



June 29, 2023

Business and Community Outreach Program
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

RE: Draft Resolution M-4868 Approving the Equity and Access (E&A) Grant Program

To the Business and Community Outreach Program:

The California Environmental Justice Alliance (“CEJA”), Vote Solar, The Climate Center, and Sierra Club (“the Joint Parties”) respectfully submit these comments on Draft Resolution M-4868, which would approve the Equity and Access (E&A) Grant Program and use state-appropriated funding of \$30,000,000 to provide technical assistance and capacity-building for Community-Based Organizations (“CBOs”) and California Native American tribes.

The Joint Parties appreciate the Commission’s commitment to improving the capacity of CBOs and tribes to participate in agency decision-making. However, as organizations with direct experience attempting to engage at the Commission, we are disappointed with the proposed contours of the E&A Grant Program, which, as discussed in CEJA’s February 2023 comments, are overly restrictive such that they will not maximally contribute to the legislative aims of increasing community engagement at the Commission.¹

I. The Proposal Fails to Support Effective Outreach and Sustainable Avenues for Public Participation.

The Joint Parties broadly support the Commission providing funding to compensate organizations for their time participating in Commission activities. However, allocating funding to the Public Participation Grants and Equity, Engagement, and Education Grants fails to resolve the central issue of how organizations begin engagement at the Commission in the first place.

Appendix A of the Draft Resolution lists the 41 groups that the Commission reached out to regarding its focus group. This group includes several environmental justice (“EJ”)

¹ See Attachment A for this Comment.

organizations, none of whom appeared to reply or participate. The Joint Parties are skeptical that no EJ organizations were interested in engaging in this topic, and instead, we seek more clarity on what the Commission's process for outreach was. CEJA itself, as well as CEJA member organization Communities for a Better Environment ("CBE"), are listed, yet the staff members at CEJA and CBE who work on community engagement and distributed energy at the PUC have no record of contact from the Commission regarding the E&A Grants. Similarly, Vote Solar's California Regulatory Director has repeatedly not received relevant information from the Commission that often goes to Vote Solar employees *outside* of California instead. At best, the fact that the Commission is noting that it reached out to CEJA, while CEJA noted in opening comments that CEJA and other ally organizations were not even aware of this proposal until February 2023, is confusing; at worst, it suggests yet another example of "box checking" from the Commission without meaningful outreach efforts. This is particularly problematic when current representatives of many of these organizations and their contact information are available in open and active proceedings at the Commission. As a starting point, the Commission could more effectively reach out to CBOs by obtaining their contact information from relevant proceeding service lists, or simply email the service lists themselves—much like how the Draft Resolution was emailed to multiple service lists.

We recognize that the Commission may have sent an email to CBO contacts who either do not work at the CBO anymore, or do not work in the same role as before. CBOs have frequent staff turnover, and any agency interested in making serious efforts to reach CBOs must contend with this reality. The relationship-building that is needed between the Commission and CBOs starts with investments in a more sustainable, holistic approach to community engagement, including investment in the Commission's permanent staff. In its February 2023 comments, CEJA asked questions and made suggestions regarding the role of the Commission's Business and Community Outreach ("BCO") program, and how the BCO can foster real and lasting relationships with CBOs. Not a single point that CEJA raised was addressed or incorporated into the Draft Resolution.

The Commission's inability to meaningfully engage with or even reach community members and organizations on the ground will be made even more dire by the Commission's proposal that these grants be limited to organizations who have not received intervenor compensation in the past twelve months. Not only does this suggestion undermine the very hard work of CBOs who have managed to break through the Commission's barriers to participation with little compensation for doing so, but it also raises the question of *how* new organizations will even be supported enough to receive those funds in the first place. This is a question that CEJA began to answer in great detail in its February 2023 comments, which, again, was not incorporated into the Draft Resolution.

Given the above difficulties, none of the E&A Grants should be limited by previous intervenor compensation status; rather, the grants should be complementary to intervenor compensation, as recommended by the Center for Biological Diversity, Vote Solar, The Climate Center, and the Coalition for Environmental Equity and Economics in their February 2023 comments.

II. The Clean Energy Access Grant Should Not Be Restricted to Three Programs.

The Joint Parties support the Commission providing funding to assist organizations in planning for clean energy projects. However, the funding should be available to more programs and not tied to three specific statutory programs and proceedings at the Commission. The Commission justifies allocating funding to only TECH, MIP, and SGIP due to “known barriers,” but realistically, communities and CBOs face barriers to *all* CPUC programs and proceedings. CBOs should be able to utilize funding to engage in the programs they find most beneficial and impactful for their communities’ needs, and the artificial restriction on where the funding can be used ironically presents yet another barrier to community participation, and can reduce the impact that the funding can have on communities.

For example, although TECH does focus on building decarbonization, there are other federal and state programs, including other CPUC programs, that also focus on building decarbonization, and community groups should not be artificially siloed to focus solely on TECH (or MIP, or SGIP), when they may want to use this funding to access other programs, such as SOMAH, community renewables, or other new programs that continue to be created at the state level. In addition, it is important that community groups can fill the role of community champions, as envisioned in R.20-01-007’s Staff Paper, and provide community-based leadership to decarbonize homes and communities. Under this current proposal, groups may not be able to fulfill that critical role.

The proposal to only allow funding to be used toward three programs needlessly limits how communities can apply this funding, and perpetuates siloes between technical, piecemeal proceedings that are challenging for community members to engage in. Instead of limiting funding to only three programs, the Commission should use this opportunity to build holistic, better-integrated avenues for public participation, as noted in CEJA’s February 2023 comments. Importantly, the Legislature envisioned that this money could be used for broad purposes including providing “capacity grants” and “support [for] ongoing equity initiatives and provid[ing] clean energy access.” Given this stated intent, the Commission should use this funding to support community engagement more broadly, including by supporting a one-stop shop for community members to easily access information on how to work with the Commission, local governments, and other parties to install resilience centers, clean back-up generators, community solar and storage, weatherization, energy efficiency, heat pumps, and more.

Respectfully Submitted,

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