

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AMENDING SAN JOSE CLEAN ENERGY SERVICE OFFERINGS TO INCLUDE TWO NEW SERVICE OFFERINGS FOR NON-RESIDENTIAL CUSTOMERS TO ESTABLISH A SAN JOSE CLEAN ENERGY ECONOMIC DEVELOPMENT RATE SET AT 12 PERCENT BELOW PACIFIC GAS AND ELECTRIC COMPANY'S BUNDLED SERVICE GENERATION CHARGES, INCLUSIVE OF THE POWER CHARGE INDIFFERENCE ADJUSTMENT AND FRANCHISE FEE SURCHARGE, THAT WILL BE OFFERED TO RATEPAYERS APPROVED TO RECEIVE PG&E'S ECONOMIC DEVELOPMENT RATE; AND TO ESTABLISH A GREEN TRANSPORTATION PROGRAM THAT OFFERS 100 PERCENT EMISSIONS-FREE POWER AT A DISCOUNTED RATE OF \$0.005 PER KILOWATT-HOUR TO PUBLIC TRANSPORTATION ACCOUNTS SERVING GUIDED RAIL TRACTION POWER FACILITIES**

**WHEREAS**, the City of San José ("City") City Council unanimously approved the formation of San José Clean Energy ("SJCE") in May 2017, and SJCE launched service to most businesses and residents in February 2019; and

**WHEREAS**, on November 7, 2017, City Council approved an ordinance to add Title 26 to the San José Municipal Code that provides procedures for the operation and management of SJCE, whereby SJCE may provide any rate designs or programs as approved by the City Council; and

**WHEREAS**, SJCE staff have studied the feasibility of special service offerings for non-residential customers for several years, but to date, SJCE has not offered anything beyond standard rates for non-residential customers. Other community choice aggregators have built out such offerings to retain and attract non-residential customers to their services as well as further the sustainability goals of their communities and

ratepayers. Such non-residential offerings have always been a part of SJCE's plan to meet its goals and mission; and

**WHEREAS**, this resolution enables SJCE to offer two new non-residential service offerings. An SJCE Economic Development Rate ("EDR") would allow customers who obtain the EDR with Pacific Gas and Electric Company ("PG&E") to stay with SJCE at the same cost and continue to enjoy cleaner electricity. The Green Transportation Program will offer 100 percent emissions-free electricity to public transportation customers at a discount, furthering Climate Smart San José goals to remove emissions from transportation and encourage the reduction of vehicle miles traveled. These offerings align with the City's commitment to sustainability and economic growth;

**NOW, THEREFORE**, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

San José Clean Energy service offerings are hereby amended to include the following services for non-residential customers:

- A. Establish a SJCE economic development rate set at 12 percent below PG&E's bundled service generation charges, inclusive of the power charge indifference adjustment and franchise fee surcharge, that will be offered to ratepayers approved to receive PG&E'S economic development rate; and,
- B. Establish a green transportation program that offers 100 percent emission-free power at a discounted rate of \$0.005 per kilowatt-hour to public transportation accounts serving guided rail traction power facilities.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

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MATT MAHAN  
Mayor

ATTEST:

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TONI J. TABER, CMC  
City Clerk