

SMUD BOARD OF DIRECTORS MEETING

(PUBLIC MEETING PORTION)

CERTIFIED

June 4, 2019
6:10 p.m. to 7:45 p.m.

Held at
SMUD
6301 S Street
Rubicon Room
Sacramento, CA 95817

Reported by THRESHA SPENCER, CSR No. 11788

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INDEX OF APPEARANCES

SMUD BOARD OF DIRECTORS:

GREGG FISHMAN, President - Ward 3
DAVE TAMAYO, President - Ward 6
BRANDON ROSE - Ward 1
NANCY BUI-THOMPSON - Ward 2
ROSANNA HERBER - Ward 4
ROB KERTH - Vice President, Ward 5
HEIDI SANBORN - Ward 7

SMUD PRESENTERS:

JENNIFER DAVIDSON
FARRES EVERLY

SMUD REPRESENTATIVES:

LAURA LEWIS, Chief Legal Officer
ARLEN ORCHARD, CEO

PUBLIC COMMENTS:

MARK G [REDACTED]
STEVE UHLER
TOM MEAGHER
ROBIN DURSTON
ROBERT HANCEY
DENNIS ZUMSTEIN
JEFF DURBIN
JACK FREEMAN

--o0o--

1 BOARD MEMBER DAVE TAMAYO: Item Number 3 is hold
2 a public hearing on the Chief Executive Officer and
3 General Manager's Report and Recommendation on Rates
4 and Services, chief Executive Officer and General
5 Manager's Report and Recommendation on Rates and
6 Services dated March 21st, 2019, Addendum Number 1, the
7 Chief Executive Officer and General Manager's Report
8 and Recommendation on Rates and Services dated
9 April 12th, 2019, and Addendum Number 2 to the Chief
10 Executive Officer and General Manager's Report and
11 Recommendation on Rates and Services dated April 22nd,
12 2019.

13 Court reporter, is that a decent speed for you?
14 Great. Okay. The public hearing will be transcribed
15 by a court reporter, and, under the rate ordinance,
16 members of the public that have not submitted a request
17 for additional time, at least ten days in advance of
18 today's meeting, will have up to three minutes to speak
19 on the Chief Executive Officer and General Manager's
20 Rate Report.

21 I would ask speakers to confine your comments to
22 the rate report. If you have comments on other SMUD
23 matters, you will have the opportunity to speak during
24 the statements from the public portion of the agenda.

25 At this time I would like to open the public

1 hearing. Before taking public comment, there will be
2 several staff presentations. One is a proposal of rate
3 restructure by Jennifer Davidson, and, two, is a public
4 outreach activity and summary of public feedback by
5 Farres Everly.

6 So -- yeah, all right. So we'll start out with
7 Jennifer Davidson giving the proposal of rate
8 restructure.

9 JENNIFER DAVIDSON: Great. Thank you, President
10 Tamayo. So a quick summary. We released the Chief
11 Executive Officer and GM report of rates and services
12 on March 21st, 2019. We released addendums modifying
13 and removing the proposed Grid Access Charge in April.

14 We hosted two public workshops, one in the
15 morning and one in the evening, and then tonight we
16 have the public hearing to introduce the draft rates
17 resolution. The board will be voting on the resolution
18 on June 24th, 2019.

19 There are two proposed changes: The first one
20 is a rate increase for 2020 and 2021. And the second
21 is a commercial rate restructure, and that is designed
22 to be revenue neutral. And what that means is it's
23 not -- it's designed to not collect any additional
24 revenue.

25 So these changes are needed because we need to

1 improve the pricing consistency and equity for all
2 customers, and there's a lot of change going on in the
3 utilities base, and we want to make sure that we keep
4 pace with the changing utility industry, with
5 technology, climate, and customer needs. And we want
6 to be able to update the grid to incorporate clean
7 energy resources like solar.

8 Now, before we ask for a rate increase, we first
9 look internally to see what we can do to keep costs
10 down, and we've got a program here at SMUD called
11 Operational Excellence, and from that we have created
12 \$28 million of annual permanent savings.

13 A sample of some of those are listed on the --
14 in the blue box. But, for example, \$14 million of
15 annual savings for new trading practices and new
16 revenue opportunities on our trading floor. Another
17 \$3 million from becoming more efficient with our work
18 practices for our field forces.

19 We do need a rate increase, and here is a short
20 video. It is going to show you that we're asking for
21 4.75 in 2020 and 4.5 rate increase in 2021.

22 (Rate increase video was played.)

23 JENNIFER DAVIDSON: So we know that customers
24 are also interested in understanding what a percentage
25 increase looks like in terms of bill impact. And so

1 what this slide shows in the blue section, a sample
2 bill impact for commercial customers in the blue
3 section, and the white is the residential, and you can
4 see the residential is showing the \$5.40.

5 And I'd like to take a moment to contrast this.
6 According to an article recently in the Sacramento Bee,
7 there are rate increase requests going on
8 simultaneously for PG&E and Edison in the south.
9 PG&E's rate increase will have an average bill impact
10 of \$22 a month, and Edison's average bill impact,
11 according to the article, will have an increase of \$12
12 a month.

13 Again, to reiterate what the changes will
14 support, wildfire mitigation, increasing costs both
15 from prevention efforts and also for insurance
16 premiums.

17 Capacity for peak demand. We know that when the
18 sun is setting in Sacramento, the customer's demand is
19 still increasing, and so we need to be able to serve
20 that peak, especially on a hot August night.

21 Technology is continuing to increase, and that's both
22 the technology to support distributed energy resources,
23 customer experience, and other cybersecurity. And then
24 investments in our carbon reduction program.

25 And, you know, we really are in an environment

1 of increasing costs. Since we've put this proposal
2 out, we actually have heard of other two large
3 increases that have come to pass, one of them is an
4 increase in veg management that adds about \$3 million a
5 year, and we just recently got our insurance premium
6 renewal indication rates, and that's also another
7 \$5 million.

8 Together, this is going to equate to about
9 another half a percent in rates. We are not going to
10 be asking for that, we are going to be absorbing that,
11 but, again, it just shows the incredible cost pressures
12 the utility industry is under right now.

13 And our policy is to keep bills as low as
14 possible. When you look at this slide, you can see how
15 we compare to other California utilities. SMUD is the
16 orange bar, as you can see at the end, low compared to
17 other utilities.

18 And here is one new slide. Director
19 Bui-Thompson, actually back in 2009, we had proposed
20 larger rate increases, and she said, "Can that be
21 broken up into smaller, more frequent rate increases?"

22 And so the same request was looked to see if we
23 could do, as Director Bui-Thompson said, "What can you
24 do for this? Can it be broken up further?" And so the
25 first one we looked at as well, could it be done to

1 spread it out through 2022? And the answer is no, we
2 could not do that because that brought us into a period
3 that we hadn't really discussed with the public.

4 But as you look at this rate increase, staff's
5 proposal was to have an increase effective January 1 or
6 2020 and January 1 of 2021. But if you look at the
7 column titled Option 2, you could see how you could
8 actually apply a rate increase January of 2020 and then
9 October of 2020, and then again in January of 2021 and
10 October of 2021.

11 And so you could see they're more frequent, but
12 they're smaller rate increases. The other important
13 thing I would point out about this is that it also
14 gives you a higher cumulative point, and so the base is
15 higher. So at this point you actually, for 2022, you
16 would be able to have a smaller rate increase, so
17 that's the other benefit that we had talked about rate
18 increases being in the 4 percent range. For 2022, you
19 actually then would be able to have it down to, like, 2
20 percent because you just have a higher base you're
21 working off of.

22 So that ends the portion on the rate increase.
23 The second part has to do with the commercial customer
24 rate increase.

25 As we described, it's designed to be revenue

1 neutral. Again, we're just changing the charges, but
2 we're not collecting any more revenue. And we're going
3 to break this up into kind of -- describe it in three
4 components.

5 So the first one is that we are going to be
6 increasing the fixed charge, the first recommendation,
7 increase the fixed charge and reduce the energy charge.
8 You know, the energy markets have changed, the way
9 customers are using energy has changed. And so,
10 because of that, we want to move our fixed cost into a
11 fixed cost collection -- there we are -- into a fixed
12 cost collection.

13 And so -- but because we're increasing the fixed
14 cost, we'll be reducing the energy charges again to be
15 revenue neutral.

16 The second chart has to do with the time
17 periods. Some of our rates haven't changed in a
18 decade, some two decades, and so our prices do not
19 align with the commodity markets. And so what we're
20 proposing is that we're going to be able to pass on to
21 customers, during the eight months that are not summer,
22 so we've got the twelve months that are summer, the
23 eight months that are non-summer. And so during the
24 day, during those eight months, there are now new low
25 commodity prices. And we're going to be able to pass

1 on those new lower commodity prices to our customers,
2 which means that there's going to be from 9:00 a.m. to
3 4:00 p.m. a new off-peak saver rate. We are also
4 recommending that we add a peak period that would be
5 year round from 4:00 p.m. to 9:00 p.m., but the peak
6 period would not be on weekends nor on holidays.

7 And the other thing that we are recommending --
8 the third recommendation is that we want to have
9 consistency across the commercial classes. There are
10 eleven commercial classes, and each class has different
11 charges, different math, different rates.

12 And the class the customer is in depends upon
13 how much energy they're in. And so what can happen is
14 that a customer can use a little bit more energy, jump
15 into a new class, and yet their bill can spike. Or,
16 conversely, they can be in a class, invest in energy
17 efficiency and not see their bill go down because it
18 will go down to a new class, but yet the bill changes
19 and they don't see the savings.

20 And so we want to improve and have consistency
21 across all of the classes. And so in order to do that
22 we're going to be adding a small demand charge to our
23 smallest customers. We're going to be adding a summer
24 peak demand charge to the customers that did not have
25 it, excluding the smallest commercial, and then we'll

1 also be modifying the energy usage again to keep the
2 change revenue neutral.

3 Also, for number -- recommendation number 3, we
4 have a transition schedule because we want to make sure
5 that we don't cause bill shock for our customers. So
6 one of the first things is the commercial would not
7 be -- would not be effective until starting in 2021, so
8 that would give commercial customers a time to learn
9 about the rate.

10 And then it would be a slow transition through
11 2028, and that will be because we want to make sure
12 that, as we migrate the customers through this
13 structure change, no more than a 5 percent increase per
14 year for 95 percent of the customers. And what I'm
15 trying to say is that while the class is revenue
16 neutral, individual customers, some will see their bill
17 increase and some will see their bill decrease, but we
18 want to make sure that no customers are impacted too
19 greatly, and so, hence, we use this rule 5 percent per
20 year for 95 percent of the customers, or for the very
21 smallest it will be under \$5 a month per year.

22 So utility rate making is actually a pretty
23 technical, I guess, craft, and so SMUD has a rates
24 group, and it's made up of people who have, you know,
25 engineering degrees, math degrees. But we also,

1 because it is so complex, we do also hire two
2 independent firms for peer review, and NERA, who is an
3 economic consulting firm, and Brattle, who is a rates
4 expert, and we ask them to review our rates and to do
5 peer review.

6 And so they actually say that our proposed -- in
7 their review of our proposal -- they say the rates more
8 closely align with marginal cost and cost causation.
9 It's the appropriate rate consistency, efficient, and
10 accurate price signals, and they also said the
11 proposal, the transition is appropriate and reasonable.
12 And so we think that that -- sort of independent
13 verification of our analysis is a good practice.

14 There were two addendum changes in 2019. We did
15 remove the Grid Access Charge for customers who have
16 on-site solar generation. We are committed to making
17 rates and fixed cost recovery fairer and more equitable
18 for all customers. And so after we end this process,
19 we will be starting a public stakeholder process to
20 examine the rates for customers with on-site
21 generation, and we'll use that feedback to develop a
22 new successor net energy meter reading rate.

23 There are some additional changes, some
24 miscellaneous, and that can be found online at
25 SMUD.org/rateinfo.

1 And, with that, I'm going to turn it over to
2 Farres Everly to describe the public outreach process.

3 FARRES EVERLY: Good evening. My name is Farres
4 Everly, and I'm the Director of Communications and
5 Marketing, and this is an update on the public outreach
6 process.

7 As -- as always, this is a fully-integrated
8 communications campaign. Starting in the upper right,
9 we have lots of community engagement including
10 informational roundtables, community outreach meetings,
11 public workshops, and associated collateral.

12 Next we have very strong email, web, and
13 digital. We have a dedicated page on SMUD.org and
14 E-newsletters, which took a much larger presence they
15 ever have before. I'll talk about that in the next
16 slide. And videos, one of which you just saw, and
17 social media.

18 For PR and marketing, we have printed
19 newsletters for residential and commercial customers.
20 We have press releases to all the local media. We have
21 published three public notices, and we have fact
22 sheets, newsletter articles.

23 For bilingual capabilities, we have rate
24 materials were available to be produced to any language
25 upon request, and we had bilingual speakers trained in

1 Russian, Tagalog, French, Spanish, Vietnamese, Punjabi
2 and Hindi.

3 We also always pay attention to our internal
4 employees because they're often our best ways of
5 getting the message out. They need to answer questions
6 for their neighbors, and we have very robust internal
7 communications to make sure they understood exactly
8 what we were doing.

9 So customized engagement by audience is what we
10 looked into, and we did that by providing customized
11 materials into vulnerable populations, community and
12 business leaders, neighbor service and faith based, and
13 elected officials, and then just a few numbers.

14 We had 70 organizations receive in-person
15 presentations, and that included at the roundtables,
16 the community and elected, and our Business Advisory
17 Council Meetings. We had 200 community and business
18 leaders who were invited to the roundtables and offered
19 meetings, more than 500 neighborhood associations,
20 churches, and service groups were contacted about the
21 rate process and were offered additional information.

22 56 elected officials were mailed info packets
23 and offered additional meetings. Nine meetings were
24 held. And these last two bullets I mentioned in the
25 earlier page, these were something new and something

1 very large that we did. We emailed more than 360,000
2 customers and organizations with details on the rate
3 process, which we've never done that before, so that
4 was a big step for us. And for the business customers,
5 our chamber partners and PBIDs, more than 20 were sent
6 rate action information and details to their
7 memberships, so that was a great way that we got the
8 word out to our commercial customers. So that is my
9 presentation for you this evening.

10 JENNIFER DAVIDSON: So the next steps is that
11 we're having the public hearing now, and then the draft
12 board resolution will be out for public comment, and
13 then the board will make a final decision on this June
14 24th.

15 For more information, it's available online.
16 You can also email us, call us. The phone number is
17 here. You can see there is a general phone number and
18 then also specific numbers for commercial customers and
19 residential customers, and we welcome your questions
20 and comments. And that ends our presentation.

21 BOARD MEMBER DAVE TAMAYO: Thank you, Jennifer.
22 At this time we'll take comments from the public on the
23 Chief Executive Officer and General Manager's Report.

24 When you do comment, please speak into the
25 microphone and state your name for the record. Please

1 do not move the microphone as it is designed to pick up
2 your voice at a distance.

3 Please remember to direct your comments to the
4 board. And if you have written materials you wish to
5 provide to the board, please hand them to the security
6 officer to distribute.

7 I do want to correct something for the record.
8 I earlier read that this is item number 3, and this is
9 actually item number 2 on our agenda. But, anyway, so
10 we've received two requests for additional time to
11 provide alternative rate proposals from Mr. G [REDACTED] and
12 Mr. Uhler who will have ten minutes to present their
13 comments and alternative rate proposals.

14 And so we'll begin with Mr. G [REDACTED].

15 MARK G [REDACTED]: All right. Good evening,
16 Directors and Staff and everybody. My name is Mark
17 G [REDACTED], and I live in Elk Grove. This is what I will
18 be talking about tonight. I hope that this clicker
19 works.

20 I want to say I appreciate the flexibility of
21 your staff in working with me on my slides. Initially
22 I sent my slides on Friday, and I revised them and sent
23 over my revised and final slides early this morning,
24 and that's what I'm showing you tonight. And I
25 appreciate that your staff was willing to roll with me

1 on these. This is a summary of my presentation
2 tonight. I'm not going to read my slides to you, but I
3 will give you a moment to read them.

4 All right. And this is my proposed alternative,
5 which would address and solve both of the problems that
6 were on the previous slide. We begin with the
7 California Constitution, Article XIII C. This was put
8 in place by Proposition 218 back in 1996 and further
9 revised and extended by Proposition 206 in the year
10 2010.

11 Have a look. As you know, SMUD is not planning
12 to submit the proposed rates to the voters. Your vote
13 on June 24th is going to be the only vote. This is
14 what it means according to the Government Code when a
15 tax is extended or increased.

16 You're extending the tax that is in your current
17 rates by extending them for 2020 and 2021. You're
18 increasing them by 4.75 percent next year and an
19 additional 4.5 percent the year after that.

20 Article XIII C also defines a tax. And the key
21 here is going to be does the rate exceed SMUD's
22 reasonable cost of providing the electricity service.

23 Now, during the last six weeks or so I submitted
24 several questions to your staff about the proposed
25 rates, about the CEO and General Manager's Report, and

1 a number of them were about the section in the report
2 on compliance and on Proposition 26.

3 According to Ordinance -- SMUD Ordinance 15-1,
4 your staff was supposed to answer those questions,
5 including legal questions, and that's the direct
6 quotation from Ordinance 15-1.

7 Unfortunately, your staff chose not to answer
8 any of the legal questions. I'm asking the board to
9 direct staff to answer the legal questions about
10 Proposition 26 and about the section in the report on
11 compliance. The public deserves to know.

12 Here is the first question. Do the current
13 rates exceed your reasonable costs of providing
14 electricity service? The reason the current rates are
15 an issue is that you're extending and increasing the
16 current rates.

17 The Rate Design Study that I've identified here
18 provides the answer to that question. All right. This
19 is the paper rail, essentially, starting with the
20 previous CEO and General Manager's Report, which
21 included an appendix, as it says, and that appendix was
22 the letter from NERA Economic Consulting that you've
23 apparently hired again. And NERA reviewed certain SMUD
24 documents and made a recommendation. One of the
25 documents that NERA said it reviewed was 2018, there is

1 the title. I'm just calling it the Rate RT02 Design
2 Study.

3 And it went down one at a time at each of the
4 marginal cost components in the last paragraph is a
5 list of those marginal cost components.

6 It was a very carefully-prepared Rate Design
7 Study up to that point, and here's where the problem
8 came in. The SMUD added a -- what it's calling a
9 scalar of 9.2 percent. In other words, that was not a
10 marginal cost component. It was simply to -- so that
11 you would take in as much money as you wanted to.

12 This is an actual -- one of the tables in the
13 Rate Design Study, Table L on page 14. I'm also going
14 to show you Table M. Take a close look at the final
15 column over on the right, total energy marginal cost,
16 it is simply the sum of all the earlier columns.

17 And this is Table M, also page 14 of that study,
18 and you can see here where it says "total energy
19 marginal cost," that's the same as total energy
20 marginal cost, the right-side column Table L.

21 So SMUD is simply literally added 9.2 percent,
22 you see the scalar, and to reach the 2017 energy
23 charges. And those are more or less the charges of
24 your current rates that the board adopted in 2017.

25 And here is literally the SMUD explanation of

1 this scalar. But, according to the California Court of
2 Appeal, you must not do that. Your rates must be based
3 on SMUD's reasonable costs, and there is a direct
4 quotation from a court case, Capistrano.

5 Here is the full citation of that case. So
6 here's the bottom line. Your current rates are
7 9.2 percent higher than your marginal cost of providing
8 electricity service, that's why the current rates are a
9 tax. The scalar is a tax and the current rates are a
10 tax because of the scalar. What you did in 2017 was
11 simply set your rates based on a predetermined budget.

12 It -- I believe it defeats the purpose of a Rate
13 Design Study if you're going to go -- if NERA Economic
14 Consulting is going to go through it carefully one
15 marginal cost component after the other, and then blow
16 the whole thing at the end -- pardon my informality --
17 by adding something that's not a marginal cost
18 component.

19 Okay. The other question, do fixed charges
20 violate Article XIII C of the California Constitution?
21 On page 89 of the current CEO and General Manager's
22 Report, detail of rate changes, here are the proposed
23 System Infrastructure Fixed Charge for the next two
24 years. And here's what the California Constitution
25 says about that. I've added emphasis by underlining.

1 Now, consider two hypothetical SMUD customers:
2 A single man and a married man with five children -- my
3 apologies for reading this -- the single man in his
4 household are going to use a lot less electricity than
5 the married man with five children, yet they both pay
6 the same System Infrastructure Fixed Charge, so you go
7 back to -- to their costs. "Bear a fair and reasonable
8 relationship to the payor's burdens on, or benefits
9 received from, the governmental activity." It should
10 be clear that the answer is no. And here is my
11 proposed alternative.

12 It ought to be familiar, it was on an earlier
13 slide. And here's how adopting that alternative will
14 solve the problems, and, therefore, your rates will
15 comply with Article XIII C of the California
16 Constitution.

17 Well, that is essentially it. I welcome any
18 questions or comments from the board. I hope that the
19 board members will express an interest in this. It is
20 actually very important; it is not an issue that's
21 going to go away. I believe it should be of interest
22 and concern to all SMUD customers, and what I've said
23 is only residential, but some of these arguments apply
24 to commercial rates as well.

25 Thank you. Good night.

1 BOARD MEMBER DAVE TAMAYO: Thank you,
2 Mr. G [REDACTED].

3 Our next speaker is Steve Uhler.

4 STEVE UHLER: While we're waiting, do you have
5 the notice from the Energy Commission on the rule
6 making? Did you -- are you -- are you -- did you get
7 copies of the notice? I turned that piece of paper in.
8 That's part of my presentation.

9 Rather than hold up, it's a notice that says if
10 you're going to start rule making -- pre-rule making
11 for the enforcement of RPS for POUs.

12 Here's my presentation where I put forth
13 profound knowledge will guide you to reach your goals,
14 if you let it. My name is Steve Uhler, U-h-l-e-r.
15 Sorry, thank you.

16 Alternate rate recommendations. SMUD's creation
17 is from state laws establishing local agencies in the
18 Public Utility Code. "The board shall consider any
19 recommendations submitted in writing by any member of
20 the public on alternatives to the rates changes
21 proposed by the general manager." California Public
22 Utility Code allows me, with ten days written notice,
23 to make this presentation at this hearing. The
24 recommendations will offer solutions that may have been
25 overlooked or avoided by staff.

1 SMUD is committed to be fairer and more
2 equitable in making rates and fixed cost recovery
3 fairer and more equitable for all customers. SMUD has
4 launched a public stakeholder process to examine rates
5 and customer owners -- for customer owners and develop
6 additional analysis addressing the costs and benefits
7 and subsidies related to systems.

8 SMUD will use feedback from the analysis and
9 customer owners/stakeholders feedback to further
10 explore -- it's my screen -- rates related to customer
11 owners and appropriate assignment of costs and
12 benefits.

13 SMUD's rates are among the lowest in California
14 but only for some customers. The challenge is to
15 remove all cross subsidies. Accurate costing will
16 improve cost recovery and customer loyalty -- customer
17 owner loyalty. Customer experience excellence is a
18 SMUD goal.

19 Making rates more -- making rates and cost
20 recovery fairer and more equitable for all customer
21 owners.

22 Some customer owners are paying without benefit.
23 Rate structures that recover legacy costs -- legacy
24 commodities and service -- recover costs for legacy
25 commodities and service that customer owners don't

1 benefit are unfair. Costs related to deferred
2 maintenance are unfair. Costs related to green pricing
3 products and marketing have been "baked in to the
4 rates," as one SMUD executive noted.

5 SMUD markets green pricing products -- green
6 pricing products that appear to be a good deal because
7 costs are baked into the rates and paid by others who
8 don't receive the value. It doesn't have to be this
9 way. Costing of products can be fairer and more
10 equitable for all customer owners.

11 Public stakeholder process for feedback.
12 Feedback points to unfair fixed charges. Fixed charges
13 produce tiered rate structure on actual costs per
14 kilowatt. A side note is you say you've moved away
15 from tiers, but you actually have many more tiers.

16 Average -- use of average customer owner
17 comparisons are unfair and misleading. Have you ever
18 met a 750-kilowatt-per-month customer owner? Perhaps
19 so-called average customer owners are rare. Fixed
20 charges don't take advantage of the smart grid in a way
21 that benefits all customer owners. A smart grid does
22 not require fixed charges for customer owners to access
23 the system.

24 Material Requirement Planning Systems, SAP and
25 others, SMUD customer owners have owned since the late

1 '90s, are underutilized by staff. This is my major
2 point, getting sufficient information which I didn't
3 get, I was hoping to actually give you a real
4 alternative rate proposal, but I was unable to do that.
5 Their responses are such that lead me to believe that
6 they do not use these techniques that are used by
7 corporations like Toyota and anybody who is a top 100
8 corporation would use.

9 Using material resource planning. Product
10 structures drive MRP, product structures are like
11 recipes. Eli Whitney used interchangeable parts and
12 MRP to sell and deliver arms to U.S. government. Even
13 though some thought it impossible to produce lock,
14 stock and barrel using interchangeable parts at the
15 time. I have used MRP to manage the production of
16 aircraft, electronic equipment and devices with
17 billions of parts and operations in continuous
18 operation. Modern automated MRP makes child's play of
19 the design and costing -- let me see my -- oops. Did I
20 hit the right button here? Where am I at here? I got
21 behind, sorry.

22 Modern automated MRP makes child's play of the
23 design and costing -- design, costing, and execution of
24 production. Modern -- from "batch and queue" to "just
25 in time" delivery, any type of production will benefit.

1 MRP better matches the just in time nature
2 electricity production, when compared to analog
3 modeling that uses averages in batch and queue fashion
4 as the system has -- as if the system has ample storage
5 to queue the batches of electricity.

6 We all know that there is not enough storage out
7 there to store our solar. A lot of solar is being
8 curtailed right now.

9 Let's see. Before any changes in rates and
10 charges for commodities or services furnished, before
11 changing the rates, perhaps the staff is over --
12 under -- has overlooked the requirement for statements
13 of sales volumes by customer types for the preceding
14 two years and estimates of sales volumes for two years
15 following for commodities and services furnished in
16 sufficient detail to prevent an assessment for the
17 need of -- for the need of any proposed changes.

18 Staff appeared not to have knowledge of the
19 requirements of the Public Utility Code -- Utilities
20 Code when it comes to suppling the public
21 information -- supplying information to the public
22 that -- to assess rates and design alternatives.

23 When I asked for information to produce my
24 alternatives to the General Manager's plan, staff fails
25 to supply it in sufficient detail to permit assessments

1 of need of any proposed changes -- rates -- changes in
2 rates and charges.

3 Don't adopt any resolution without sufficient
4 detail to permit assessment of need for any proposed
5 charges.

6 Residential commodities, I won't go over the
7 numbers here, but, basically, apparently you come up
8 \$12 million a month short. So this -- this has got to
9 come up from somewhere. No sufficient detail is
10 telling you how you're paying for this \$12 million.
11 Sufficient detail is required under the section of
12 Public Utility Code that requires you to have this
13 hearing. I wish to have sufficient detail. I can take
14 at any time to comment in the future on this, but
15 please see that I get sufficient detail to do an
16 alternate rate proposal.

17 Let's see -- let's see -- yeah. Excuse me. I'm
18 not used to having to fire two -- two buttons here,
19 sorry.

20 Yeah, these are the numbers, \$12 million. So
21 now we'll go prepare to find the truth about SMUD
22 rates.

23 You should make "in God we trust, all others
24 bring data" SMUD's motto when rates and charges are to
25 be assessed.

1 Many costs appear fabricated to sound plausible.
2 Require factual data to support contentions. SMUD
3 staff members have personal stake in status quo and
4 will resist changes leading -- changes leading to
5 making rates and cost recovery fairer and more
6 equitable for all customers.

7 Arlen Orchard's "pretty big hammer" over SMUD
8 customer owners choices may allow unfair rates and
9 charges. He has told staff that he hates the term
10 "customer owner" and killed the board's "Compact With
11 The Customer."

12 Use of MRP will help you find where SMUD loses
13 money and where SMUD makes money. You may find rates
14 and charges are based upon opinions and not facts.
15 Perhaps you should hedge your bets -- let's see --
16 perhaps you should hedge your bets.

17 Use tools you already have. SMUD customer
18 owners bought MRP systems that are underutilized. Many
19 ad hoc reporters can do the job if you have
20 knowledgeable staff. Kitting for a pole replacement or
21 planning for customer owned battery storage that will
22 increase your ability to deliver real renewable energy
23 to your customers, the process is the same.

24 Build product structure files, get factual
25 answers.

1 A much lower head count is required to produce
2 more -- far more actionable information that will lead
3 to less and shorter board meetings and better outcomes.

4 Do it to maintain customer loyalty as you face
5 disruption of your business model. And then there's a
6 couple of quotes, but I have 30 seconds.

7 That -- when you confer with your legal counsel
8 on the rulemaking that's coming up, I wish you would
9 have asked them about worse case scenario and about
10 whether or not the current regulations for enforcement
11 of RPS completely fulfills statute.

12 I have a petition in, and they decided to go to
13 rulemaking. I believe I pointed out some major flaws
14 in the -- the regulations that can change how you
15 should have done your rates. Thank you.

16 BOARD MEMBER DAVE TAMAYO: Thank you, Mr. Uhler.

17 The next speaker is Tom Meager. And after that
18 will be Robin Durston.

19 Tom, you've got three minutes.

20 TOM MEAGHER: Okay. I'm sure you're familiar
21 with my spiel by now. I thought I'd repeat it again.
22 By the way, today I was down at the California Assembly
23 with the Solar Bill of Rights people, and they're
24 trying to pass this bill that will preempt any war on
25 solar by any utility trying, you know, to overcharge or

1 hinder rooftop installations.

2 Another thing that we all think is related is
3 the old fixed charge issue. And I think it's
4 interesting how many -- how few people in state
5 government understand that fixed charges hurt solar,
6 hurt conservation, are not equitable. And, as we
7 learned from NRDC, that the best way to recover fixed
8 charge is not per house, it's through a volumetric
9 charge per kilowatt hour. And there's lots of studies
10 related to that.

11 Let's see, one little side issue. SMUD's CFO
12 has told me many times that the actual fixed charge is
13 \$41, that includes \$25 neighborhood distribution. But
14 it turns out a lot of utilities use different criteria
15 for collecting -- for calculating a fixed charge. And
16 a lot of them do not include neighborhood distribution.

17 So that would, depending on how you run the
18 numbers, that would put SMUD's fixed charge at \$16.
19 Now, I personally think it should be \$0 or \$5 or \$6.

20 And I guess the last thing I wonder about is if
21 SMUD is so desperate for a little bit of more income,
22 have you seriously considered adding a tier at, say,
23 800 or 1,000 kilowatt hours? It seems like the whole
24 system now is rigged to punish the poor with high fixed
25 charges. Some are paying 25, 30 cents per kilowatt

1 hour, and award the rich who their actual realistic
2 rate is 12 cents. So I think that should be a part of
3 your plan since most of the utilities have some kind of
4 a tiered rate to encourage conservation.

5 Let's see. Well, I guess that's about it. But
6 I think a tiered rate, which I've heard some of you
7 say, doesn't seem feasible. It's in place all over the
8 country, and the California Energy Commission
9 recommends that as a way to nudge people to use less
10 electricity.

11 Okay. Thanks.

12 BOARD MEMBER DAVE TAMAYO: Thank you, Tom.

13 Robin Durston.

14 ROBIN DURSTON: Hi, I'm Robin Durston. SMUD's
15 proposed rates violate Article XIII C of the voter
16 approval for local tax levies because we're -- they're
17 not voted on by the voters, it should be by a
18 two-thirds vote.

19 And the time of day rates are the third highest
20 in the list of electric companies, the list provided by
21 SMUD, according to a Sacramento News and Review
22 article.

23 The fixed rate charge is unfair to differing
24 households, as pointed out by Mark G [REDACTED] and previous
25 speakers. I agree with Mark G [REDACTED] that SMUD should

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1 remove the 9.2 scalar that SMUD added when it created
2 the time of day rates in June 2017 and that raised
3 rates by 4.75 percent and 4.5 percent for 2020 and
4 2021, and eliminate the System Infrastructure Fixed
5 Charge. It looks like these rate increases are just
6 made to make SMUD's stock go up. They're not based on
7 reasonable costs for service. So it's too much for
8 people on a fixed income, and there should be a tiered
9 rate for low income. Thank you.

10 BOARD MEMBER DAVE TAMAYO: Thank you.

11 (Applause.)

12 BOARD MEMBER DAVE TAMAYO: The next speaker is
13 Robert Hancey. And I just wanted to clarify -- and I'm
14 sorry, I can't read the last words you have after the
15 name, Robert Hancey.

16 ROBERT HANCEY: Yeah. I'm a retired ICU RN.

17 BOARD MEMBER DAVE TAMAYO: Oh, okay. So -- and
18 I just wanted to clarify. Did you want to speak in the
19 public hearing portion of this?

20 ROBERT HANCEY: This is what I'd like to speak
21 on.

22 BOARD MEMBER DAVE TAMAYO: Okay. Yeah. I just
23 wanted to make sure because we had the wrong agenda
24 number there.

25 ROBERT HANCEY: Okay. Yes, hello. My name is

1 Robert Hancey. I've been a SMUD customer since 1973.
2 I've been a homeowner for about the last 15 years. My
3 home has a SMUD rating 25 percent greater than code. I
4 have solar on my roof. I've painted every south-facing
5 structure with a thermal reflective paint. I have all
6 LEDs in my home, and now days from 5:00 to 8:00 we have
7 one TV, one stereo, and two LED lights. Prices are
8 going up.

9 So, first off, I recognize that Sacramento
10 County has historically been working class in terms of
11 its population and its income. We have lots of new
12 construction here at SMUD. I don't see any new
13 hydroelectric facilities. Hell, if we just spent a
14 couple of dollars on some new bearings for the turbans,
15 we could push three or four percent more efficiency out
16 of those.

17 Additionally, we have a worldwide glut of
18 natural gas. We should be spending some time getting
19 long-term cheap contracts so that we can cover these
20 costs. The pie is getting smaller for all of us. We
21 have development ad lib in this county, Elk Grove
22 probably another thousand homes in the next year.

23 Everybody is going to bear the costs of putting
24 in the infrastructure, which is not too bad, but the
25 reality is, is the pie is getting smaller for all of

1 us. There are limited resources, natural gas, solar,
2 and hydroelectric. All of those are finite resources.

3 Okay. The next thing I worry about is economic
4 stratification. The reality is is that there's a fair
5 number of folks in Sacramento who are on fixed incomes.
6 They're going to have a tough time, and it will be
7 coming down to those who can afford the peak time
8 periods and those who cannot. Of the group that
9 cannot, it's going to be a fair number of elderly
10 citizens.

11 As an intensive care RN, I have seen more than
12 my share of heat stroke in elderly individuals. Good
13 recovery if you get to them in four hours, poorer
14 recovery after five hours. We will see increased death
15 of elderly, overweight folks simply because they cannot
16 control their core temperature.

17 SMUD costs 4.5, 4.7, 4.75. My costs for 2019
18 and into 2020 are already 11 percent, and that's not
19 counting the 5.6 cent increase in gas tax on July 1.
20 I'm retired, luckily I've got a good retirement income,
21 but there's a lot of folks that are not in the same
22 boat as me, and I'm concerned that they're going to
23 bear the costs and SMUD is just going to look the other
24 way. I don't want that to happen.

25 Also, I worry to some extent that what's going

1 on tonight is simply a pro forma hearing and you folks
2 have already made your decisions. And I would say
3 don't do that. Thank you for your time.

4 (Applause.)

5 BOARD MEMBER DAVE TAMAYO: Thank you. The next
6 speaker is Dennis Zumstein. And I just wanted to make
7 sure that you wanted to speak in the public hearing and
8 not on the resolution portion; is that correct?

9 DENNIS ZUMSTEIN: Yes.

10 BOARD MEMBER DAVE TAMAYO: Okay.

11 DENNIS ZUMSTEIN: Yeah. My name is Dennis
12 Zumstein. I live in Carmichael. I moved here last
13 year after the California wildfires took my home in
14 Santa Rosa. I chose Sacramento because I was told that
15 the rates on electricity were much lower than I was
16 paying with PG&E, so we decided to put solar on our
17 house this year. In the middle of the project I'm told
18 by the solar company, "Oh, by the way, the rates are
19 going up, the grandfathering has been changed, and
20 you're probably not going to get the payback that you
21 anticipated."

22 My questions, and since I'm new to the area and
23 I'm not familiar with the regulations and the
24 procedures to find out information, I thought tonight
25 would be a good time to come and ask some questions.

1 Is this grandfathering that I was told was
2 20 years for solar people, is that being changed?

3 CEO ARLEN ORCHARD: Do you want me to go ahead
4 and just answer that quickly? So just to answer your
5 question, we've taken that proposal around solar
6 completely off the table, so currently our existing NEM
7 program applies to any solar that's being included. So
8 that's the whatever is in place right now, we're then
9 going to engage in a -- probably about a year-long
10 process to engage the community, do a study around
11 solar, and then come back probably in 2021 with
12 potential changes at that time, based on the modeling
13 that's done and based on the community feedback we get.

14 DENNIS ZUMSTEIN: So, if I understand you,
15 that's still under review?

16 CEO ARLEN ORCHARD: That will be under review,
17 and so we probably won't have anything for about two
18 years on that.

19 DENNIS ZUMSTEIN: Okay. The other -- another
20 speaker mentioned that the public had been informed of
21 the rate change projections. I hadn't seen anything in
22 my monthly bill to tell me that there was going to be
23 rate changes. Was that sent out? It was? Then I
24 obviously didn't see that. So -- as I said, I'm new
25 here, so I'm still trying to figure out how this system

1 works.

2 That's really all I had to say. Thank you for
3 your time.

4 BOARD MEMBER DAVE TAMAYO: Thank you very much.
5 (Applause.)

6 BOARD MEMBER DAVE TAMAYO: The next speaker is
7 Jeff Durbin. And, once again, I wanted to make sure
8 this is the item that you wanted to speak to, Jeff?

9 JEFF DURBIN: Yes, sir. Thank you.

10 BOARD MEMBER DAVE TAMAYO: Come on up. You've
11 got three minutes. And I do understand that you wanted
12 to speak separately on the items not on the agenda, so
13 you'll have additional time later.

14 JEFF DURBIN: Thank you. My name is Jeff
15 Durbin, D-u-r-b-i-n. I agree with many of the speakers
16 we've had today. They have really -- I came to the
17 last meeting in May, and there was only, like, five or
18 six or maybe ten people here, and I met Mark and was
19 just really impressed by his jumping in and looking at
20 this stuff.

21 So I agree with him with the current rates and
22 with SMUD's Rate Design Study with a 9.2 percent
23 scalar, that I agree that that is also a tax, and that
24 needs further discussion if we're going to raise our
25 rates further.

1 The last time I spoke I asked about how much
2 we're spending to cloud seed in the area. They didn't
3 have an answer for me in the budget. They said it
4 was -- they actually emailed me an answer that was
5 about \$300,000 a year and said it wasn't in the same
6 budget, though. So I've been online today quite a bit
7 trying to find -- I did a lot of P&O research, and I
8 can only find general budget outlines, I can't find a
9 really line-by-line kind of thing. And I've read
10 articles that we spent like \$1 million last year to
11 cloud seed because we went from 192 square miles in El
12 Dorado County to, like, 444 square miles with this
13 really clean energy that the planes that we hear and
14 whatever is coming out of them, but...

15 We've been doing that for 50 years, and I think
16 a lot of people don't know we're doing that seeding,
17 I'm not sure all the studies are -- I'd like to look at
18 that a little further too.

19 I'm trying to find where I can get to look at
20 the actual 2020 budget, actually line-by-line. Is
21 there a place I can look at that online?

22 CEO ARLEN ORCHARD: The 2020 budget hasn't been
23 approved yet. That will be done in December of this
24 year. There is a process that begins roughly in
25 October.

1 JEFF DURBIN: I clicked on a lot of links, and
2 there was something about -- it was an outline for the
3 budget, I guess, maybe.

4 LAURA LEWIS: Keep going. Sorry. I don't know
5 why it's doing that.

6 CEO ARLEN ORCHARD: Keep going.

7 JEFF DURBIN: So they have an outline of it.
8 I'm just -- I'm just looking to break it down further
9 to where I can see where, like, when we have the smart
10 meters that they probably have some money we get back
11 from data on that, where does that fit back in?

12 CEO ARLEN ORCHARD: Yeah, why don't we take --
13 have staff take that off-line with you and figure out
14 exactly what you're looking for and see --

15 JEFF DURBIN: Okay.

16 CEO ARLEN ORCHARD: -- if we have existing
17 documents we can point you too.

18 JEFF DURBIN: Okay. Thank you very much.

19 BOARD MEMBER DAVE TAMAYO: Thank you,
20 Mr. Durbin.

21 All right. So next we have -- oh, excuse me.
22 Let me get back to my script here.

23 Mr. G [REDACTED], we're going to, once we have moved
24 to the next agenda item, you'll have another
25 opportunity to speak on the resolution. So --

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1 LAURA LEWIS: President Tamayo, may I just make
2 a comment --

3 BOARD MEMBER DAVE TAMAYO: Yes. Sure.

4 LAURA LEWIS: -- in response to Mr. G [REDACTED]'s
5 statements? Just to clarify for the record, the
6 General Manager's Report does contain a detailed
7 Proposition 26 compliance section. That section speaks
8 for itself, and, as I've explained to Mr. G [REDACTED], no
9 further explanation is required.

10 Mr. G [REDACTED] is free to disagree with our legal
11 analysis, and there are remedies available to him if he
12 does. And he's very familiar with these remedies given
13 that he has filed several of these fee lawsuits against
14 SMUD, one of which was dismissed in its entirety, and
15 another one which is currently pending on our 2017 rate
16 process.

17 That said, Mr. G [REDACTED] did note, and it's
18 correct, that there is an exception to Proposition 26
19 that allows us to set rates that do not exceed our
20 reasonable cost of service. He mentioned a few times,
21 and I point to you percent scalar, I think we're happy
22 to answer questions about what that is. I believe
23 staff is prepared to do that, and I don't know if
24 Jennifer or Alcides can come up and provide that
25 explanation to set the record straight on that.

1 And I also wanted to respond to Mr. Uhler. We
2 do -- the information that he claims is missing is
3 contained in the General Manager's Report in Table 43
4 on page 127 and Table 44 on page 129 and on Table 39 on
5 page 123, so my time is apparently up, so...

6 BOARD MEMBER DAVE TAMAYO: Jennifer, I think,
7 you know, it would be appropriate for you to address
8 that scalar question.

9 JENNIFER DAVIDSON: Certainly. Well, another
10 name for the scalar is something called -- another
11 acronym, EPMC, and what that stands for Equal
12 Percentage of Marginal Costs.

13 And the reason it has actually has something is
14 because it actually is a common practice, and I'll tell
15 you what it is in just a second, but just to let you
16 know it is a common methodology. It's used by IOUs,
17 and it is also used by regulatory bodies across the
18 country. The CPUC has recently accepted some recent
19 rate cases using that methodology.

20 And so now for what it is. Again, we talked
21 about how rate making sometimes can be complex, but the
22 marginal cost in rate making is the cost of adding one
23 more customer. And you'll recall we talked about
24 there's the marginal costs and there's the embedded
25 cost, and at no time are they ever equal. Sometimes

1 embedded costs is greater than marginal and sometimes
2 it's lesser, and so you needed to have a factor to
3 equate the two.

4 So it is true that right now the marginal cost
5 is less than the embedded cost, so we needed to figure
6 out what is the right way to correctly allocate costs
7 in the cost study from the marginal cost to the
8 embedded cost, and we also want to make sure that we
9 allocate those costs accurately and equitably, and so
10 we do apply a math formula or a percentage to all the
11 components to appropriately scale, hence the name
12 "scalar," between the cost of adding one more customer
13 and all actual total costs of our system.

14 And, again, I remind you that we're a nonprofit
15 agency, so every dollar we need is to run the business.
16 There isn't any additional profit that we're
17 collecting.

18 BOARD MEMBER DAVE TAMAYO: And so I just wanted
19 to clarify something. Mr. -- Jennifer, I think this
20 can be addressed to you.

21 So Mr. G [REDACTED]'s comments seem to imply that the
22 marginal cost of energy was equivalent to the
23 reasonable cost of delivering our energy to the
24 customer, and I gather that that's not the case, that
25 it's ignoring the embedded costs? Am I interpreting

1 that --

2 JENNIFER DAVIDSON: So marginal costs probably
3 has to do with -- more with technology than it has to
4 do with, you know, is the cost of serving one more
5 customer, has it increased compared to the past or is
6 it decreased compared to the past? And due to
7 technology, you could argue that the math is saying
8 that it's decreased, and so that is why you always get
9 that point that, you know, adding one more customer,
10 how does it compare to historical costs, and that's
11 where the embedded costs, when it is lower, embedded
12 costs are higher than marginal costs. And when they're
13 higher they go that way, but there's always an
14 imbalance because the current is never equal to the
15 past. It's always either greater or lesser. Very
16 rarely is it equal.

17 BOARD MEMBER DAVE TAMAYO: But there's not an
18 equivalence between the marginal costs of energy and
19 the reasonable cost of supplying the energy to the
20 customers; is that correct?

21 JENNIFER DAVIDSON: That is correct.

22 BOARD MEMBER DAVE TAMAYO: Okay. Thank you.

23 All right. So I want to open this up to
24 questions from the directors.

25 No questions from -- Director Fishman?

1 BOARD MEMBER GREGG FISHMAN: I wonder, Arlen, if
2 you could -- or somebody could speak again to some of
3 the cost-cutting measures that we've already engaged in
4 and what we're doing to try to reduce our costs even
5 further.

6 CEO ARLEN ORCHARD: Sure. Sure. I'll have
7 Jennifer address the \$28 million with more specificity
8 because she's got that at the tip of her tongue, and
9 then I'll -- I'll talk about our ongoing efforts at
10 that -- when she's done.

11 JENNIFER DAVIDSON: So, as we've said, we, first
12 of all, we have implemented a formal program at SMUD to
13 imply Operational Excellence, and it really goes to
14 telling employees that it is your job to look for
15 savings every single day. And it's this idea that
16 little savings can compound into big savings, and it's
17 sort of this whole point that we really tell employees
18 it's their obligation, it's their responsibility to be
19 looking for these cost savings every single day.

20 And so through that we've been able to identify,
21 and we work really hard at identifying and then
22 capturing them. Because we want to make sure that, you
23 know, we don't immediately find a cost and then fill it
24 in with something else. We also have a formal program
25 that, once identified, we really capture and target and

1 then make sure that we can commit to that savings.

2 And so the particular examples that we have is
3 that we have new training practices, and through new
4 training practices that's bringing in \$14 million of
5 permanent cost reductions. We have another
6 \$6.8 million of just the equipment efficiency
7 improvements in our generation from wind turbine
8 efficiencies -- and that's the other example -- where
9 we go ahead and we do the cost benefit analysis at all
10 times. If we can go ahead and improve this equipment?
11 Does this investment make sense? Does it make sense
12 for us to invest in the thermals and get the efficiency
13 out of it?

14 And so we're always doing the analysis, and so
15 we've increased the efficiency at our thermal plants,
16 we've increased the efficiency at the wind turbines,
17 and sometimes they can be as simple as, you know,
18 putting a coding on the blade of the wind blade, which
19 makes it more aerodynamic and more efficient as it
20 generates electricity.

21 Another example I think I mentioned, is about
22 \$3.3 million from more efficient work practices for the
23 field forces, you know, to make sure that they're, you
24 know, not going here and there, but that they're very
25 clear. Or when, for example, when they know -- think

1 about when you go into a backyard, where is a pole
2 located? You know, theoretically, there's four
3 backyards you may need to go into before you find the
4 pole, making sure we have a really clear picture, you
5 don't have to knock on four households, you knock on
6 one household to find the pole. Little things like
7 that, but that's the idea about how they can aggregate.
8 And if you make sure that you're capturing them, that
9 you can really turn them into hard dollar savings.

10 And then we also have -- we keep very careful
11 record of our contact center, and so we are aware of
12 our volumes of calls -- unexpected calls. And so we
13 also carefully match the staffing requirements for our
14 calls to make sure that we run as sufficient of a call
15 center as we can as well. So that's kind of a sampling
16 of the variety and the -- sort of the enterprise view
17 that we're all looking for cost efficiencies.

18 CEO ARLEN ORCHARD: So that's historically what
19 we've been able to capture over the last couple of
20 years, and so we have ongoing Operational Excellence
21 program where we continue to look for opportunities to
22 save money and improve how we do our work every day.

23 We have a big initiative in Frankie's area and
24 delivery in looking at workforce optimization, and
25 because that is our field work that we do, and that is

1 obviously a very high cost and a big part of what we do
2 in delivering reliable service to our customers.

3 So the workforce optimization will help us plan
4 better and allocate our crews better into the field,
5 which we should be able to do -- get more work done
6 with the same level of labor, so we're hoping to see
7 some savings associated with -- with that.

8 Again, we're looking at a lot of very small
9 things throughout the organization. Steve has
10 implemented in the rollout of new technology, and we've
11 seen things come in at a much lower cost. Agile
12 development and agile rollout, we've seen savings
13 associated with that.

14 For example, we will be rolling out a new online
15 travel where we'll be able to provide everyone much
16 more flexibility on travel. Originally that came in at
17 several million dollars. By us looking at that project
18 much differently, it's been reduced to \$400,000
19 roughly, so we're looking at a lot of those types of
20 savings.

21 Even when we go out into the market and we
22 procure renewables and look at how we meet the state
23 mandates, we're looking at how we optimize what the
24 state allows us to do to meet those mandates, but do it
25 in the most cost effective way possible, and so we

1 expected to see some substantial savings over time.

2 So we have an ongoing program, it's not a
3 one-and-done, but we've kind of captured a lot of the
4 low-hanging fruit through the \$28 million, and it gets
5 harder and harder to actually find additional savings,
6 but we'll continue to work on that, and we should see
7 some additional savings associated with some of the
8 technology investments we're going to make over the
9 next several years.

10 BOARD MEMBER DAVE TAMAYO: Thank you.

11 Any other questions?

12 BOARD MEMBER BRANDON ROSE: President Tamayo?

13 BOARD MEMBER DAVE TAMAYO: Director Rose.

14 BOARD MEMBER BRANDON ROSE: I have a question.
15 I think it's probably directed to Jennifer. I would be
16 curious to hear a little commentary on how do our
17 recent rate increases compare to inflation to the last
18 two years?

19 JENNIFER DAVIDSON: So we actually, the last two
20 years, have lagged inflation. In 2018 and 2019,
21 residential commercial -- residential customers have 1
22 1/2 percent and then 0 percent, and the commercial
23 customers over that same period had 1 percent and
24 1 percent.

25 And so those are lagging inflation, and because

1 of that we actually are under some pressure, and I
2 talked -- I gave an example of the continuing cost
3 pressure, and so that actually is why we are also
4 looking for rate increases in the mid 4s, because that
5 is almost like a catch-up because we did not collect
6 rates equal to inflation. We were less at inflation in
7 the last two years.

8 BOARD MEMBER DAVE TAMAYO: Anything else?

9 CEO ARLEN ORCHARD: Could I hit one thing on
10 the -- one other point on the CPI issue is we're
11 actually seeing parts of our business where we're
12 seeing costs come in above CPI, and that is
13 construction costs, essentially. Obviously, there's a
14 lot of construction happening in the state, and we're
15 seeing our costs grow pretty dramatically. I sent the
16 board earlier today some information about the Station
17 E downtown. It's a bulk substation, the bid has come
18 in \$16 million higher than we anticipated, and those
19 costs, four that we estimated, were based on a
20 substation that we just built last -- or we just went
21 out to bid for last year.

22 So in just about 12 months, 12 to 18 months,
23 we're seeing a \$16 million bump, and we don't see that
24 declining in the future. Vegetation management is
25 another one we're anticipating over the next couple of

1 years, about a \$3 million increase in vegetation
2 management costs over just in the next couple of years.
3 So we're seeing things actually be higher than what
4 you'd expect in inflation.

5 BOARD MEMBER DAVE TAMAYO: Director
6 Bui-Thompson.

7 BOARD MEMBER NANCY BUI-THOMPSON: So can you put
8 up the rate proposal I had suggested in your
9 alternative?

10 So I had proposed an alternative. So this time
11 around I would say that I received much more either
12 email or correspondence or Next Door flare-ups than I
13 have in the past.

14 And so when I asked people, I asked about, you
15 know, what is -- what is acceptable or what's palpable?
16 And I think a lot of the feedback I received is there's
17 something about, you know, higher chunks, and, you
18 know, in shorter periods of time.

19 So the rate proposal, I think I kind of remember
20 how you re-jiggered my proposal is, like, three and a
21 half and then -- okay.

22 So how, if we were to look at an alternative
23 which would break out the rates but essentially give us
24 almost the same revenue stream, how -- how would that
25 impact either, like, billing, would it -- would it

1 create more technical issues? Is it just changing a
2 line item in a database code? How difficult would it
3 be to implement this rather than your straight two --
4 two-tiered approach? I just want to understand the
5 complexity if we were to go the smaller increases
6 route. Because I think a 1 1/2 percent or 2 1/2
7 percent is a much more -- I mean, I don't think people
8 would even notice those small changes, but I think a \$5
9 change, I think that's quite noticeable.

10 CEO ARLEN ORCHARD: So I would say that,
11 obviously, it requires a little more IT work when you
12 think about each increase -- it's doable, I just
13 checked with Steve, and he says it's completely doable
14 to do this and it's not overly burdensome.

15 But, for example, every time you do a rate
16 increase, you not only have to change all the billing
17 tables, but then you have to go in and make changes to
18 all of the tools we provide to our customers because it
19 has to reflect that rate change.

20 So instead of doing that twice, we would do it
21 roughly, I think it's four times. So there would be a
22 level of effort associated with that, but it's
23 certainly -- certainly doable.

24 BOARD MEMBER NANCY BUI-THOMPSON: It's not like
25 we're digging into old COBOL code that takes thousands

1 of hours.

2 CEO ARLEN ORCHARD: No, no, no.

3 BOARD MEMBER NANCY BUI-THOMPSON: Okay.

4 CEO ARLEN ORCHARD: So there's a level of
5 effort, but Steve's telling me it's not from an IT
6 stand -- IT lift, it's not -- it's doable.

7 BOARD MEMBER NANCY BUI-THOMPSON: So I didn't
8 see -- I think in the past, and maybe I missed it, I'm
9 sorry, I'm very busy. In the past we've received
10 almost like a summary or some rate suggestions besides
11 what Mr. G [REDACTED] and Mr. -- did we get any feedback? I
12 mean, all that I saw mostly was we don't like the
13 increases, which I get that. But did we get any --

14 CEO ARLEN ORCHARD: We did not get any other
15 alternatives proposed by the public in this, other than
16 what we've heard tonight.

17 BOARD MEMBER NANCY BUI-THOMPSON: Okay. So just
18 to clarify, so if we were to break up the increases to
19 smaller lower percentages, we would essentially get
20 close to what we had --

21 CEO ARLEN ORCHARD: Yeah. I think that's within
22 a margin of error, quite frankly, from a revenue
23 requirement standpoint. And, just to be clear, what it
24 does -- what it would change would be the cumulative
25 increase, but that cumulative increase over that

1 two-year period would relieve some of the rate
2 pressures we're expecting to see in the 2021 process.

3 So, as Jennifer said, right now we're looking
4 at, we think, 4 to 4 1/2, just based on what we know
5 today in 2021. We would be able to reduce that
6 something down to, you know, sub 3.

7 BOARD MEMBER DAVE TAMAYO: Okay. Director
8 Herber.

9 BOARD MEMBER ROSANNA HERBER: Yeah. I just had
10 a question maybe for Jennifer or anybody in the rate
11 area. It was suggested tonight that we should have a
12 tiered rate, and SMUD doesn't have a tiered rate.

13 Could you explain why staff doesn't think that
14 that's the way to go?

15 JENNIFER DAVIDSON: Sure. We believe that one
16 of the keys to a low carbon future is electrification,
17 and so we think it's not important -- it's less
18 important now kind of how much we use, but it's more
19 important, first of all, when you're using it, so
20 that's number one.

21 And then number two, we really want to encourage
22 use during certain times, and then we especially don't
23 want to create any sort of breaks that we don't want
24 people to say, "Well, I'm down in this lower tier, I
25 don't want to use more electricity and go into the

1 higher tier and prevent them from investing in
2 electrification."

3 So again, this idea about we want to make sure
4 that customers are using energy at the right time,
5 that's more important, it's less important how much.
6 And we want to make sure that we don't create any
7 artificial or real barriers to electrification. And so
8 that is why we think, especially with the new
9 commercial restructure, the new daytime supersaver rate
10 is an example of where we're really trying to encourage
11 electrification of both the building stock and the
12 transportation sector.

13 CEO ARLEN ORCHARD: So -- and I would add just
14 one other thing. SMUD used to have tiered rates, and
15 we purposely moved away from tiered rates over a series
16 of years. We flattened our rates in order to prepare
17 our customers for time of day rates. Time of day is
18 actually the favored policy within the State of
19 California. We led the way and we'd gone first, but
20 the investor-owned utilities are all moving into time
21 of day rates just about a year or so later than we are.

22 And again, it really is trying to capture the
23 higher cost of energy, and, as you know, during that
24 higher cost of energy period we're using less
25 renewables and more carbon intensives. So it's also

1 trying to capture -- there are some -- there are some
2 environmental costs associated with that time period
3 also.

4 BOARD MEMBER ROSANNA HERBER: Thank you.

5 JENNIFER DAVIDSON: One other point I might make
6 is that we also want to make sure that we can keep
7 rates easy to understand, and so we think it becomes
8 really complex and hard for the customers if we were
9 doing a combination of both time of day rates and
10 tiered rates. It's just a level of complexity that is
11 not a clear price signal.

12 BOARD MEMBER ROSANNA HERBER: Okay. Thank you.
13 One other quick question on the table that you gave us
14 to show, like, the increases. I'm not sure which --
15 which slide it was, but it -- it talked about the
16 4.5 percent and the 4.75 and how that would -- let's
17 see. Keep going, keep going. The -- the actual
18 increases. There.

19 JENNIFER DAVIDSON: Okay.

20 BOARD MEMBER ROSANNA HERBER: What I'm wondering
21 about this, this is for the, you know, the rate
22 increase for '20 and '21. Does -- does this also speak
23 to the -- the eight-year transition that we're doing
24 for the small and the very small customers?

25 JENNIFER DAVIDSON: This is the rate increase

1 only. So as the commercial customers transition, some
2 will see an impact where their bill will go up greater
3 than this, and some will see an impact where their bill
4 will go down less.

5 BOARD MEMBER ROSANNA HERBER: Uh-huh. Okay.
6 All right. Well, I -- I just want to say for me I
7 really appreciate all of the work that staff has done.
8 It's been -- it's been a little overwhelming to try to
9 get your hands and arms around everything that is
10 changing. I do believe that the proposal that Director
11 Bui-Thompson is putting out there to try to give more
12 space between the increases, especially for the
13 commercial customers, is important.

14 You know, from what I can tell, we -- we -- we
15 have things that we have to pay for. We can't get
16 around fire mitigation. We have to have the ability
17 for peak demand, the technology that we're going to
18 purchase is going to give us more tools, and, you know,
19 our carbon reduction program is very important to all
20 of us.

21 So I guess I want to express support for the
22 option that would slowly increase the commercial
23 customer rate as suggested by Bui-Thompson.

24 BOARD MEMBER DAVE TAMAYO: Okay. I did have an
25 additional request from Jack Freeman in the audience

1 who would like to ask a question during the public
2 hearing portion of the agenda.

3 JACK FREEMAN: Thank you much. My name is Jack
4 Freeman, F-r-e-e-m-a-n.

5 It's just that last slide that you had up there
6 and several others. It's been rather complex trying to
7 balance back and forth and issue balance between
8 commercial, residential, combined, and all that. That
9 last slide that you had up there that had the
10 alternative plan on there, did that apply to
11 residential or to business or both? And if you could
12 get some kind of clarification on these things when
13 they're being presented, it would really help clarify
14 and stop the confusion going on out here. Thank you.

15 BOARD MEMBER DAVE TAMAYO: Jennifer, would you
16 care to clarify that, please.

17 JENNIFER DAVIDSON: Thank you for the chance to
18 clarify. The rate increase is applied to all
19 customers, and it would be applied to all components of
20 the bill. And then the commercial restructure applies
21 to only commercial customers, and it's an
22 independent -- the two are independent of each other.

23 BOARD MEMBER DAVE TAMAYO: Director Sanborn.

24 BOARD MEMBER HEIDI SANBORN: Sorry. I'm still
25 confused. So this chart is for both residential and

1 commercial?

2 JENNIFER DAVIDSON: That is correct. Because
3 the commercial restructure is revenue neutral. It's
4 not designed to --

5 BOARD MEMBER HEIDI SANBORN: That's what I
6 thought.

7 JENNIFER DAVIDSON: -- collect any more revenue,
8 but this is the rate increase is to increase revenue
9 and will be applying that to all customers, both
10 residential and commercial, and again, to all bill
11 components, and then the -- but then the rate
12 restructure is going on, and actually I should clarify.
13 While we're doing the rate restructure, the demand
14 charges will not have the rate increase applied to it.

15 BOARD MEMBER HEIDI SANBORN: Okay. So there's
16 three options there. So can I clarify what is being
17 proposed as the preferred alternative?

18 BOARD MEMBER DAVE TAMAYO: We're going to have
19 discussion.

20 BOARD MEMBER HEIDI SANBORN: Okay.

21 BOARD MEMBER DAVE TAMAYO: And during our
22 discussion calendar we're going to introduce the draft
23 rate resolution, and then we'll have discussion about
24 what our preferences are. I think that really the
25 purpose of this right now is to ask questions for the

1 public to comment on the proposal and for us to ask
2 questions about it, but it's not really intended to
3 do -- to have our discussion, and that will be in a
4 little bit after we close the public hearing, so...

5 BOARD MEMBER NANCY BUI-THOMPSON: I was
6 explaining it to -- that's what I was going to say.
7 Thanks.

8 BOARD MEMBER DAVE TAMAYO: All right. Did we
9 have other questions?

10 BOARD MEMBER BRANDON ROSE: I was just going to
11 say as we're looking at these alternative rate options,
12 right, the staff proposal has a cumulative rate
13 increase of 9 1/2 percent, initial revenue of 193
14 million, but some of the other options have total
15 increases of 13.7 percent or 11.7 percent. So the
16 total increase is more, but the additional revenue is
17 less. And so it's all about just what time you
18 implement and how it compounds.

19 But I also think it's interesting is everybody
20 is so used to hearing spin -- political spin, it is
21 like the real world, "Hey, this rate increases more but
22 yet it is going to pull more money or less money out of
23 people's pockets," right, like in terms of revenue that
24 comes into SMUD to keep it running.

25 So I think it's just really interesting. It's

1 sort of a challenging situation if we spread this out,
2 the rate increase on paper is more, but yet everybody
3 ends up spending less. Yeah, it's interesting. So I
4 just wanted to point that out as we go through this.

5 BOARD MEMBER DAVE TAMAYO: Any -- any other
6 questions from the board? All right.

7 Director Fishman, go ahead.

8 BOARD MEMBER GREGG FISHMAN: Arlen, there's one
9 more thing I want you to kind of run through for us,
10 and that's we're also looking at some ways to increase
11 our revenue through non-rate sources.

12 CEO ARLEN ORCHARD: Correct.

13 BOARD MEMBER GREGG FISHMAN: Can you talk about,
14 again, what we've already done and what we hope to see
15 in the future? But again, without counting our
16 chickens before they hatch.

17 CEO ARLEN ORCHARD: Sure. We are looking at how
18 do we diversify our revenues so that we're collecting
19 revenues other than just from electricity sales to our
20 customers. So we're looking at a whole number of
21 opportunities to do that. And since we're a
22 not-for-profit and community-owned utility, any
23 additional revenues that we capture from other business
24 lines come back to support SMUD's operations and
25 ultimately result in less rate pressure on our

1 customers going forward.

2 So one big example is we've joined the Energy
3 Imbalance Market. So that market will allow us to
4 better optimize our generation fleet and take advantage
5 of that market, and we expect to see revenue associated
6 with that flowing back to SMUD. We expect it to take
7 about two years to pay off our investment in joining
8 that market, and that's a technology investment, and
9 then we'll see additional revenues associated with
10 that.

11 So we're looking for more market opportunities
12 in the wholesale energy market to take advantage of.
13 We're also looking at where can we leverage SMUD's
14 expertise to provide services to others. So probably
15 the best example of that is Community Choice
16 Aggregation. We're currently providing services to the
17 Yolo County CCA and the Alameda County CCA, and also
18 looking at expanding those services to other CCAs.
19 That's about 600,000 customers that we're providing
20 service to.

21 Right now we're early in that business, so we
22 have not recovered our initial investment. But if you
23 just take our operating costs on an annual basis of
24 that new business line versus the revenues we're
25 seeing, we're seeing about a \$600,000 positive net

1 revenue flow.

2 Our Sacramento Power Academy is our training
3 facility. That's run by Frankie and his team. That is
4 a training facility that we used to only use -- utilize
5 to train our own -- our own field forces. We've
6 realized that we do that really well and it's an
7 underutilized asset, so we've partnered with the IBW
8 and others to create a training facility that will
9 provide training to other utilities as well as
10 potential folks in the community who are interested in
11 working for utilities, and that includes
12 telecommunication companies. That's just getting
13 started.

14 We are also getting some state and federal funds
15 associated with running those apprentice programs.
16 That's another example.

17 And then we -- our intellectual property is
18 something that we do a lot of co-development with small
19 companies, and even large companies, to help refine
20 their products to help provide solutions that we need
21 for our operations or for our customers.

22 In the old way of doing business, we would work
23 on that and we wouldn't see any return for our -- from
24 our customers on that, other than we'd get the
25 solution, but they may go off and sell that to a whole

1 bunch of different folks and make money on that -- on
2 that.

3 So we've -- we're now entering into deals with
4 companies where we will co-develop a new technology.
5 And then as that technology is sold to other utilities,
6 we get a return on revenue associated with those sales.

7 Probably the biggest one we're doing is with OSI
8 right now, Open Systems International. They -- we
9 contracted with them to install our Advanced
10 Distribution Management System. That is a very
11 important piece of technology that will help provide
12 more visibility and better management of our
13 distribution system.

14 The next generation of technology that needs to
15 be developed is called the distributed --
16 distributed -- I can't even say it, it's getting late.
17 DERMS, and that is to better integrate things like
18 solar, batteries, and so we're co-developing that new
19 generation. We'll actually help sell and market that,
20 and when those sales happen, those moneys will flow
21 back to SMUD.

22 All of this is very early in the evolution of
23 SMUD and our business model, but it's examples of how
24 we're trying to think differently and creatively and
25 use innovation to collect more revenue so we have to go

1 out to our customers for increases at a lower level in
2 the future.

3 BOARD MEMBER GREGG FISHMAN: Thank you.

4 BOARD MEMBER DAVE TAMAYO: Okay. So --

5 BOARD MEMBER BRANDON ROSE: Do we have more
6 public comment or --

7 BOARD MEMBER DAVE TAMAYO: No, we don't.

8 BOARD MEMBER BRANDON ROSE: Can I -- ask one
9 more question --

10 BOARD MEMBER DAVE TAMAYO: Sure.

11 BOARD MEMBER BRANDON ROSE: -- alternative rate
12 increase options.

13 It's pretty small from back here. Under
14 Option -- under Option 2 and Option 3, we have this
15 3.75 percent and 3 1/2 percent, and it jumps to 1 1/2
16 and then 2 1/2 percent. Is there a logic behind not
17 having just a straight sort of linear reduction over
18 time? Like, so, let's say they would go from 3.75 to 3
19 1/2 to, like, say, 2, and then like 1 1/2, something
20 like that? Or is it constructed this way with a little
21 back-end bump on purpose?

22 JENNIFER DAVIDSON: So I think the -- the bigger
23 need, you can see is that the 2020, and so that's why
24 we have to have the higher in the mid 3s in 2020, and
25 that, again, is back to the point that you raised is

1 that we haven't had a rate increase equal to CPI for
2 the last two years, so we're under pressure, and so
3 we're not able -- we're skipping the bottom for our
4 ratios which are really important in the markets as we
5 go to, you know, borrow and be able to get cost
6 effective borrowing.

7 But then when you get into 2021, I think we were
8 trying to show that you've got, you know, plus or
9 minus, you know, .5's mobility to move those numbers
10 around a bit, so you could see we pick 3 for Option 2,
11 a little bit earlier, and 3.5, and it leads you to 1.5
12 in an Option 3, you're down 50 basis points, and then
13 you have to be up 50 basis points the following one.
14 They're three months apart, so we were just trying to
15 show a little bit of flexibility to the board.

16 BOARD MEMBER NANCY BUI-THOMPSON: So to
17 Brandon's comment. I mean, just -- people usually like
18 either like a gradual up or a gradual down. Would
19 it -- would it be a huge inconvenience to flip flop
20 October 2021 and January 2020 so that it's like a
21 gradual decrease in rates? So, basically, like Option
22 3 -- oh, no. Option 3 doesn't do it either. So
23 basically flip flopping, so it's more of a linear
24 downward.

25 JENNIFER DAVIDSON: And so you could do Option

1 3, it could be, you know, slightly less in October of
2 2021, so it's going down from 3 and 3 1/4 to 3, you
3 know.

4 CEO ARLEN ORCHARD: So I think -- let me just
5 try to capture, I think, what Director Bui-Thompson is
6 saying. Is having a reduction or a lower increase each
7 time. So you start with the higher reduction in
8 January 2020, so let's use Option 3 as an example. So
9 you would have 3.75, you drop to 3 in 2020, you might
10 go to -- I'll make it up -- 2 1/2 in 20 -- in January
11 of '21, and that might mean you only need 1.75 or
12 something in 2021.

13 JENNIFER DAVIDSON: Yes.

14 CEO ARLEN ORCHARD: Or 2 percent, however the
15 numbers work out.

16 JENNIFER DAVIDSON: Right. So you could easily
17 flip the January 2021 and make it 2 1/2, and then 2
18 percent for October of 2021 to have that nice linear
19 scale down.

20 BOARD MEMBER DAVE TAMAYO: Are we going to be
21 able to accommodate that kind of change within the
22 process that we have before us?

23 CEO ARLEN ORCHARD: Yeah, yes. I believe we can
24 modify. We could -- we could do that flip under Option
25 3. It would change the cumulative a little tiny bit

1 but not a whole lot.

2 JENNIFER DAVIDSON: All right. You would
3 actually be collecting a little bit more revenue, you'd
4 be a little bit greater cumulative increase. But
5 again, what that would mean is it would take a little
6 bit even -- a little bit less pressure in 2022. So the
7 good effect would carry through to 2022.

8 BOARD MEMBER NANCY BUI-THOMPSON: So if we did
9 this gradual decrease, it could help us in 2022 of not
10 having such a high increase?

11 JENNIFER DAVIDSON: Absolutely, correct.

12 BOARD MEMBER DAVE TAMAYO: And any other
13 questions? If we don't have any other questions from
14 the board -- go ahead.

15 BOARD MEMBER ROSANNA HERBER: I'm sorry, I just
16 got to see this tonight, and so it's still -- it's
17 still kind of new to me. I guess what I'm wondering is
18 we were looking at a 9 1/2 increase, now we're looking
19 at basically 11.7, and I guess that's with the
20 understanding that there won't be a rate increase in
21 2022?

22 CEO ARLEN ORCHARD: No, no. I think what it is
23 is -- so, first of all, the options have been designed,
24 setting aside Option 1, which we can't do because it
25 deals with a rate increase in '22, so we're really

1 looking at the staff proposal Option 2 or Option 3, is
2 we designed it to kind of spread out the rate increases
3 but capture roughly the same amount of revenue so we
4 could address the things that we need to spend money
5 on.

6 Because you have a greater cumulative increase
7 over in Option 2 or Option 3 over that period of time,
8 because it's about timing, and when you start to
9 collect revenue, what that means is we've been -- I
10 think we've told the board that based on current day
11 projections, we're at maybe 4 to 4 1/2 percent in 2022.
12 Because you have a higher cumulative during this rate
13 process instead of us coming back to the board with 4
14 to 4 1/2 percent, we'd be coming back with more like 2
15 to 2 1/2 percent increase in 2022. So you'd actually
16 see a lower rate increase in '22 over what we think we
17 need today based on this -- this option. Does that
18 help?

19 BOARD MEMBER ROSANNA HERBER: Yeah. Now I
20 understand, but you're anticipating that in 2022 we're
21 looking at another 4 1/2?

22 CEO ARLEN ORCHARD: Yeah.

23 BOARD MEMBER ROSANNA HERBER: So by going down
24 this chart, we might end up having to raise the rates
25 less?

Public Hearing

1 CEO ARLEN ORCHARD: A little less in 2022.

2 BOARD MEMBER ROSANNA HERBER: Okay. Thank you.

3 BOARD MEMBER DAVE TAMAYO: All right. Do we
4 have any more questions at this point? Keep in mind we
5 will have room for discussion between the options.

6 Okay. So with that being said, I'm going to go
7 ahead, unless Laura says otherwise, I'm going to close
8 the public hearing on this item. And she is nodding,
9 so the public hearing is closed.

10 (The public meeting adjourned at 7:45 p.m.)

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