



April 25, 2014

Paul Clanon, Executive Director
California Public Utilities Commission
505 Van Ness Ave., Room 5223
San Francisco, CA 94102-3298

Dawn Weisz
Executive Officer

Damon Connolly
Chair
City of San Rafael

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Tom Butt
City of Richmond

Carla Small
Town of Ross

Ford Greene
Town of San Anselmo

Ray Withy
City of Sausalito

Emmett O'Donnell
Town of Tiburon

Marin Clean Energy
781 Lincoln Ave., #320
San Rafael, CA 94901

1 (888) 632-3674
mceCleanEnergy.org

Dear Paul,

As per my voice message on Thursday, April 24, the attached email message from the IBEW 1245 was distributed throughout our community late Wednesday afternoon and is now circulating broadly. It is filled with very inaccurate and misleading information as shown in Attachment A.

The email message is directly linked to PG&E's anti-CCA activity and is a clear violation of the Code of Conduct, which may need to be modified. If a customer selects the 'Source Information' at the bottom of the IBEW 1245 email they will see the message: "You were added to the system April 23, 2014." The Source Information will also display, "A description of how your email was obtained: Marin Common Sense Coalition." The Marin Common Sense Coalition was created by and funded by PG&E as described in Attachment C.

Because the letter is having real-time impacts on our customer base, we are asking for your assistance in restraining this behavior without delay. We respectfully request the following:

1. Please direct PG&E to have the IBEW terminate all use of all email addresses collected by the "Common Sense Coalition" or otherwise provided from PG&E to the IBEW.
2. Please request that PG&E prepare an apology letter for MCE to distribute to all customers in our service territory apologizing for: 1. The misinformation the customer received, and 2. The sharing of customer's email information with another party without permission.
3. Please submit a data request to PG&E regarding the ties they have to IBEW 1245 anti-CCA activity and/or other anti-CCA activity in our service territory. We have attached a suggested list of questions for the data request in Attachment B.

We are happy to answer any questions you may have and we greatly appreciate your prompt attention to this matter.

Sincerely,

Dawn Weisz

cc: Edward Randolph, Director, CPUC Energy Division
Will Maguire, Regulatory Analyst, CPUC Energy Division
California Senator Mark Leno

Attachment A: Copy of the e-mail letter distributed on April 23, 2014



We have breaking news out of Sacramento – a coalition opposed to allowing Shell Oil to take over California's power supply has introduced a bill (AB 2145) that would stop Shell from automatically enrolling everyone in San Francisco and other municipalities outside Marin in Shell's Marin energy program.

If you are a Marin resident you may be getting this dirty power today.

Marin residents have already been enrolled in Marin Clean Energy and many had difficulty opting out of the new scheme. AB 2145 would change that to require that customers affirmatively “opt-in.”

Shell and their partners at Marin Clean Energy initially got a toehold in Marin by promising the energy they would deliver would be green – but now the facts are in. According to documents filed with the California Energy Commission last year, the power Marin buys from Shell is 23% emission-free – which sounds good until you consider that the old energy mix Shell replaced was 62% emission-free. We can't sit back and let them call the power “clean” when it's much dirtier.

Sign our petition to stop Shell Oil from automatically enrolling you in their program.

We're writing to you today because you deserve a choice – you shouldn't be automatically enrolled as a customer of Shell Oil against your will. Whether you oppose Shell because of their abysmal record on the environment, for their series of human rights abuses in Africa, or because you don't want to pay more for power that isn't greener – they shouldn't be able to automatically sign you up as a customer.

If you agree, sign our petition here and tell legislators in Sacramento that Californians deserve a choice.

Shell is a powerful political operator – and their supporters are pressuring politicians to make sure they get their way. **We need your help to tell those legislators that we deserve a choice and that this bill deserves their support.** You can read more about the bill, which was introduced by Assembly Member Steven Bradford [here](#).

Here are four things you can do today to fight back against Shell Oil:

1. Sign the petition.
2. Share the petition on your Facebook page and encourage people to sign it.
3. Like us on Facebook.
4. Forward this email to five people you know.

Legislators in Sacramento need to hear from you today – so please take a minute to sign the petition!

Sincerely,

Hunter Stern
Stop the Shell Shock

Paid for by the dedicated members of IBEW 1245.

Source Information for your Email Address

Information

Optin Status: Opted In

Email Address: t***p@i**.com

Email Type: not specified, defaulted to MIME

Date and time signed up: April 23, 2014 at 1:09:58 PM (PST)

A description of how your email address was obtained: Marin Common Sense Coalition VF Opens 021210

Attachment B: Data Request

Suggested Items to Include in PG&E Code of Conduct Data Request:

1. Please report all funding, cash donations, or in-kind support has PG&E given to the IBEW1245 each calendar year, 2009 – 2014.
2. Please provide a list of all meetings or verbal discussions that included any PG&E staff person and Hunter Stern. Please include the date and purpose of each meeting.
3. Please list any and all meetings or verbal discussions that included any PG&E staff person and Jim Phelps.* Please include the date and purpose of each meeting.
4. Please provide copies of all correspondence (including electronic/email correspondence) between PG&E representatives and Hunter Stern.
5. Please provide all correspondence (including electronic/email correspondence) between any PG&E representative and Jim Phelps.
6. Please list the date and amount of all payments made from PG&E to Jim Phelps between 2005 – 2014 and include the purposes of the payments.
7. Please list all lobbying activity regarding AB2145 (Bradford) including all meetings with representatives, staff or members of the public, and all payments to lobbyists for work related to AB 2145.

**Note: Jim Phelps is an MCE critic that recently released information about ties to PG&E as described in Attachment D. He also operates an anti-MCE website: www.meatruith.org*

Attachment C: Information about PG&E Common Sense Coalition

"Marin Common Sense Coalition" was the group operated by PG&E prior to and during 2010. Below is newspaper article that was written about this clear connection in 2010.

Marin Independent Journal

Coalition opposing Marin Clean Energy has strong ties to PG&E

Richard Halstead

Posted: 02/26/2010 06:31:29 PM PST

Five mailers sent to Marin residents opposing the Marin Clean Energy initiative bear the name of the **Common Sense Coalition**, but in fine print the mailers all state: "This information was provided by Coalition for Reliable and Affordable Electricity, a coalition that includes Pacific Gas and Electric Co."

Besides having PG&E as a member, the Coalition for Reliable and Affordable Electricity has a number of other ties to the investor-owned utility.

The clean energy initiative is a program of the Marin Energy Authority. The authority, a group consisting of the county of Marin, San Rafael, Mill Valley, Sausalito, Tiburon, San Anselmo, Fairfax and Belvedere, is competing with PG&E as a retailer of electricity in Marin with the aim of cutting the emission of greenhouse gases by boosting renewable energy use.

A mailer sent to Marin residents this week invited recipients to attend a meeting with other opponents of the Marin Energy Authority at 10 a.m. Saturday, Feb. 27 at the San Rafael Community Center, 618 B St.

Former San Rafael Assemblyman Joe Nation, who will emcee Saturday's meeting, confirmed Friday that the Common Sense Coalition and the Coalition for Reliable and Affordable Electricity are the same animal.

"The broader Coalition for Reliable and Affordable Electricity is the umbrella organization," Nation said. "They're funding what we're doing in Marin, and they're also funding other things." Nation acknowledged being paid a retainer by the coalition but declined to say how much he is receiving.

"It will be disclosed at the appropriate time," Nation said.

The Coalition for Reliable and Affordable Electricity is a nonprofit that was formed in 2005. According to the organization's 2008 tax returns, the most recent information available to the public, the president of the organization is Dan Richard, PG&E's former senior vice president for public policy and government relations. Also listed as a director is Nancy McFadden, a senior

vice president and senior adviser to PG&E's CEO Peter Darbee. Steven S. Lucas is listed as the coalition's principal officer.

None of the officers could be reached for comment Friday. Nation said he didn't know if the organization has the same officers today.

Lucas, a partner in the Sacramento law firm of Nielsen, Merksamer, Parrinello, Mueller & Naylor, is also listed as treasurer of the Yes on 16 political action committee. Proposition 16, which will appear on the June 8 ballot, would require two-thirds approval from local voters before cities or counties could choose an alternate energy provider.

All of the Yes on 16 committee's contributions, \$3.5 million, have come from PG&E, which has told its shareholders it plans to spend \$25 million to \$35 million backing the initiative.

In December, a mailer warning against programs similar to the clean energy initiative went out to San Francisco businesses from a group calling itself the Common Sense Coalition. The mailer stated that, "In 2008 our Common Sense Coalition organized more than 50,000 San Franciscans to defeat Proposition H."

Proposition H would have directed the San Francisco Public Utilities Commission to study the best way to provide clean, sustainable, reasonably priced energy to residents. It also would have required that 51 percent of the city's electrical needs be met by clean energy suppliers by 2017 and 100 percent by 2040.

According to its tax filing, the Coalition for Reliable and Affordable Electricity spent more than \$9 million in 2008. Of that amount, more than \$4 million was spent on advertising/promotion and about \$1.8 million on printing and publications.

So far, the Marin Energy Authority has sent out just one small mailer urging recipients not to opt-out of the clean energy initiative and suggesting that they instead opt to pay a bit more each month in order to get energy produced from 100 percent renewable sources.

"It's tough taking on somebody who can spend \$25 million on a statewide campaign and \$10 million to crush us," said Supervisor Charles McGlashan, who serves as chairman of the Marin Energy Authority's board.

Contact Richard Halstead via e-mail at rhalstead@marinij.com

**Attachment D: Information about Upcoming Event that Links to
PG&E Representative or Contractor**

Marin Coalition Presents
“Marin Clean Energy: A Critic’s Point of View”

Mr. Jim Phelps - Guest Speaker

Luncheon and Speaker Event on May 7, 2014

Marin Coalition presents to its members, guests and the public, ***“Marin Clean Energy: A Critic’s Point of View”***. Since 2010 when Marin Clean Energy launched, it has grown to include 11 cities in Marin, the County of Marin and the City of Richmond with 125,000 customers. MCE’s annual Operating Revenue for 2014 is \$86,865,000 and MCE currently employs 18 full time and 1 part-time staff. However, energy professionals challenge MCE and its reliance on Renewable Energy Certificates (RECs) and the impact of RECs on achieving actual reductions of Greenhouse Gases, object to MCE’s system of automatic customer enrollment, and remain concerned that MCE’s primary energy contract is with Shell Oil.

Jim Phelps is a mechanical and heat transfer engineer serving the power, petrochemical and geothermal industries. He has performed work for PG&E and Shell Oil, two of the major players in the MCE rollout. His design work on evaporative heat transfer equipment translates directly to operating efficiencies and greenhouse gas emissions. His duties include utility rate analysis as it relates to negotiating contract performance penalties. He operates a 7 KW photovoltaic system at his home in Novato.

- **Date:** Wednesday May 7, 2014 11:15am -1:30pm.
- **Check-In and Networking:** 11:15am - Program begins promptly at noon.
- **Location:** The Club at McInnis Park Golf Center, 350 Smith Ranch Road, San Rafael. <http://www.mcinnisparkgolfcenter.com/directions/>

Send your check to: **Marin Coalition, 369-B 3rd St. #647, San Rafael, CA 94901**
Indicate your entrée choice: Salmon, Pasta (vegetarian) or Chicken Caesar Salad.

*Cancellations must be received by 10am on May 5 or no refund will be given.