



May 26th, 2021

TO: Members of the California State Legislature  
 cc: Governor Gavin Newsom & the California Public Utilities Commission  
 State Capitol  
 Sacramento, CA 95814

RE: AB 1139 – OPPOSE

Dear Members of the California State Legislature,

We are writing to convey our opposition to AB 1139 and urge you to oppose the bill as well.

California is committed to getting to 100 percent clean energy and rooftop solar needs to play a key part in that. The [California Energy Commission](#) estimates that the state will need three times as much rooftop solar as it had in 2019 to meet the state’s clean energy targets.

Distributed solar provides important environmental and public health benefits. Rooftop solar and storage help avoid greenhouse gas emissions and pollution that harms our health, both from fossil fuel power plants and diesel generators used during power outages. Rooftop solar also helps minimize our need for large renewable energy facilities that have a much bigger environmental footprint.

Local solar and storage contributes to grid resiliency. As we face growing threats from wildfires, grid resiliency is increasingly valuable as communities work to respond to the devastating impact of climate change on our state.

Rooftop solar also reduces the need for costly investments in the grid such as increased transmission and distribution as well as capacity investments. This was demonstrated In 2018 when the California Independent System Operator (CAISO) recommended cancelling and modifying several dozen transmission projects due to increased energy efficiency and the growth of rooftop solar. The changes proposed by CAISO avoided \$2.6 billion in future costs that would have been passed on to all ratepayers, hurting those who can afford it least.

This bill would end California's decades-long policy to require the Public Utilities Commission to maintain rates that will allow rooftop solar and other distributed energy resources to continue to grow, unravelling our state's investment in this clean energy technology.

This would give utilities outsized power to saddle all customers with higher rates due to unnecessary and costly investments in the grid that we would be able to avoid with the continued growth of rooftop solar.

Additionally, this bill proposes a backstop NEM 3.0 policy that is even worse than the proposals submitted by the investor-owned utilities in the California Public Utility Rulemaking taking place right now. It would shorten the length of time all existing net metered customers receive retail credit from twenty years to ten years, drastically and unfairly reduce the bill credit for clean energy exported to the grid, and place large fixed charges on all rooftop solar users, including the 15% of current solar users who are CARE customers. Together, these policy changes would result in a payback period far beyond the lifetime of a solar system, harming existing customers who entered into agreements to contribute to the clean energy economy with their home solar system on good faith that they would have their up front investment paid back over time. And it would chill future adoption through a precedent setting policy that would devastate solar and other clean energy markets.

This bill would be particularly harmful to California's low- and moderate-income consumers and renters who are adopting rooftop solar in increasing numbers today. There is nothing equitable about AB 1139. The bill as amended does nothing new to promote clean energy equity but rather reverses and harms equity initiatives already in place. AB 1139 includes an annual report on low-income solar adoption, but that is no substitute for a well-established and increasingly inclusive rooftop solar policy, net metering.

Right now, California should be focused on growing rooftop solar and storage. This bill, which is nothing more than an attempted power grab by the utilities, would gut rooftop solar. AB 1139 would be bad for consumers, bad for the environment and bad for our climate. For these reasons, we strongly urge you to oppose AB 1139.

Sincerely,

Laura Deehan  
State Director  
Environment California

Kathy Dervin  
Legislative Affairs  
350 Bay Area Action

Allis Druffel  
Southern California Director  
California Interfaith Power and Light

Ellie Cohen  
CEO  
The Climate Center

Susannah Churchill  
Senior Regional Director, West  
Vote Solar

Andrea Leon-Grossman  
Director of Climate Action  
Azul

Glen Brand  
V.P. Policy and Advocacy  
Solar United Neighbors

Robert Gould  
President  
Physicians for Social Responsibility, SF

Nick Josefowicz  
Chief of Policy  
SPUR

Pedro Galvao  
Policy Director  
Non Profit Housing Association of Northern  
California

Linda Hutchins-Knowles  
California Senior Manager  
Mothers Out Front California

Kevin Ma  
Policy Lead  
Silicon Valley Youth Climate Action

Howard Penn  
Executive Director  
Planning and Conservation League

Maggie Hall  
Senior Attorney  
Environmental Defense Center

Diane Bailey  
Executive Director  
Menlo Spark

Diana Weynand  
Chapter Chair  
Climate Reality Project San Fernando Valley

Timothy Kohut  
Director of Sustainable Design  
National Community Renaissance

Tara Barauskas  
Executive Director  
Community Corporation of Santa Monica

Tara Barauskas  
Co-chair  
Climate Reality Los Angeles

Bill Allayaud  
California Director of Government Affairs  
Environmental Working Group

Jenny Green  
Leadership Team  
Mothers Out Front Silicon Valley

Lisa Swanson  
Policy Chair  
Climate Reality Project Orange County

Jennifer Thompson  
Executive Director  
Sustainable Silicon Valley

Esperanza Vielma  
Executive Director  
Environmental Justice Coalition for Water

Ruben Aronin  
Sr Vice President  
Better World Group

Emily Rusch  
CALPIRG