



November 24, 2021

Subject: Written Comments on the Draft ESJ Action Plan

I. Introduction

GRID Alternatives (GRID) submits the following comments on the California Public Utilities Commission (CPUC) Draft Environmental and Social Justice Action Plan Version 2.0 (ESJ Action Plan 2.0).

First, GRID would like to recognize the significant CPUC resources it took to develop this updated ESJ Action Plan. The updated version of the ESJ Action Plan improves upon the solid framework of the first ESJ Action Plan the CPUC adopted in February 2019. Second, GRID believes Monica Palmeira deserves specific recognition for her genuine devotion to shepherding this plan towards successful implementation. It has become clear, through the two public ESJ Action Plan workshops hosted by the CPUC in 2021 and through the refined goals and detail outlined in the updated ESJ Action Plan that Ms. Palmeira has carefully listened to public feedback and worked to incorporate best practices and fitting recommendations into the updated plan.

Moving forward, while GRID recognizes the positive and earnest work CPUC staff has dedicated to this plan and the ESJ Community writ large, our recommendations outlined in this comment letter are geared toward improving and instituting decision-maker accountability. As such, the majority of our comments and recommendations focus almost exclusively on Appendix A: ESJ Action Items. If there is uninspiring internal accountability when ESJ Action Items are not met or unacceptably delayed, then this plan will unfortunately represent little more than talking the talk without walking the walk.

II. Specific Action Item Comments

Goal 1 Action Items: Consistently integrate equity and access considerations throughout CPUC proceeding and other efforts

Action Item 1.1.3: Tracking Federal Initiatives Related to Environmental Justice

Action Item 1.1.3: GRID Comment

Tracking federal initiatives related to environmental justice will be crucial. These include congressional actions, such as major infrastructure and social spending legislative packages, as well as Executive Branch actions such as the Justice40 Initiative. Some of these actions are likely to provide significant opportunities that CPUC and partners can leverage for funding and financing of new or existing initiatives, or for adopting or aligning with best practices. CPUC and other California agencies should work together to ensure that California maintains its leadership position on climate

and equity issues. In addition to tracking and internal communication, there should be a two-way dialogue between CPUC and relevant federal government entities so that other states can benefit from California's leadership and experience to date. Moreover, CPUC can be an invaluable resource in helping externally communicate information on federal environmental justice actions and opportunities to communities and stakeholders within California, helping to build essential capacity and ensure those opportunities are fairly distributed.

Action Item 1.1.5 ESJ Definitions: Catalogue and Assess Opportunities for Mutual Eligibility

Action Item 1.1.5_GRID Comment:

We agree that ESJ related definitions are crucial, and that reducing burdens to access by streamlining eligibility for participants is an important means of enhancing equity and effectiveness of programs. We do caution that efforts at alignment and mutual eligibility should not streamline anyone *out* of program eligibility or restrict access for the sake of administrative ease. Thus, we support a single application and customer-centric process that makes it easy for people to apply to multiple programs across multiple agencies at the same time; however, uniform eligibility is not an appropriate goal in light of different program targets. In addition, we emphasize that multi-stakeholder coordination and cross-programmatic marketing, education, outreach, and enrollment require additional funding, as these involve significant effort and resources.

Action Item 1.2.2 Launch Pilot Program for Participation of Community Based Organizations (CBOs)

Action Item 1.2.2: GRID Comment

We strongly support facilitating deeper involvement of CBOs, with funding, through a well-designed pilot program that can be expanded with ESJ community input.

Action Item 1.2.4 ADA Accessibility of CPUC Internet

Action Item 1.2.4: GRID Comment

While accessibility is touched on in other action plan goals and actions, we suggest that this action item expressly consider more than just internet documents. Meetings and other communications must also be accessible to all.

Action Item 1.2.5 Host Regular "Participate in CPUC" Sessions

Action Item 1.2.5: GRID Comment

We support this as a component of systematically increasing access. The work plan should include proactive advertising and outreach for the sessions themselves, and not just the recordings. If possible, the presentations and materials should be developed with compensated community input as well.

Goal 2: Increase investment in clean energy resources to benefit ESJ communities, especially to improve local air quality and public health

General Comment:

Goal 2 (and Goal 4) are critically important because the cumulative effects of past decisions have contributed to the “climate gap” where many ESJ communities are at significantly higher risk of economically, and subsequently socially devastating impacts from climate change, while simultaneously having fewer resources to cope with and adapt to a changing environment. The CPUC has identified this issue and notes their work on R.18-04-019 and R.18-07-006 as progress towards a just society, but to date, GRID does not believe enough work has been implemented aside from having IOU representatives attend meetings discussing their *plans* to change and meet relevant decision requirements.

To the contrary, GRID understands through the proceedings we directly participate in and monitor, or collaborate with stakeholders to monitor, the climate gap keeps widening. For example, the recent *Proposed Decision Adopting Microgrid and Resiliency Solutions To Enhance Summer 2022 and Summer 2023 Reliability*, issued 29 October 2021, approves two IOU-based microgrid solutions: expanding PG&E’s Temporary Generation Program and the SDG&E-owned procurement of four circuit-level energy storage microgrid projects. Regarding the approval of PG&E’s Temporary (Diesel) Generation Program, the California Environmental Justice Alliance (CEJA) elevates multiple stakeholders’ understanding that approval of this program is “antithetical to California’s decarbonization and environmental justice goals.”¹

On this, GRID understands the CPUC’s mission critical importance of keeping the power on, which is a utility service that benefits everyone. However, taking a step back, it is an unfortunate impediment to overdue progress that maintaining power is now partially dependent on hooking up portable diesel generators to substations. GRID understands this is not news to CPUC staff working on developing this ESJ Action Plan. Nevertheless, GRID believes the technical potential of behind-the-meter (BTM) solutions is being unnecessarily constrained to maintain a utility model that delivered business decisions that did not keep up with the pace of environmental change. In order to begin the necessary “war-time” mentality to reduce exposure to an increasingly unreliable grid system, the CPUC needs to immediately begin strategically stacking all societal benefits and include all of them in the SCT until the threshold is reached that would financially penalize the entities that do not decarbonize their power sources in the fastest possible manner. It is possible to reward utility models that leverage the value currently locked behind-the-meter and penalize the utility models that treat, perhaps reflexively, prosumers as consumers.

Action Item 2.2.3 Societal Cost Test in Integrated Resource Plan

¹ Reply Comments of the California Environmental Justice Alliance on the Track 4 Expedited Phase 1 Proposed Decision, p.1

Action Item 2.2.3 Comment:

The current inability to agree to precise “costs and benefits” of each societal impact that is delivered by and through clean energy resources is often the result of politics and not policy. We acknowledge many societal elements are difficult to quantify and using qualitative information may be appropriate in certain instances. However, this plan is an opportunity to implement policy. To do so, we provide a few options for the CPUC to consider.

1. Run the SCT on all customer generation and energy efficiency programs that were approved since the issuance of D.19-05-019 on 21 May 2019.
2. Add the “Value of Resilience” to the current version of the SCT. The Value of Resilience will be determined in Phase IV of R.19-09-009.
3. Develop a process to annually update the SCT to reflect the most up-to-date societal benefit(s) that occur as a result of the changing impacts on the environment.
 - a. Establish a range of societal benefit value to be included in the annually updated SCT. For example, the societal non-energy benefit (NEB) from a weatherization treatment can create local jobs, improve economic development, grow tax receipts, lower energy costs, improve household health and comfort, increase property value, and reduce emissions of GHGs. Similarly, the installation of solar-paired storage can improve public health and reduce health care costs, improve household, community, and system resilience, increase labor productivity, etc. Rather than refrain from incorporating NEBs into EE and CE programming due to difficulty in quantification, the CPUC could adopt a low, mid, and high \$/kWh value for each relevant benefit per treatment. This method helps reduce the risk of under-compensating a clean energy resource and over compensating (e.g. approving PG&E’s Temporary Generation Program) a treatment while still providing the CPUC and stakeholders information on the least or greatest amount of societal good that could be available depending on which target is used for decision-making.
4. The CPUC may consider removing the SCT from IDER and opening a new OIR to develop the necessary scope and framework for annual SCT update and refinement.

Add New Action Item After 2.4.4 (NEM)**Action Item 2.2.4 GRID Comment**

Add Action Item to: “ensure that current and prospective participating ESJ ratepayers increasingly benefit from forthcoming changes to the NEM tariff (successor tariff) and ensure non-participating ESJ ratepayers have enhanced ability to increasingly adopt and benefit from the successor tariff”

Goal 5: Enhance outreach and public participation opportunities for ESJ communities to meaningfully participate in the CPUC’s decision-making process and benefit from CPUC programs.

General Comments:

Building good communication can only be accomplished establishing and funding a network of participating CBOs to circulate information in ESJ communities. Enhancing outreach in a meaningful

way will entail investing in CBOs to provide educational materials to ESJ communities and obtain meaningful input to then bring back to the CPUC. In GRID’s decades-long experience working in ESJ communities, we have found that CBOs work best when given adequate time and flexibility to get input from these communities as urgency is often the antithesis of equity. In short, time, money and intentional communication networks are the key.

Funding CBOs located in and/or directly serving ESJ communities will help overcome other barriers to participation such as language, technology, physical access, etc. From GRID’s perspective, for meaningful and true public participation in what are nebulous regulatory and legislative processes for most people, the CPUC would need to start with basic education and make it abundantly clear (i.e. in plain language) how and why community members who are interested can participate as well as transparency on the steps, who is involved in decision-making, and procedural timeframes. Beyond this, there are still other barriers to participation the CPUC should consider such as time, lack of resources, language access, and providing adequate information in the needed formats for access and functional needs (AFN) communities who have physical, developmental, or intellectual disabilities.

Comments on Action Items for Goal 5:

Action 5.1.1 Fact Sheets and Collateral Materials

GRID Comment:

We recommend implementing a “plain language” framework for fact sheet communications to ensure that all information is conveyed at a basic reading level. We also recommend that fact sheets are made available in in formats accessible to people with visual impairments and other accessibility needs, as well as in multiple languages.

Action 5.1.3 Email Communication and Newsletters

GRID Comment:

Many of the vulnerable communities we work with do not have access to reliable internet access or personal computers. In addition to email communications and newsletters we encourage other forms of communication that the CPUC can put in place to convey information to ESJ communities. We recommend working with and funding CBOs to relay important information on periodic basis to ESJ communities they work with.

Action 5.1.4 Interpretation Availability at CPUC Meetings

GRID Comment:

We recommend including sign language interpretation as an option for viewers and attendees of CPUC meetings.

Action 5.2.2 Leverage CBOs for CPUC Workshops and Community Engagement

GRID Comment:

We agree with the CPUC's strategy of leveraging CBOs for CPUC workshops and community engagement and cannot over-emphasize the importance of ensuring that these CBOs are adequately funded. Meaningful outreach takes immense amounts of time and effort on the part of CBOs, and it can only be done well with adequate staff dedicated to educating and obtaining input from ESJ communities. It is also important that this funding is made available without hurdles such as long grant applications and paperwork. Many of the CBOs that work directly with ESJ communities are extremely limited in capacity and resources and cannot dedicate staff time to cumbersome processes for receiving funding for outreach.

Goal 7: Promote high road career paths and economic opportunity and social justice issues within the CPUC's jurisdiction.**General Comments:**

GRID appreciates the Commissions' proactive approach to workforce development strategies to improve job quality as well as its commitment to meeting the economic, social, and environmental needs of the communities it serves.

From GRID's experience, the largest area need in the area of workforce development programs is funding for capacity building and providing stipends to training participants. In our experience with low-income solar programs there are often workforce training requirements included in the program design, but there is not adequate funding from the state for the job training providers who work with the hardest to hire communities. We encourage finding avenues for fully funding workforce development in clean energy programs.

We encourage the CPUC to obtain feedback from a range of job training providers and CBOs who work directly in ESJ communities in the development of best workforce development practices.

Comments on Action Items for Goal 7:**7.1.1 Implementation of MOU with CA Workforce Development Board****GRID Comment:**

Regarding the creation of best practices, we recommend engaging with stakeholders in ESJ communities to ensure that they can give input on best practices based on their experiences. We encourage a comment period for any workforce development policies that are adopted for CPUC policies and programs.

We recommend that the CPUC engage with schools, community colleges, and other workforce development providers to expand opportunities for education and recruitment into clean energy job training programs. We also recommend removing barriers to training in order to reach those who been left out of the clean energy industry and formal training opportunities due to a lack of access for meeting minimum qualifications. We encourage the CPUC to prioritize, in particular: formerly incarcerated individuals, women, and veterans, and ensure that there is targeted recruitment for these populations.

GRID Alternatives has worked with Vote Solar and other partners to develop a Low-Income Solar Policy Guide that includes a set of best practices for workforce development in solar programs.²

Action 7.3.2 Leverage Sister Agencies to Maximize High Road Opportunities for ESJ Communities

GRID Comment:

We suggest that the Commission leverage partnerships with other state agencies to provide funding for job training organizations to recruit, train, and conduct job placement for individuals in ESJ communities. We recommend working closely with and funding CBOs who are already doing this work to establish a strong pipeline for trainees to establish careers in various segments of the clean energy economy.

Action 7.3.3 Further Utility Supplier Diversity

GRID Comment:

In addition to furthering utility supplier diversity, we encourage the CPUC to consider how it can expand entrepreneurship among ESJ communities by investing in contractor training and business skills development as part of workforce development programs. GRID has found that it is not only important to train people from ESJ communities to work for employers in the clean energy industry but also to start their own businesses serving the communities they know best.

Goal 9: Monitor the CPUC's ESJ efforts to evaluate how they are achieving their objectives.

General Comments:

Evaluation and impact assessment, based on metrics and community feedback, are crucial for ensuring that the ESJ Action Plan goals are actually translated into reality. We support this goal and the establishment of quantitative metrics, and urge the CPUC to include qualitative metrics as well. Qualitative metrics can capture essential information, without which metrics can be biased against some hard-to-measure benefits that ESJ communities value.

In addition, there is some tension between breadth versus depth of impact in evaluating programs. Program evaluations and objectives should be clear and deliberate in this regard.

Objective 9.2 does well to recognize that there must be two-way communication with the public, and that providers of feedback and other observers need to know the impacts of their efforts. The reference to "specific members of the public" is not entirely clear.

Comments on Action Items for Goal 9:

Action 9.1.1 Metrics to Measure Impact, Community Outreach & Engagement

² Available online at <https://www.lowincomesolar.org/best-practices/workforce-development/>

GRID Comment:

The limitation to “utility programs” in this action item may be unnecessarily narrow. In addition to consulting sister agencies, the work plan for this action item should also include consulting other community and industry stakeholders, and especially program administrators. Quality tracking and measurement requires time and resources, which must be factored into developing metrics and guidance as well as program funding.

Action 9.1.2 Data Collection: Standardizing Data Requests & Key ESJ Indicators**GRID Comment:**

Data request standardization can help improve data quality, usability, privacy, and other important factors. It is unclear whether this working group should be entirely internal to CPUC, given that the recipients of data requests, including but not limited to utilities and program administrators, will also have insights into the resources needed to respond.

Action 9.2.1 Metrics to Measure Satisfaction, Comprehension, and Experience**GRID Comment:**

This action item appears to only partially address the action item description (“Cultivate and deepen avenues to receive feedback from the public and demonstrate resulting impact back to specific members of the public”), focusing only or mainly on utility ME&O and not actual program access, processes, and impact more broadly. The work plan also does not clearly articulate how the public will be specifically informed regarding how their feedback and input resulted in concrete program improvements.

As noted above, customer-focused and cross-programmatic (and inter-agency) coordination of ME&O is important and resource-intensive and needs to be specifically funded.

Appendix C: Key ESJ Definitions & Statutes

The compilation of Environmental Justice and Equity Concepts is a helpful resource and an important part of the ESJ Action Plan. While we do not object to any of the definitions, including the definition of “equity” provided from The Greenlining Institute (“Greenlining”), we believe the ESJ Action Plan 2.0 could benefit from fuller consideration and inclusion of Greenlining’s own additional context. Greenlining states:

Equity is transforming the behaviors, institutions, and systems that disproportionately harm people of color. Equity means increasing access to power, redistributing and providing additional resources, and eliminating barriers to opportunity, in order to empower low-income communities of color to thrive and reach full potential.

Greenlining's definition of equity is specific to racial equity, given the legacy of institutionalized racism by government. Our emphasis on race is not about excluding other marginalized groups. These equity approaches are intended to *also be applicable to creating equitable outcomes for other groups such as the elderly and people with disabilities.*

We believe that the emphasis on transformation and the intentionality regarding focus are important attributes of this definition.

Appendix: Breakout Sessions: ESJ in CPUC Industry Divisions

“On solar issues, 80% of people are disqualified because they have bad roofs, so how are we helping ESJ homeowners if we cannot help them repair their roofs?” p.57

Comment:

GRID notes that the suitability of a household's roof to host a solar system varies widely based on the specific elements of neighborhood design. For instance, roof size and roof condition is a large impediment in many areas of the greater Los Angeles region due to smaller bungalow style homes built in the 1950's and 60s'. Even in this region, 80% is far too high. Nevertheless, irrespective of the specific energy efficiency or renewable energy treatment a low-income homeowner seeks, improving households' health and safety characteristics (i.e. window sealing, air leakage, insulation, mold abatement, etc.) is critical to ensure low-income communities can participate in and benefit from incentive programs designed to improve their health, safety, and wellbeing. The intentional identification of funding to improve households' ability to benefit from clean energy technology will become increasingly important as the number of cooling degree days increases.

Other Goals to Consider:

1. Establish an internal watchdog (similar to a Inspector General) that can investigate the reasons why certain ESJ Goals are not met in a timely manner.
 1. Develop internal employee KPIs tied to the implementation progress of ESJ goals.
2. Assign one of the CPUC Commissions the responsibility of implementing the plan. Perhaps that Commissioner does nothing else besides ensure each and every Decision seriously considers the ESJ perspective and then go the step further (indeed the only step that matters) and incorporate those serious considerations into the Decision.
 1. Alternatively, the CPUC could add one Commissioner (total of 6) for this explicit purpose: the ESJ Implementation Accountability Commissioner
3. Require the Public Advisor to host monthly meetings in a different low-income cities to disseminate relevant program information and to sign-up qualified customers of CPUC approved low-income programs.
 1. Require the Public Advisor to coordinate with CBOs to host workshops in each community.

III. Conclusion

GRID appreciates the opportunity to offer comments on this draft plan and appreciates the Commission's leadership on this important endeavor.

Respectfully submitted,

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