

*Catherine Sandoval
500 El Camino Real
Santa Clara, CA 95008*

May 6, 2019

Mayor Lisa M. Gillmor
City of Santa Clara
City Hall
1500 Warburton Ave., Santa Clara, CA 95050

Dear Mayor Gillmor:

My name is Catherine Sandoval, and since 2004 I have worked in the City of Santa Clara as a law professor at Santa Clara University. I'm writing to express my concerns in my individual capacity as a tenured professor who works and teaches in the City of Santa Clara about the City's proposed resolution Amending Silicon Valley Power's Rules and Regulations to Require New or Modified Self-Generation Facilities to Utilize Renewable Generation and Fuel Sources. I teach courses and conduct research on energy, antitrust, communications and contract law. I served a six-year term as a Commissioner at the California Public Utilities Commission (CPUC). I previously served as Undersecretary of the State of California's Business, Transportation, and Housing Agency. I support the State of California's and City of Santa Clara's objectives to transition to renewable energy sources by 2045. I write to express my concern that the Resolution in file 19-329 is not supported by any analysis of the renewable natural gas market for stationary sources or the Resolution's likely Greenhouse Gas (GHG) effects.

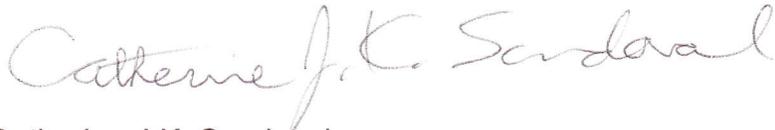
The agenda packet for the Resolution requiring renewable fuel sources for interconnected self-generation by June 1, 2019 offers *no analysis* of the procurement market for renewable natural gas (biomethane) for stationary users. My research as an energy law professor found that much of the biomethane available in California is used for the transportation market, and insufficient biomethane is available to meet transportation needs. The CPUC is examining renewable natural gas interconnection tariff and technical issues, and is holding a workshop on that topic on May 23 and 24. Neither the Resolution, nor the proposed Silicon Valley Power rules and regulations (SVP tariff), nor any material in the agenda packet offers the public or the City Council any analysis of the biomethane market for stationary users such as fuel cells. The absence of this analysis renders arbitrary and capricious the Resolution's proposed restriction on fuel cell generation sources to be implemented in less than one month.

Neither does the Resolution offer any analysis of the likely GHG impact of limiting interconnected fuel cells to renewable sources if such sources are effectively unavailable for stationary source users in California. Legally sound analysis, and good government that serves the people who live and work in the City of Santa Clara, requires more examination of the market and the proposed Resolution's consequences.

The proposed Resolution and SVP tariff as currently drafted do not offer a pathway to success for achievement of renewable energy goals. Neither do they analyze the proposal's consistency with reliability, safety, just and reasonable rates, competition, consumer choice, and GHG mitigation. Nor is the scope of its intended application clear or adequately supported.

I urge the City Council to conduct and timely disclose for public comment independent expert analysis of the state of the renewable natural gas procurement market for stationary sources, the Resolution's likely GHG effects, and to consider alternatives commensurate with the biomethane market's development. Such analysis is necessary for legally sound decision-making in the interests of those who live, work, and invest in the City of Santa Clara, for the people of the State of California, and to mitigate climate change. I regret that I cannot attend the City Council meeting in person and thank you for considering my comments on this proposed resolution.

Sincerely,

A handwritten signature in cursive script that reads "Catherine J.K. Sandoval". The signature is written in dark ink and is positioned above the printed name.

Catherine J.K. Sandoval

Cc: Vice Mayor Mahan
Councilmember Hardy
Councilmember Watanabe
Councilmember Chahal
Councilmember O'Neill
Councilmember Davis
City Manager Deanna Santana
Assistant City Manager and Interim Chief Electric Utility Officer Manuel Pineda