

AMENDED IN SENATE AUGUST 19, 2016

AMENDED IN SENATE JUNE 22, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2163

Introduced by Assembly Member ~~Low~~ Williams

February 17, 2016

~~An act to add Section 89500.3 to the Education Code, relating to the California State University. An act to add Section 2827.5 to the Public Utilities Code, relating to electricity, and declaring the urgency thereof, to take effect immediately.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 2163, as amended, ~~Low Williams. California State University: appointment of campus presidents. Net energy metering: Imperial Irrigation District.~~

Existing law requires every electric utility, defined to include an electrical corporation, local publicly owned electric utility, or an electrical cooperative, to develop a standard contract or tariff providing for net energy metering, as defined, and to make this contract or tariff available to eligible customer-generators upon request for generation by a renewable electrical generation facility. An electric utility, upon request, is required to make available to eligible customer-generators contracts or tariffs for net energy metering, on a first-come-first-served basis until the time that the total rated generating capacity used by eligible customer-generators exceeds 5% of the electric utility's aggregate customer peak demand. Existing law provides that an electric utility that is not a large electrical corporation is not obligated to

provide net energy metering to customers in its service area once the above level is reached.

The bill would require the Imperial Irrigation District to provide net metering service to eligible customer-generators that meet certain requirements, as specified. Because this bill would increase the level of service provided by a local publicly owned utility, this bill would impose a state-mandated local program.

This bill would make legislative findings and declarations as to the necessity of a special statute for the Imperial Irrigation District.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

This bill would declare that it is to take effect immediately as an urgency statute.

~~Existing law establishes the California State University, under the administration of the Trustees of the California State University, as one of the segments of public postsecondary education in this state. The California State University comprises 23 institutions of higher education, each of which is headed by a president who is appointed by the trustees.~~

~~This bill would require the trustees, in exercising its authority to appoint presidents, to require a person appointed as president of a campus of the California State University to participate in at least one public forum on that campus within 15 working days after the trustees make that appointment.~~

Vote: ~~majority~~^{2/3}. Appropriation: no. Fiscal committee: yes. State-mandated local program: ~~no~~^{yes}.

The people of the State of California do enact as follows:

- 1 *SECTION 1. Section 2827.5 is added to the Public Utilities*
- 2 *Code, to read:*
- 3 *2827.5. (a) Notwithstanding paragraphs (1) and (4) of*
- 4 *subdivision (c) of Section 2827, for the Imperial Irrigation District,*
- 5 *net energy metering pursuant to Section 2827 shall be made*
- 6 *available, continuously and without interruption, to an eligible*
- 7 *customer-generator, as defined in Section 2827, who performed*
- 8 *any of the following acts prior to July 19, 2016:*

1 (1) Submitted a complete net energy metering application to,
2 or applied for a solar rebate from, the district.

3 (2) Executed a contract for a renewable electrical generation
4 facility to be located within the district's service territory.

5 (3) Contracted to purchase a new solar home located or to be
6 located in the district's service territory.

7 (b) Notwithstanding the net energy metering program limit of
8 paragraphs (1) and (4) of subdivision (c) of Section 2827 or any
9 other law, net energy metering pursuant to Section 2827 shall be
10 made available and without interruption to the Department of
11 Corrections and Rehabilitation as an eligible customer-generator
12 pursuant to subparagraph (B) of paragraph (4) of subdivision (b)
13 of Section 2827 for facilities within the service territory of the
14 Imperial Irrigation District for eligible renewable electric
15 generation facilities developed pursuant to bids awarded on or
16 before July 19, 2016.

17 (c) (1) Eligible customer-generators taking service under a net
18 energy metering tariff or contract required by this section and
19 Section 2827 with the Imperial Irrigation District shall be eligible
20 to continue service under the net energy metering tariff under the
21 same terms and conditions as eligible customer-generators who
22 enrolled in net energy metering pursuant to paragraph (1) of
23 subdivision (c) of Section 2827.

24 (2) The Imperial Irrigation District shall develop a contract or
25 tariff for the Department of Corrections and Rehabilitation, as an
26 eligible customer-generator pursuant to subparagraph (B) of
27 paragraph (4) of subdivision (b) of Section 2827, consistent with
28 the requirements of Section 2827.

29 (d) The Imperial Irrigation District shall send written
30 notification to all customers eligible for net energy metering or
31 net surplus compensation pursuant to subdivision (a) or (b) and
32 shall make available all forms required by subdivision (d) of
33 Section 2827 within 15 days of the effective date of this section.
34 Enrollment in net energy metering and interconnection of an
35 eligible customer-generator who has submitted a complete net
36 energy metering application on or before July 19, 2016, shall
37 occur consistent with the requirements of subdivision (e) of Section
38 2827 but shall occur no later than 60 days from the date the
39 Imperial Irrigation District receives the completed application
40 form or the effective date of this section, whichever is later.

1 (e) This section does not require Imperial Irrigation District to
2 interconnect an eligible customer-generator unless that eligible
3 customer-generator is the owner or occupant of the premises
4 served by a renewable electrical generation facility.

5 SEC. 2. The Legislature finds and declares that a special law
6 is necessary and that a general law cannot be made applicable
7 within the meaning of Section 16 of Article IV of the California
8 Constitution because of the unique circumstances of the Imperial
9 Irrigation District.

10 SEC. 3. No reimbursement is required by this act pursuant to
11 Section 6 of Article XIII B of the California Constitution because
12 a local agency or school district has the authority to levy service
13 charges, fees, or assessments sufficient to pay for the program or
14 level of service mandated by this act, within the meaning of Section
15 17556 of the Government Code.

16 SEC. 4. This act is an urgency statute necessary for the
17 immediate preservation of the public peace, health, or safety within
18 the meaning of Article IV of the Constitution and shall go into
19 immediate effect. The facts constituting the necessity are:

20 To ensure that eligible customer-generators described in
21 subdivision (a) or (b) of Section 2827.5 of the Public Utilities Code
22 located in the service territory of the Imperial Irrigation District
23 are provided with net energy metering service in an expeditious
24 manner, it is necessary for this measure to take effect immediately.

25 SECTION 1. ~~Section 89500.3 is added to the Education Code,~~
26 ~~to read:~~

27 ~~89500.3. In exercising its authority to appoint campus~~
28 ~~presidents, the trustees shall require a person appointed as president~~
29 ~~of a campus of the California State University to participate in at~~
30 ~~least one public forum on that campus within 15 working days~~
31 ~~after the trustees make that appointment.~~