

**CITY OF ALBANY
MEMORANDUM**

DATE: May 21, 2014
TO: Sustainability Committee
FROM: Claire Griffing, Sustainability & Transportation Coordinator
SUBJECT: Letter Regarding CEQA Requirements for Joining a CCA Program

City Council received the attached letter from the law firm Adams Broadwell Joseph & Cardozo on Friday, May 16th. The letter is written on behalf of the electrical workers union and advises the City that a CEQA analysis is necessary before joining a CCA program because of the potential changes in electricity generation. Several other cities in PG&E territory that are actively exploring CCA received the same letter.

This law firm is known in the CEQA community for raising issues like this. The same tactic was employed when the MCE program was started in 2009, but ultimately the program was able to launch without a CEQA lawsuit because there was no basis for the claims. The two functioning CCAs in California have not been required to conduct CEQA analysis when forming their programs, nor have the communities that joined MCE after its formation.