

## Footnotes

California Code of Regulations. Title 20. Public Utilities and Energy, §1394.1 (c)(5)(g), page 121: “New community choice aggregators shall report the GHG emissions intensity of their electricity portfolios beginning with the first annual report containing data from the first full calendar year of operation following the first 24 months of serving their first retail customer.” Thus, OCPA launched 4/2022, 24 months later is 4/2024. 2024 data is not due until mid-2025. Any regulatory audit, if pursued, would likely not commence until 2026. During OCPA’s February 15, 2023 board meeting’s primer “Power Portfolio Regulation & Reporting,” OCPA’s consultant skipped discussing with board members this 24-month deferral issue at three opportunities (video’s PowerPoint text display at elapsed time 1:59:48 & 2:02:43, and video’s PowerPoint power content label at 2:06:09).

OCPA board meeting, January 11, 2022, “Adopt Resolution Approving Initial OCPA Rate Design,” Scenario 3 Rate Design (parity to SCE), Item 5.2 (includes Basic Choice at 38.5% renewable energy), motion to accept by Director Posey (Huntington Beach), seconded by Director Sonne (Buena Park), passed unanimously. California’s renewable portfolio standard for 2022 called for 36.5% renewable energy.

In August of 2019 the City of Irvine’s Director of Public Works, summarizing Irvine’s June 18, 2019 CCA Feasibility Study, authored by EES Consulting, summarized that Irvine’s start-up and working capital could be recovered “while still achieving a two percent rate discount compared to SCE’s current rates.”

Full accounting of OCPA’s energy may be achieved by juxtaposing: (i) all energy sales invoices; (ii) all energy procurement invoices; (iii) all investor-owned voluntary allocation and market offers (including associated proforma contract (or associated modified contract) identifying delivered RECs); (iv) all power purchase agreements; (v) all confirmation agreements; (vi) all CAISO Settlement Statements; (vii) all NERC e-Tags; (viii) all raw submittals used in preparation for California Energy Commission’s power source disclosures; (ix) all WREGIS logs identifying all REC activity. Additionally, this writer would ask for (x) all emails between OCPA and Pacific Energy Advisors; and (xi) all emails between Pacific Energy Advisors and (a) Best Best Krieger LLP, (b) Shell Energy North America, (c) Morgan Stanley, and (d) OCPA’s Scheduling Coordinator(s).