency does not have to compete with PacifiCorp?

Board Member Thomas reviewed Resolution 24-04. This resolution would give the Board's approval to finalize documents to be filed by RMP with the Utah Public Service Commission for review. This includes a solicitation narrative and solicitation procedures. Importantly the resolution allows some flexibility to tweak the language of documents as the Agency works with RMP to have them filed. RMP will draft testimony supportive with the filing. Appendices will be added to the solicitation narrative. RMP is currently

reviewing the solicitation narrative with a focus on the blue highlighted sections which have to do with accounting. While the resolution gives some flexibility, it specifically enumerates key requirements that must be met. These include resource types and an online date of December 31, 2029; evaluation of the project's interconnection and project readiness, scoring factors, and a bid fee to offset the Agency's engagement of outside expert consultants to evaluate bids. The solicitation narrative has yellow highlighted sections that are placeholders that will be updated. Board Member Thomas plans to continue working with outside counsel Phil Russell and Energy Strategies as well as municipal attorneys for Salt Lake City and Millcreek to determine publication logistics including who will host the solicitation, who will receive the bids, and who will do which parts of the bid evaluation and when.

Board Member Thomas spoke about what is a PPA versus a BTA. A power purchase agreement (PPA) would be signed by PacifiCorp/RMP and the renewable energy developer. It would set a price for each megawatt-hour of electricity generated by the project. A Build Transfer Agreement would specify a price at which Rocky Mountain Power would purchase the project prior to commercial operation. Where does the solicitation approval fit within the larger timeline? The solicitation filing to the Utah Public Service Commission will constitute part one of the Program Application. Part two of the Program Application will contain all other required elements. Board Member Thomas spoke about solicitation procedures. The solicitation rules that would otherwise govern program resource acquisition are unnecessarily complicated because they treat solar resources differently from non-solar resources differently. Because of changes to clean energy tax credits from the 2022 Inflation Reduction Act, there is no longer a need to treat solar resources differently. Please budget for noticing costs in the next fiscal year.

2.5 Public Comment

There were no comments.

2.6 Discussion and Consideration of Resolution 24-04, Resolution of the Board Authorizing Proposed Program Solicitation Documents to be Provided to Rocky Mountain Power for Filing with the Utah Public Service Commission

Chair Dugan said this is a big milestone for the Agency, as well as a big shift. This is because RMP ended their solicitation for new energy sources and the Agency will be conducting their own solicitation. Board Member Quinton said Phil Russell, the legal counsel for the Board is attending the meeting in case there are questions about this resolution. Board Member Silvestrini asked Mr. Russell to speak about potential liability of the Agency with respect to filing this document with the Public Service Commission. Mr. Russell said there should not be any liability attached. The broad scope of the life of this solicitation is required by state statute.

Board Member Silvestrini moved to approve Resolution 24-04, Resolution of the Board Authorizing Proposed Program Solicitation Documents to be Provided to Rocky Mountain Power for filing with the Utah Public Service Commission. Board Member Brems seconded the motion. Chair Dugan asked for the vote. All Board Members voted yes. The motion passed unanimously.

2.7 Board Member Comments

Board Member Silvestrini thanked Board Member Thomas, Board Member Quinton, and

Mr. Russell for their hard work. Board Member Silvestrini spoke with KSL radio and the article misconstrued things, indicating that RMP had severed their partnership with the Board and that they were no longer participating, which is not accurate. Chair Dugan said he appreciates the communities that want to join the program, it will benefit the state. Please keep asking questions and they will be more than happy to dialogue.

2.8 Closed Session (If needed)

3. Adjournment

Chair Dugan moved the motion to adjourn the meeting at 2:11 p.m. Board Member Silvestrini seconded the motion. Chair Dugan called for the vote. All Board Members voted yes. The motion passed unanimously.



APPROVED: _____ **Date**

Dan Dugan, Chair

ATTEST:



Emily Quinton, Secretary