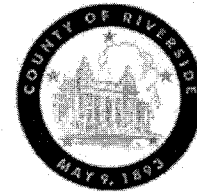


SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM
3.4
(ID # 7540)

MEETING DATE:
Tuesday, July 17, 2018

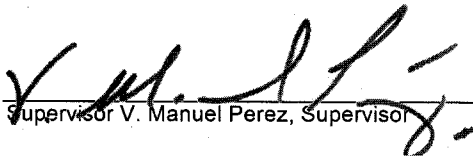
FROM : SUPERVISOR V. MANUEL PEREZ:

SUBJECT: SUPERVISOR V. MANUEL PEREZ: ADOPTION OF ORDINANCE NO. 943
ESTABLISHING REGULATIONS AND PROCEDURES FOR NET-ENERGY
METERING BY IRRIGATION DISTRICTS (All Districts) [CEQA Exempt] - [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find the adoption of Ordinance No. 943 exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines section 15061(b)(3); and
2. Adopt Ordinance No. 943, an ordinance of the County of Riverside establishing regulations and procedures for net-energy metering by irrigation districts.


ACTION: Policy


Supervisor V. Manuel Perez, Supervisor 7/5/2018

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Perez, seconded by Supervisor Tavaglione and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended and that Ordinance 943 is adopted with waiver of the reading.

Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley
Nays: None
Absent: None
Date: July 17, 2018
xc: Supvr. Perez, MC, COB

Kecia Harper-Ihem
Clerk of the Board
By: 
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

C.E.O. RECOMMENDATION: [CEO use]

BACKGROUND:

Summary

On June 26, 2018, the Board of Supervisors introduced Ordinance No. 943 establishing regulations and procedures for net-energy metering by irrigation districts (Agenda item 3.4). The Board's adoption of Ordinance No. 943 will finalize the Board's approval of the regulations for net-energy metering programs by irrigations districts in the unincorporated areas of Riverside County.

Net-energy metering (NEM) programs allow homeowners and businesses that generate their own energy directly onsite to receive a financial credit on their electric bills for any surplus energy fed back into the grid to their utility. Under NEM, the customer's electric meter keeps track of how much electricity is consumed by the customer, and how much excess electricity is generated by the customer's system and sent back into the electric utility grid. Typically, over a 12-month period, the homeowner only pays for the net amount of electricity used from the utility over-and-above the amount of electricity generated by the customer's onsite energy system. The customer is also responsible for the monthly customer transmission, distribution, and meter service charges incurred by the customer. NEM programs are established under State law in the Public Utilities Code.

Southern California Edison ("SCE") is the main electric utility provider in the unincorporated areas of Riverside County. SCE has a NEM program available to its customers. Pursuant to an agreement between SCE and Imperial Irrigation District ("IID"), IID is the electric utility provider in several unincorporated areas of the eastern part of the County. In February 2016, IID closed its net-energy metering program to new applicants which left many of IID's customers in Riverside County in limbo, including customers that had already applied for IID's NEM program and purchased solar panels for their homes. In response to IID's closure of its NEM program, Assembly Bill No. 2163 (2015-2016) was introduced which would have required IID to provide NEM service to all eligible customers. In August 2016, presumably in an attempt to avoid AB 2163 being enacted, IID committed to expanding its NEM program to allow additional customers. However, this expansion was only for individuals that met certain criteria and had submitted interconnection applications to IID by October 1, 2016. AB No. 2163 died in legislative committee and did not move forward.

In an effort to ensure that residents in the unincorporated areas that are served by IID have the same opportunities to join a NEM program as residents in the unincorporated areas that are served by SCE, the Board of Supervisors adopted an order initiating the preparation of a new ordinance that would establish regulations and procedures for NEM by irrigation districts providing electrical power outside their boundaries in the unincorporated areas. Water Code section 22123 states that any irrigation district providing electric power outside of the irrigation district boundaries, as IID does in Riverside County, "shall be subject to reasonable rules, regulations, and orders of the governing body of the city or county area being served, but, in no event, more restrictive than the rules, regulations, and orders of the Public Utilities commission

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

upon utilities providing electric power to cities or counties.” The Water Code section further states that the irrigation district may impose rates, rules, regulations or orders in any such area outside its boundaries which are different from rates, rules, regulations, or orders imposed within the district, so long as there is the consent of the governing body of the affected area. In this case, that is the Board of Supervisors for the affected area and attached Ordinance No. 943 reflects that express consent and direction of the Board.

Ordinance No. 943 will require irrigation districts providing electric energy in the County to offer an NEM program to County residents that is as expansive but in no event more restrictive than the rules, regulations, and orders of the California Public Utilities Commission applicable to SCE for SCE’s NEM customers under NEM Successor Tariff Decision (D). 16-01-044 and any decision of the Commission that supersedes such decision or otherwise governs NEM.

Ordinance No. 943 is exempt from CEQA per CEQA Guidelines sections 15061(b)(3) because it can be seen with certainty that there is no possibility that the adoption of the ordinance may have a significant effect on the environment as set forth in the attached Notice of Exemption.

Impact on Residents and Businesses

The purpose of this ordinance is to ensure that all residents of the unincorporated areas of Riverside County have the same opportunities to participate in a NEM program.

ATTACHMENTS (if any, in this order):

1. Ordinance No. 943
2. Notice of Exemption for Ordinance No. 943

1 Section 2. NET-ENERGY METERING PROGRAM. Within ninety (90) days of the
2 Effective Date of this Ordinance, pursuant to Section 22123 of the California Water Code, with the
3 express consent and direction of the governing board of the County of Riverside, Irrigation Districts
4 providing electric service in the County shall offer a NEM program that is as expansive but in no event
5 more restrictive than the rules, regulations, and orders of the Commission applicable to SCE for NEM
6 customers under NEM Successor Tariff Decision (D). 16-01-044 and any decision of the Commission that
7 supersedes such decision or otherwise governs NEM. As of the Effective Date of this Ordinance, the
8 Irrigation District shall provide Customer-Generators a credit equal to the fully bundled retail rate for
9 generation that offsets load (coincident or non-coincident), and covers net excess generation. In addition
10 to billing credits for net energy exported to the electric grid, participating NEM Customer-Generators
11 shall also be exempt from standby charges, departing load charge, and costs associated with
12 interconnection application fees, studies and distribution upgrades. In the event that the Commission-
13 adopted rules, regulations, and orders applicable to the SCE NEM program are amended by the
14 Commission and, as a result, this ordinance becomes more restrictive than the Commission-approved SCE
15 NEM program, this ordinance shall be deemed amended to be consistent with and to mirror the NEM
16 program approved by the Commission for SCE without further action required of the County governing
17 Board.

18 Section 3. SUPERSEDE EXISTING NEM PROGRAM RULES, REGULATIONS
19 AND ORDERS. This ordinance shall be deemed to occupy the field with regard to NEM programs
20 offered by Irrigation Districts to Customer-Generators in the County and shall supersede any existing
21 NEM program rules, regulations, and orders adopted by Irrigation Districts for Customer-Generators in
22 the County.

23 Section 4. CREDITS. As a part of its NEM program required pursuant to Section 2 of
24 this ordinance, the Irrigation District shall provide participating Customer-Generators with a bill credit for
25 excess generation that is exported to the electric grid during times when it is not serving onsite load. On a
26 month-to-month basis, bill credits for the excess generation are applied to a Customer-Generator's bill at
27 the same retail rate (including generation, distribution, and transmission components) that the Customer-
28 Generator would have paid for energy consumption, according to their otherwise applicable rate structure.

1 At the end of a customer's 12-month billing period, any balance of surplus electricity is trued-up at a
2 separate fair market value, known as net surplus compensation (NSC). The NSC rate is based on a 12-
3 month rolling average of the market rate for energy and is currently approximately \$0.04 to \$0.05 per
4 kilowatt-hour (kWh) pursuant to Commission Decision (D.) 11-06-016.

5 Section 5. NEM AGGREGATION. As a part of its NEM program required pursuant
6 to Section 2 of this ordinance, the Irrigation District shall also permit NEM aggregation, in which an
7 eligible Customer-Generator elects to aggregate the electrical load from multiple meters, and NEM credits
8 are shared among all property that is attached, adjacent, or contiguous to the generation facility. Properties
9 eligible for NEM aggregation shall be interpreted in the same manner as the Commission has for SCE
10 customers. A Customer-Generator must be the sole owner, lessee, or renter of the properties in order to
11 utilize NEM aggregation. For example, an agricultural customer could use a single solar system to
12 provide NEM bill credits to offset the electrical load from their home as well as from an irrigation pump
13 located on an adjacent parcel.

14 Section 6. VIRTUAL NET METERING. As a part of its NEM program required
15 pursuant to Section 2 of this ordinance, the Irrigation District shall also offer, as a part of its NEM
16 program, Virtual Net Metering (VNM), a tariff available to multi-tenant properties that enables an owner
17 of such property to allocate a solar system's benefits to tenants across multiple units. The system owner,
18 including but not limited to owners of affordable multifamily properties, shall be permitted to allocate bill
19 credits of a percentage of the solar generation between common load areas and tenants along a multiple
20 service delivery points.

21 Section 7. INTERCONNECTION FEE. As a part of its NEM program required
22 pursuant to Section 2 of this ordinance, the Irrigation District, consistent with the Commission's rules
23 relating to the Commission's successor NEM tariff program may assess an one-time interconnection fee,
24 not to exceed seventy-five dollars (\$75) for projects of less than 1 megawatt (MW), and non-bypassable
25 charges on each kilowatt-hour (kWh) of electricity they consume from the grid to fund special programs
26 offered by the Irrigation District, not to exceed 3 cents per kWh. Non-bypassable charges shall be
27 imposed on the same net interval as determined by the Commission.

1 Section 8. VIOLATIONS AND PENALTIES. It shall be unlawful for any person to
2 violate any provision of this ordinance. Any person violating any provision of this ordinance shall be
3 deemed guilty of an infraction or misdemeanor as hereinafter specified. Such person shall be deemed
4 guilty of a separate offense for each and every day or portion thereof during which any violation of any
5 of the provisions of this ordinance is committed, continued or permitted. Any person so convicted shall
6 be: (1) guilty of an infraction offense and punished by a fine not exceeding one hundred dollars
7 (\$100.00) for a first violation; (2) guilty of an infraction offense and punished by a fine not exceeding
8 two hundred dollars (\$200.00) for a second violation. The third and any additional violations shall
9 constitute a misdemeanor offense and shall be punishable by a fine not exceeding one thousand dollars
10 (\$1,000.00) or six (6) months in jail or both. Notwithstanding the above, a first offense may be charged
11 and prosecuted as a misdemeanor. Payment of any penalty herein shall not relieve a person from the
12 responsibility for correcting the violation.

13 Section 9. SEVERABILITY. If any section, subsection, sentence, clause or phrase of
14 this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the
15 remaining portions of this ordinance, The Board of Supervisors hereby declares that it would have
16 adopted the ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the
17 fact that any one or more sections, subsections, clauses or phrases be declared invalid.

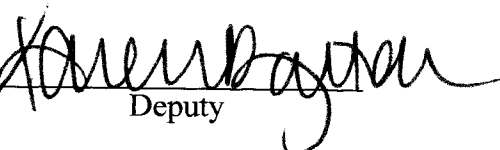
18 Section 10. EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after
19 its adoption.

BOARD OF SUPERVISORS OF THE COUNTY
OF RIVERSIDE, STATE OF CALIFORNIA

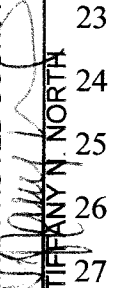
By: 
Chairman

23 ATTEST:

24 CLERK OF THE BOARD:

25
26 By: 
Deputy

(SEAL)

FORM APPROVED COUNTY COUNSEL
BY:  DATE: 7/6/18
TIFFANY NORTH

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STATE OF CALIFORNIA)
)
COUNTY OF RIVERSIDE) ss

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said county held on July 17, 2018, the foregoing ordinance consisting of 10 Sections was adopted by the following vote:

AYES: Jeffries, Tavaglione, Washington, Perez and Ashley
NAYS: None
ABSENT: None

DATE: July 17, 2018

KECIA HARPER-IHEM
Clerk of the Board
BY: *Karmpaton*
Deputy

SEAL

Item 3.4



July 16, 2018 | Submitted Electronically

The Honorable Chuck Washington
Riverside County Board of Supervisors, Chairman
4080 Lemon Street
Riverside, CA 92501

Re: Comments on Ordinance No. 943 Establishing Regulations & Procedures for Net-Energy Metering by Irrigation Districts

Dear Chairman Washington,

On behalf of the Southern California Public Power Authority, I write to express strong concerns regarding Riverside County's ordinance to establish regulations and procedures for net-energy metering (NEM) by irrigation districts that will be considered on July 17, 2018. The underlying intent of which would attempt to override a publicly-vetted policy decision regarding a NEM program made by the Imperial Irrigation District. This would set a dangerous public policy precedent.

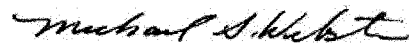
SCPPA is a joint powers authority consisting of eleven municipal utilities and one of the nation's largest irrigation districts. SCPPA Members deliver electricity to approximately 4.8 million people across Southern California. Three SCPPA Members are located in and/or serve electricity to Riverside County residents.

Publicly-owned utilities are heavily regulated at the local, regional, state, and federal levels. SCPPA Members are working diligently to implement a wide range of mandatory programs towards reducing greenhouse gas emissions to meet California's Renewables Portfolio Standard and climate change goals, and are on target to meet or exceed these requirements. It is their fiduciary responsibility to act in the best interest of their community-owners as they work towards achieving a more sustainable future for California – while also maintaining affordable and reliable electricity for local communities.

While we appreciate the County's goal to afford residents an opportunity to join NEM programs, we believe the ordinance would weaken fundamental community choice preferences for those areas served by publicly-owned utilities which – through their local governing boards – have a fiduciary responsibility to act in the best interest of **all** of their customers. We would encourage discussions with the Imperial Irrigation District to better understand the policy rationale behind their NEM program and its successor program. SCPPA also notes that Imperial County is one of the most disadvantaged areas in the entire state – so shifting costs from one set of customers to the benefit of another is a far more critical consideration than for utilities in wealthier areas of the state. Unfortunately, it would appear that the proposed ordinance would better benefit for-profit solar corporate interests and customers who can afford solar by overriding a locally-adopted public policy decision.

SCPPA appreciates the opportunity to provide these comments. Thank you for your time and consideration.

Respectfully submitted,


Michael S. Webster
Executive Director

- Cc: The Honorable Kevin Jeffries, Riverside County Board of Supervisors, Vice-Chairman
- The Honorable Marion Ashley, Riverside County Board of Supervisors
- The Honorable John F. Tavaglione, Riverside County Board of Supervisors
- The Honorable V. Manuel Perez, Riverside County Board of Supervisors
- Ms. Kecia Harper-Ihem, Clerk of the Board

7540
7/17/18 3-4
2018-1-140353

Maxwell, Sue

From: Maxwell, Sue
Sent: Tuesday, July 17, 2018 7:24 AM
To: George Johnson (GAJohnson@RIVCO.ORG); Young, Alisa; COB-Agenda (COB-Agenda@rivco.org); District 4 Supervisor V. Manuel Perez (District4@RIVCO.ORG); District2; District3; District5; Supervisor Jeffries - 1st District (district1@rivco.org)
Subject: July 17 2018 Agenda Item #3.4 - Public Comment Opposing NEM Ordinance No 943 (SCPPA_Tanya DeRivi)
Attachments: SCPPA Riverside County NEM Letter 7-16-2018.pdf

Good morning,

Forwarding an email received via COB this morning, in opposition to Ordinance No 943 to review for July 17, 2018 Board Meeting, Item No 3.4 (7540).

Thank you kindly,

Sue Maxwell
Board Assistant
Clerk of the Board of Supervisors
4080 Lemon Street, 1st Floor, Room 127
Riverside, CA 92501
(951) 955-1069 Fax (951) 955-1071
Mail Stop #1010
smaxwell@rivco.org
<http://rivcocob.org/>
<https://www.facebook.com/RivCoCOB/>



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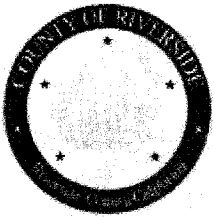
From: COB
Sent: Tuesday, July 17, 2018 7:11 AM
To: 'Tanya DeRivi' <tderivi@scppa.org>
Subject: SCPPA Comment Letter for July 17 2018 Agenda Item #3.4 / NEM Ordinance No. 943

Good morning Ms. DeRivi,

The Clerk of the Board of Supervisors is in receipt of your letter sent via email regarding County Ordinance No 943 and has included it in the record for July 17, 2018.

Sincerely,

Sue Maxwell
Board Assistant
Clerk of the Board of Supervisors
4080 Lemon Street, 1st Floor, Room 127
Riverside, CA 92501
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From: Tanya DeRivi [mailto:tderivi@scppa.org]

Sent: Tuesday, July 17, 2018 6:57 AM

To: COB <COB@RIVCO.ORG>

Subject: SCPPA Comment Letter on Agenda Item #3.4 / NEM Ordinance No. 943

To Whom It May Concern,

Please find attached a letter of concern regarding Item #3.4 on today's Riverside County Board of Supervisor's agenda, which would establish regulations and procedures for net-energy metering (NEM) by irrigation districts.

Please feel free to contact me with any questions, and thank you for the consideration.

Sincerely,

SCPPA

Tanya DeRivi | Director of Government Affairs
Southern California Public Power Authority
915 L Street Suite 1410, Sacramento, CA 95814
O: (916) 440-0870 | C: (916) 216-5145 | tderivi@scppa.org
www.scppa.org

SUNPOWER®

July 16, 2018

Supervisor V. Manuel Perez
Fourth District, Riverside County Board of Supervisors
4080 Lemon Street - 5th Floor
Riverside, CA 92502-1647
district4@rivco.org

Dear Supervisor Perez,

On behalf of SunPower Corporation, I am writing to urge the Board of Supervisors to adopt Ordinance No. 943,¹ which will reestablish net energy metering (NEM) for electricity customers in areas of Riverside County served by Imperial Irrigation District (IID).

SunPower is a California-based manufacturer and installer of solar electric components and systems with 30 years of market experience providing complete solar solutions and services to a diverse group of customers: residential, businesses, government, schools and utilities. We partner with solar installers located in Riverside County who have until recently been active in the IID service territory.

It is established policy of the State of California to encourage net energy metering and the growth of customer-sited solar systems.² In particular, Public Utilities Code, Section 2827.1 (a)(1) states that a solar tariff (including NEM) shall "(e)nsure that the standard contract or tariff made available to eligible customer-generators ensures that customer-sited renewable distributed generation continues to grow sustainably and include specific alternatives designed for growth among residential customers in disadvantaged communities."

In February 2016, IID unexpectedly ended its NEM policy and replaced it with a net billing scheme that sharply reduced the customer bill credit for exported solar electricity. Since this time, the market has experienced a precipitous drop in applications for new customer-sited solar installations, which is certainly not the sustained growth that state policy calls for.

On February 5, 2016, following a careful and deliberative examination of the state's NEM policy that included many stakeholders, the California Public Utilities Commission (CPUC) issued Decision 16-01-044, which established a successor NEM tariff that applies to the state's three

¹ ESTABLISHING REGULATIONS AND PROCEDURES FOR NET-ENERGY METERING BY IRRIGATION DISTRICTS

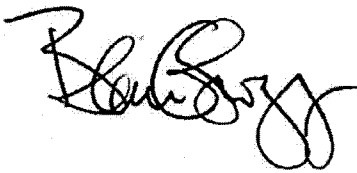
² PUC § 2827(a) states: "The Legislature finds and declares that a program to provide net energy metering combined with net surplus compensation, co-energy metering, and wind energy co-metering for eligible customer-generators is one way to encourage substantial private investment in renewable energy resources, stimulate in-state economic growth, reduce demand for electricity during peak consumption periods, help stabilize California's energy supply infrastructure, enhance the continued diversification of California's energy resource mix, reduce interconnection and administrative costs for electricity suppliers, and encourage conservation and efficiency.

investor-owned utilities (IOUs). The adopted tariff "(e)nsures that customer-sited renewable distributed generation continues to grow sustainably by creating a successor to the existing NEM tariff that includes a new NEM tariff, with modifications."

We believe that adoption of Ordinance No. 943, which cites the CPUC's NEM successor tariff determination, will help revive the customer-sited solar market in Riverside County and allow local solar businesses to rehire workers in the county.

Thank you for your leadership on this very important matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Blair G. Swezey". The signature is written in a cursive, flowing style with some loops and flourishes.

Blair G. Swezey
Senior Director



July 16, 2018 | Submitted Electronically

The Honorable Chuck Washington
Riverside County Board of Supervisors, Chairman
4080 Lemon Street
Riverside, CA 92501

Re: Comments on Ordinance No. 943 Establishing Regulations & Procedures for Net-Energy Metering by Irrigation Districts

Dear Chairman Washington,

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Michael S. Webster
Executive Director

Cc: The Honorable Kevin Jeffries, Riverside County Board of Supervisors, Vice-Chairman
The Honorable Marion Ashley, Riverside County Board of Supervisors
The Honorable John F. Tavaglione, Riverside County Board of Supervisors
The Honorable V. Manuel Perez, Riverside County Board of Supervisors
Ms. Kecia Harper-Ihem, Clerk of the Board

7/17/18 3.4

Maxwell, Sue

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To: George Johnson (GAJohnson@RIVCO.ORG); Young, Alisa; COB-Agenda (COB-Agenda@rivco.org); District 4 Supervisor V. Manuel Perez (District4@RIVCO.ORG); District2; District3; District5; Supervisor Jeffries - 1st District (district1@rivco.org)
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Sue Maxwell

Board Assistant
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From: COB
Sent: Tuesday, July 17, 2018 7:11 AM
To: 'Tanya DeRivi' <tderivi@scppa.org>
Subject: SCPPA Comment Letter for July 17 2018 Agenda Item #3.4 / NEM Ordinance No. 943

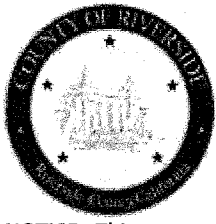
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Sincerely,

Sue Maxwell

Board Assistant
Clerk of the Board of Supervisors
4080 Lemon Street, 1st Floor, Room 127
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Sent: Tuesday, July 17, 2018 6:57 AM

To: COB <COB@RIVCO.ORG>

Subject: SCPPA Comment Letter on Agenda Item #3.4 / NEM Ordinance No. 943

To Whom It May Concern,

Please find attached a letter of concern regarding Item #3.4 on today's Riverside County Board of Supervisor's agenda, which would establish regulations and procedures for net-energy metering (NEM) by irrigation districts.

Please feel free to contact me with any questions, and thank you for the consideration.

Sincerely,



Tanya DeRivi | Director of Government Affairs

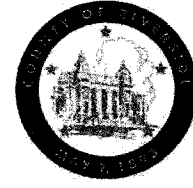
Southern California Public Power Authority

915 L Street Suite 1410, Sacramento, CA 95814

O: (916) 440-0870 | C: (916) 216-5145 | tderivi@scppa.org

www.scppa.org

SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM
3.4
(ID # 7432)

MEETING DATE:
Tuesday, June 26, 2018

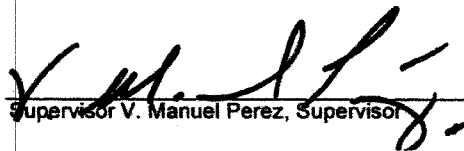
FROM : SUPERVISOR V. MANUEL PEREZ:

SUBJECT: SUPERVISOR V. MANUEL PEREZ: Introduction of Ordinance No. 943 Establishing Regulations and Procedures for Net-Energy Metering by Irrigation Districts, (All Districts).

RECOMMENDED MOTION: That the Board of Supervisors:

1. Introduce, read title and waive further reading, and adopt on successive weeks Ordinance No. 943, an ordinance of the County of Riverside establishing regulations and procedures for net-energy metering by irrigation districts.

ACTION: Policy



Supervisor V. Manuel Perez, Supervisor 6/20/2018

MINUTES OF THE BOARD OF SUPERVISORS

3)

On motion of Supervisor Perez, seconded by Supervisor Tavaglione and duly carried, IT WAS ORDERED that the above matter is approved as recommended and that the above Ordinance is approved as introduced with a waiver of reading.

Ayes: Jeffries, Tavaglione, Washington and Perez
Nays: None
Absent: Ashley
Date: June 26, 2018
xc: Supvr. Perez, Co.Co., COB

Kecia Harper-Ihem
Clerk of the Board
By 
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

BACKGROUND:

Summary

Net Energy Metering (NEM) programs allow homeowners and businesses that generate their own energy directly onsite to receive a financial credit on their electric bills for any surplus energy fed back into the grid to their utility. Under NEM, the customer's electric meter keeps track of how much electricity is consumed by the customer, and how much excess electricity is generated by the customer's system and sent back into the electric utility grid. Typically, over a 12-month period, the homeowner only pays for the net amount of electricity used from the utility over-and-above the amount of electricity generated by the customer's onsite energy system. The customer is also responsible for the monthly customer transmission, distribution, and meter service charges incurred by the customer. Net Energy Metering programs are established under State law in the Public Utilities Code.

Southern California Edison ("SCE") is the main electric utility provider in the unincorporated areas of Riverside County. SCE has a NEM program available to its customers. Pursuant to an agreement between SCE and Imperial Irrigation District ("IID"), IID is the electric utility provider in several unincorporated areas of the eastern part of the County. In February 2016, IID closed its net-energy metering program to new applicants which left many of IID's customers in Riverside County in limbo, including customers that had already applied for IID's NEM program and purchased solar panels for their homes. In response to IID's closure of its NEM program, Assembly Bill No. 2163 (2015-2016) was introduced which would have required IID to provide NEM service to all eligible customers. In August 2016, presumably in an attempt to avoid AB 2163 being enacted, IID committed to expanding its NEM program to allow additional customers. However, this expansion was only for individuals that met certain criteria and had submitted interconnection applications to IID by October 1, 2016. AB No. 2163 died in legislative committee and did not move forward.

In an effort to ensure that residents in the unincorporated areas that are served by IID have the same opportunities to join a NEM program as residents in the unincorporated areas that are served by SCE, the Board of Supervisors adopted an order initiating the preparation of a new ordinance that would establish regulations and procedures for NEM by irrigation districts providing electrical power outside their boundaries in the unincorporated areas (agenda item 3.17). Water Code section 22123 states that any irrigation district providing electric power outside of the irrigation district boundaries, as IID does in Riverside County, "shall be subject to reasonable rules, regulations, and orders of the governing body of the city or county area being served, but, in no event, more restrictive than the rules, regulations, and orders of the Public Utilities commission upon utilities providing electric power to cities or counties." The Water Code section further states that the irrigation district may impose rates, rules, regulations or orders in any such area outside its boundaries which are different from rates, rules, regulations, or orders imposed within the district, so long as there is the consent of the governing body of the affected area. In this case, that is the Board of Supervisors for the affected area and attached Ordinance No. 943 reflects that express consent and direction of the Board.

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

Ordinance No. 943 will require irrigation districts providing electric energy in the County to offer an NEM program to County residents that is as expansive but in no event more restrictive than the rules, regulations, and orders of the California Public Utilities Commission applicable to SCE for SCE's NEM customers under NEM Successor Tariff Decision (D). 16-01-044 and any decision of the Commission that supersedes such decision or otherwise governs NEM.

Impact on Residents and Businesses

The purpose of this ordinance is to ensure that all residents of the unincorporated areas of Riverside County have the same opportunities to participate in a NEM program.

NOTICE OF EXEMPTION

Original Negative Declaration/Notice of Determination was routed to County Clerks for posting on.

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814
To: X Office of the County Clerk & Recorder

From: County of Riverside
4080 Lemon Street
Riverside, CA 92501
Date: 7/18/18 Initial: WB

Project Title: Ordinance No. 943, an Ordinance of the County of Riverside Establishing Regulations and Procedures for Net-Energy Metering Programs by Irrigation Districts

Project Location: The unincorporated area of Riverside County.

Project Description: Net-energy metering (NEM) programs allow homeowners and businesses that generate their own energy directly onsite to receive a financial credit on their electric bills for any surplus energy fed back into the grid to their utility. Under NEM, the customer's electric meter keeps track of how much electricity is consumed by the customer, and how much excess electricity is generated by the customer's system and sent back into the electric utility grid. Typically, over a 12-month period, the homeowner only pays for the net amount of electricity used from the utility over-and-above the amount of electricity generated by the customer's onsite energy system. The customer is also responsible for the monthly customer transmission, distribution, and meter service charges incurred by the customer. NEM programs are established under State law in the Public Utilities Code. Ordinance No. 943 will require irrigation districts providing electric energy in the County to offer an NEM program to County residents that is as expansive but in no event more restrictive than the rules, regulations, and orders of the California Public Utilities Commission applicable to SCE for SCE's NEM customers under NEM Successor Tariff Decision (D). 16-01-044 and any decision of the Commission that supersedes such decision or otherwise governs NEM.

Name of Public Agency Approving Project: County of Riverside

Project Sponsor: County of Riverside

Exempt Status: (check one)

- Ministerial
- Declared Emergency
- Emergency Project
- Categorical Exemption
- Statutory Exemption
- Other: (State CEQA Guidelines Sec. 15061(b)(3))

Reasons Why Project is Exempt: Ordinance No. 943 is exempt from CEQA pursuant to State CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that there is no possibility the ordinance may have a significant effect on the environment. There are no specific renewable energy projects tied to the ordinance and it does not commit the County to the installation of any specific renewable energy project. On its own, the ordinance does not involve any land disturbance. The ordinance establishes a net-metering program to allow customer-generators to receive a financial credit for power generated by their onsite renewable energy systems, such as a ministerial solar energy system, that is fed back into the irrigation district. The ordinance establishes the rules and procedures for the net-metering program and does not authorize the installation or approval of any renewable energy projects, on its own. The County's approval of the ordinance does not create either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.

Supervisor V. Manuel Perez
County Contact Person

760-863-8211
Phone Number

Signature: [Handwritten Signature] Title: Board Assistant Date: 7/17/18

For County Clerk's Use Only

JUL 17 2018 3.4



RIVERSIDE COUNTY CLERK & RECORDER

**AUTHORIZATION
TO BILL
BY JOURNAL VOUCHER**

Project Name: Ordinance No. 943, an Ordinance of the County of Riverside Establishing Regulations and Procedures for Net-Energy Metering Programs by Irrigation Districts

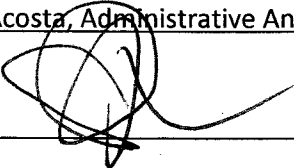
Accounting String: 527780-10000-1000100000

Date: July 18, 2018

Agency: Board of Supervisors

THIS AUTHORIZES THE COUNTY CLERK & RECORDER TO BILL FOR FILING AND HANDLING FEES FOR THE ACCOMPANYING DOCUMENT(S).

Authorized by: Alex Acosta, Administrative Analyst II-C, Clerk of the Board of Supervisors

Signature:  _____

Presented by: County of Riverside on behalf of Supervisor V. Manuel Perez, Board of Supervisors

-TO BILLED FILLED IN BY COUNTY CLERK-

Accepted By: _____

Date: _____

Receipt # (s): _____



OFFICE OF THE
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060 FAX: (951) 955-1071

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

July 25, 2018

THE PRESS ENTERPRISE
ATTN: LEGALS
P.O. BOX 792
RIVERSIDE, CA 92501

TEL: (951) 368-9229
E-MAIL: legals@pe.com

RE: ADOPTION OF ORDINANCE NO. 943

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Sunday, July 29, 2018**.

We require your affidavit of publication immediately upon completion of the last publication.

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Cecilia Gil

Board Assistant to:
KECIA HARPER-IHEM, CLERK OF THE BOARD



OFFICE OF THE
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060 FAX: (951) 955-1071

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

July 25, 2018

THE DESERT SUN
ATTN: LEGALS
P.O. BOX 2734
PALM SPRINGS, CA 92263

TEL: (760) 322-2222
E-MAIL: legals@thedesertsun.com

RE: ADOPTION OF ORDINANCE NO. 943

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Sunday, July 29, 2018**.

We require your affidavit of publication immediately upon completion of the last publication.

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Cecilia Gil

Board Assistant to:
KECIA HARPER-IHEM, CLERK OF THE BOARD

BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

ORDINANCE NO. 943

**AN ORDINANCE OF THE COUNTY OF RIVERSIDE
ESTABLISHING REGULATIONS AND PROCEDURES FOR
NET-ENERGY METERING BY IRRIGATION DISTRICTS**

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. DEFINITIONS. As used in this ordinance, the following terms shall have the following meanings:

- a. **Commission.** The Public Utilities Commission of the State of California.
- b. **Customer-Generators.** Those persons or entities (residential and commercial) who install small solar, wind, biogas, and fuel cell generation facilities (1 megawatt or less) to serve all or a portion of onsite electricity needs.
- c. **Irrigation District.** Those districts formed and operating pursuant to the California Irrigation District Act providing electric service in the County whose Net-energy Metering Program, defined herein, is not regulated by the Commission but is instead established by the governing board of the Irrigation District.
- d. **Net-energy Metering or NEM.** The Irrigation District program that allows a Customer-Generator to receive a financial credit for power generated by the Customer-Generator's onsite system and fed back to the Irrigation District. The credit is used to offset the Customer-Generator's electricity bill. NEM is an important element of the policy framework supporting direct Customer-Generator investment in grid-tied distributed renewable energy generation, including customer-sited solar PV systems.
- e. **Person.** Includes individuals, firms, corporations, partnerships, an Irrigation District, and their agents, officers, directors, and employees.
- f. **Southern California Edison or SCE.** An investor-owned utility or "IOU" regulated by the Commission, providing over 14 Million people with electricity over 50,000 square miles in Southern California.

Section 2. NET-ENERGY METERING PROGRAM. Within ninety (90) days of the Effective Date of this Ordinance, pursuant to Section 22123 of the California Water Code, with the express consent and direction of the governing board of the County of Riverside, Irrigation Districts providing electric service in the County shall offer a NEM program that is as expansive but in no event more restrictive than the rules, regulations, and orders of the Commission applicable to SCE for NEM customers under NEM Successor Tariff Decision (D). 16-01-044 and any decision of the Commission that supersedes such decision or otherwise governs NEM. As of the Effective Date of this Ordinance, the Irrigation District shall provide Customer-Generators a credit equal to the fully bundled retail rate for generation that offsets load (coincident or non-coincident), and covers net excess generation. In addition to billing credits for net energy exported to the electric grid, participating NEM Customer-Generators shall also be exempt from standby charges, departing load charge, and costs associated with interconnection application fees, studies and distribution upgrades. In the event that the Commission-adopted rules, regulations, and orders applicable to the SCE NEM program are amended by the Commission and, as a result, this ordinance becomes more restrictive than the Commission-approved SCE NEM program, this ordinance shall be deemed amended to be consistent with and to mirror the

NEM program approved by the Commission for SCE without further action required of the County governing Board.

Section 3. SUPERSEDE EXISTING NEM PROGRAM RULES, REGULATIONS AND ORDERS. This ordinance shall be deemed to occupy the field with regard to NEM programs offered by Irrigation Districts to Customer-Generators in the County and shall supersede any existing NEM program rules, regulations, and orders adopted by Irrigation Districts for Customer-Generators in the County.

Section 4. CREDITS. As a part of its NEM program required pursuant to Section 2 of this ordinance, the Irrigation District shall provide participating Customer-Generators with a bill credit for excess generation that is exported to the electric grid during times when it is not serving onsite load. On a month-to-month basis, bill credits for the excess generation are applied to a Customer-Generator's bill at the same retail rate (including generation, distribution, and transmission components) that the Customer-Generator would have paid for energy consumption, according to their otherwise applicable rate structure. At the end of a customer's 12-month billing period, any balance of surplus electricity is trued-up at a separate fair market value, known as net surplus compensation (NSC). The NSC rate is based on a 12-month rolling average of the market rate for energy and is currently approximately \$0.04 to \$0.05 per kilowatt-hour (kWh) pursuant to Commission Decision (D.) 11-06-016.

Section 5. NEM AGGREGATION. As a part of its NEM program required pursuant to Section 2 of this ordinance, the Irrigation District shall also permit NEM aggregation, in which an eligible Customer-Generator elects to aggregate the electrical load from multiple meters, and NEM credits are shared among all property that is attached, adjacent, or contiguous to the generation facility. Properties eligible for NEM aggregation shall be interpreted in the same manner as the Commission has for SCE customers. A Customer-Generator must be the sole owner, lessee, or renter of the properties in order to utilize NEM aggregation. For example, an agricultural customer could use a single solar system to provide NEM bill credits to offset the electrical load from their home as well as from an irrigation pump located on an adjacent parcel.

Section 6. VIRTUAL NET METERING. As a part of its NEM program required pursuant to Section 2 of this ordinance, the Irrigation District shall also offer, as a part of its NEM program, Virtual Net Metering (VNM), a tariff available to multi-tenant properties that enables an owner of such property to allocate a solar system's benefits to tenants across multiple units. The system owner, including but not limited to owners of affordable multifamily properties, shall be permitted to allocate bill credits of a percentage of the solar generation between common load areas and tenants along a multiple service delivery points.

Section 7. INTERCONNECTION FEE. As a part of its NEM program required pursuant to Section 2 of this ordinance, the Irrigation District, consistent with the Commission's rules relating to the Commission's successor NEM tariff program may assess an one-time interconnection fee, not to exceed seventy-five dollars (\$75) for projects of less than 1 megawatt (MW), and non-bypassable charges on each kilowatt-hour (kWh) of electricity they consume from the grid to fund special programs offered by the Irrigation District, not to exceed 3 cents per kWh. Non-bypassable charges shall be imposed on the same net interval as determined by the Commission.

Section 8. VIOLATIONS AND PENALTIES. It shall be unlawful for any person to violate any provision of this ordinance. Any person violating any provision of this ordinance shall be deemed guilty of an infraction or misdemeanor as hereinafter specified. Such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this ordinance is committed, continued or permitted. Any person so convicted shall be: (1) guilty of an infraction offense and punished by a fine not exceeding one hundred dollars (\$100.00) for a first violation; (2) guilty of an infraction offense and punished by a fine

not exceeding two hundred dollars (\$200.00) for a second violation. The third and any additional violations shall constitute a misdemeanor offense and shall be punishable by a fine not exceeding one thousand dollars (\$1,000.00) or six (6) months in jail or both. Notwithstanding the above, a first offense may be charged and prosecuted as a misdemeanor. Payment of any penalty herein shall not relieve a person from the responsibility for correcting the violation.

Section 9. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance, The Board of Supervisors hereby declares that it would have adopted the ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, clauses or phrases be declared invalid.

Section 10. EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after its adoption.

Chuck Washington, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on **July 17, 2018**, the foregoing Ordinance consisting of ten (10) sections was adopted by said Board by the following vote:

AYES: Jeffries, Tavaglione, Washington, Perez and Ashley
NAYS: None
ABSENT: None

Kecia Harper-Ihem, Clerk of the Board

By: Cecilia Gil, Board Assistant

Advertising Order Confirmation

The Press Enterprise

07/25/18 2:15:34PM
Page 1

<u>Ad Order Number</u> 0011153434	<u>Customer</u> BOARD OF SUPERVISORS	<u>Payer Customer</u> BOARD OF SUPERVISORS	<u>PO Number</u>
<u>Sales Representative</u> Nick Eller	<u>Customer Account</u> 5209148	<u>Payer Account</u> 5209148	<u>Ordered By</u> Cecilia Gill
<u>Order Taker</u> Nick Eller	<u>Customer Address</u> COUNTY OF RIVERSIDE PO BOX 1147 RIVERSIDE, CA 92502	<u>Payer Address</u> COUNTY OF RIVERSIDE PO BOX 1147 RIVERSIDE, CA 92502	<u>Customer Fax</u>
<u>Order Source</u> Select Source	<u>Customer Phone</u> 951-955-1066	<u>Payer Phone</u> 951-955-1066	<u>Customer Email</u>
<u>Current Queue</u> Ready	<u>Invoice Text</u> Adoption of Ord. No. 943		
<u>Tear Sheets</u> 0	<u> Affidavits</u> .0	<u>Materials</u>	<u>Special Pricing</u>
	<u>Blind Box</u>	<u>Promo Type</u>	

Advertising Order Confirmation

The Press Enterprise

BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

ORDINANCE NO. 93 AN ORDINANCE OF THE COUNTY OF RIVERSIDE ESTABLISHING REGULATIONS AND PROCEDURES FOR NET ENERGY METERING BY IRRIGATION DISTRICTS

The Board of Supervisors of the County of Riverside ordains as follows:
Section 1. DEFINITIONS. As used in this ordinance, the following terms shall have the following meanings:

- a. Commission. The Public Utilities Commission of the State of California.
- b. Customer-Generators. Those persons or entities (residential and commercial) who install small solar, wind, biogas, and fuel cell generation facilities (1 megawatt or less) to serve all or a portion of onsite electricity needs.
- c. Irrigation District. Those districts formed and operating pursuant to the California Irrigation District Act providing electric service in the County whose net-energy metering program, defined herein, is not regulated by the Commission but is instead established by the governing board of the Irrigation District.
- d. Net Energy Metering or NEM. The Irrigation District program that allows a Customer-Generator to receive a financial credit for power generated by the Customer-Generator's onsite system to offset the Customer-Generator's electricity bill. NEM is an important element of the policy framework supporting direct Customer-Generator investment in grid-tied distributed renewable energy generation, including customer-tied solar PV systems.
- e. Person. Includes individuals, firms, corporations, partnerships, an Irrigation District, and their agents, officers, directors, and employees.
- f. Southern California Edison or SCE. An investor-owned utility or "IOU" regulated by the Commission, providing over 14 Million people with electricity over 50,000 square miles in Southern California.

Section 2. EFFECTIVE DATE OF THIS ORDINANCE, PURSUANT TO SECTION 2173 OF THE CALIFORNIA WATER CODE, WITH THE EXCEPTS, CHANGES AND AMENDMENTS TO THE GOVERNING BOARD OF THE COUNTY OF RIVERSIDE, IRRIGATION DISTRICTS PROVIDING ELECTRIC SERVICE IN THE COUNTY SHALL AFTER A NEM PROGRAM THAT IS ASMISSION APPLICABLE TO SCE FOR EACH CUSTOMER UNDER NEM SUCCESSOR TITL DEVISION (D), 16-0184 AND ANY DECISION OF THE COMMISSION THAT SUPERSEDES THAT DECISION (D), 16-0184 NEM. AS OF THE EFFECTIVE DATE OF THIS ORDINANCE, THE IRRIGATION DISTRICT OFFICE SHALL BE RESPONSIBLE FOR THE FULLY BURDENED RETAIL RATE FOR GENERATION THAT OFFERS A CREDIT (COINCIDENT OR NON-COINCIDENT), AND COVERS NET EXCESS GENERATION. IN ADDITION TO BILLING CREDITS FOR NET ENERGY EXPORTED TO THE ELECTRIC GRID, PARTICIPATING NEM CUSTOMER-GENERATORS SHALL ALSO BE EXEMPT FROM STANDBY CHARGES, DEPARTING LOAD CHARGE, AND COST ASSOCIATED WITH INTERCONNECTION APPLICATION FEES, STUDIES AND DISTRIBUTION UPDATES. IN THE EVENT THAT THE COMMISSION ADOPTS RULES, REGULATIONS, AND ORDERS APPLICABLE TO THE SCE NEM PROGRAM ARE OVERRULED BY THE COMMISSION AND, AS A RESULT, THIS ORDINANCE BECOMES MORE RESTRICTIVE THAN BE CONSISTENT WITH AND TO REFLECT THE NEM PROGRAM APPROVED BY THE COMMISSION FOR SCE AND IRRIGATION DISTRICTS, THE COUNTY GOVERNING BOARD.

Section 3. THE OFFENSES SHOULD BE DEEMED TO OCCUR IN THE FIELD WITH REGARD TO NEM PROGRAMS OFFERED BY IRRIGATION DISTRICTS. CUSTOMER-GENERATORS IN THE COUNTY AND SHALL SUPERSEDE ANY EXISTING NEM PROGRAM RULES, REGULATIONS, AND ORDERS ADOPTED BY IRRIGATION DISTRICTS FOR CUSTOMER-GENERATORS IN THE COUNTY.

Section 4. CREDITS. As a part of its NEM program required pursuant to Section 2 of this ordinance, the Irrigation District shall provide participating Customer-Generators with a bill credit for excess generation that is exported to the electric grid during times when it is not serving onsite load. On a month-to-month basis, bill credits for the excess generation are applied to a Customer-Generator's bill at the same retail rate (including generation, distribution, and transmission components) that the Customer-Generator would have paid for energy consumption, according to their otherwise applicable rate structure. At the end of a customer's 12-month billing period, any balance of surplus electricity is true-up at a separate fair market value, known as net surplus compensation (NSC). The NSC rate is based on a 12-month rolling average of the market rate for energy and is currently approximately \$0.04 to \$0.05 per kilowatt-hour (kWh) pursuant to Commission Decision (D) 11-06-016.

Section 5. VIRTUAL NET METERING. As a part of its NEM program required pursuant to Section 2 of this ordinance, the Irrigation District shall also permit NEM aggregation, in which an eligible Customer-Generator's excess generation is aggregated with other eligible units to the generation facility. Properties eligible for NEM aggregation, or counting in the same manner as the Commission has for SCE customers. A Customer-Generator, for example, an agricultural customer could use a single solar system to provide NEM bill credits to offset the electrical load from their home as well as from an irrigation pump located on an adjacent parcel.

Section 6. VIRTUAL NET METERING. As a part of its NEM program required pursuant to Section 2 of this ordinance, the Irrigation District shall also offer, as a part of its NEM program, Virtual Net Metering (VNM), a tariff available to multi-tenant properties that enables an owner of such property to allocate a solar system's benefits to tenants across their multiple units. The system owner, including but not limited to owners of affordable multifamily properties, shall be permitted to allocate bill credits of a percentage of the solar generation between tenants on a pro-rata basis. The VNM program shall be subject to the same rules relating to the Commission's successor NEM tariff programs may assess a connection fee, not to exceed seventy-five dollars (\$75) for projects of less than 1 megawatt (MW), and non-bypassable charges on each kilowatt-hour (kWh) of electricity they consume from the grid to fund special programs offered by the Irrigation District, not to exceed 3 cents per kWh. Non-bypassable charges shall be imposed on the same net interval as determined by the Commission.

Section 7. VIOLATIONS AND PENALTIES. It shall be unlawful for any person to violate any provision of this ordinance. Any person violating any provision of this ordinance shall be deemed guilty of an infraction or misdemeanor as hereinafter specified. Such person shall be deemed guilty of an infraction or misdemeanor as hereinafter specified. Such person

Advertising Order Confirmation

The Press Enterprise

which we understand you are in violation of the provisions of this ordinance is committed, continued or performed in violation of any other provisions of this ordinance. The Board of Supervisors hereby declares that the fine not exceeding one hundred dollars (\$100.00) for a first violation, (2) and by a second violation. The third and any additional violations shall constitute a misdemeanor offense and shall be punishable by a fine not exceeding one thousand dollars (\$1,000.00) or six (6) months in jail or both. Notwithstanding the above, a first offense may be charged and prosecuted as a misdemeanor. Payment of any penalty herein shall not relieve a person from the responsibility for correcting the violation.

SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have adopted the ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, clauses or phrases be declared invalid.

EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after its adoption.

Chuck Washington, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on July 17, 2018, the foregoing Ordinance, consisting of ten (10) sections was adopted by said Board by the following vote:

AYES: Jeffries, TowalRene, Washington, Perez and Ashley
NAYS: None
ABSENT: None

Kecia Harper, Item, Clerk of the Board
 By: Cecilia Gil, Board Assistant

Product	Requested Placement	Requested Position	Run Dates	# Inserts
PE Riverside-Full Run	Legals CLS	County Legal - 1076-	07/29/18	1

Order Charges:	Net Amount	Tax Amount	Total Amount	Payment Amount	Amount Due
	728.00	0.00	728.00	0.00	\$728.00

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PROOF OF PUBLICATION
(2010, 2015.5 C.C.P)

Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: Adoption of Ord. No. 943 /

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

07/29/2018

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: July 29, 2018
At: Riverside, California


Legal Advertising Representative, The Press-Enterprise

BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE
PO BOX 1147
RIVERSIDE, CA 92502

Ad Number: 0011153434-01

P.O. Number:

Ad Copy:

BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

ORDINANCE NO. 943 AN ORDINANCE OF THE COUNTY OF RIVERSIDE ESTABLISHING REGULATIONS AND PROCEDURES FOR NET-ENERGY METERING BY IRRIGATION DISTRICTS

The Board of Supervisors of the County of Riverside ordains as follows:
Section 1. DEFINITIONS. As used in this ordinance, the following terms shall have the following meanings:

- Commission. The Public Utilities Commission of the State of California.
- Customer-Generators. Those persons or entities (residential and commercial) who install small solar, wind, biogas, and fuel cell generation facilities (1 megawatt or less) to serve all or a portion of onsite electricity needs.
- Irrigation District. Those districts formed and operating pursuant to the California Irrigation District Act providing electric service in the County whose Net-energy Metering Program, defined herein, is not regulated by the Commission but is instead established by the governing board of the Irrigation District.
- Net-energy Metering or NEM. The Irrigation District program that allows a Customer-Generator to receive a financial credit for power generated by the Customer-Generator's onsite system and fed back to the Irrigation District. The credit is used to offset the Customer-Generator's electricity bill. NEM is an important element of the policy framework supporting direct Customer-Generator investment in grid-tied distributed renewable energy generation, including customer-sited solar PV systems.
- Person. Includes individuals, firms, corporations, partnerships, an Irrigation District, and their agents, officers, directors, and employees.
- Southern California Edison or SCE. An investor-owned utility or "IOU" regulated by the Commission, providing over 14 Million people with electricity over 50,000 square miles in Southern California.

Section 2. NET-ENERGY METERING PROGRAM. Within ninety (90) days of the Effective Date of this Ordinance, pursuant to Section 22123 of the California Water Code, with the express consent and direction of the governing board of the County of Riverside, Irrigation Districts providing electric service in the County shall offer a NEM program that is as expansive but in no event more restrictive than the rules, regulations, and orders of the Commission applicable to SCE for NEM customers under NEM Successor Tariff Decision (D). 16-01-044 and any decision of the Commission that supersedes such decision or otherwise governs NEM. As of the Effective Date of this Ordinance, the Irrigation District shall provide Customer-Generators a credit equal to the fully bundled retail rate for generation that offsets load (coincident or non-coincident), and covers net excess generation. In addition to billing credits for net energy exported to the electric grid, participating NEM Customer-Generators shall also be exempt from standby charges, departing load charge, and costs associated with interconnection application fees, studies and distribution upgrades. In the event that the Commission-adopted rules, regulations, and orders applicable to the SCE NEM program are amended by the Commission and, as a result, this ordinance becomes more restrictive than the Commission-approved SCE NEM program, this ordinance shall be deemed amended to be consistent with and to mirror the NEM program approved by the Commission for SCE without further action required of the County governing Board.

Section 3. SUPERSEDE EXISTING NEM PROGRAM RULES, REGULATIONS AND ORDERS. This ordinance shall be deemed to occupy the field with regard to NEM programs offered by Irrigation Districts to Customer-Generators in the County and shall supersede any existing NEM program rules, regulations, and orders adopted by Irrigation Districts for Customer-Generators in the County.

Section 4. CREDITS. As a part of its NEM program required pursuant to Section 2 of this ordinance, the Irrigation District shall provide participating Customer-Generators with a bill credit for excess generation that is exported to the electric grid during times when it is not serving onsite load. On a month-to-month basis, bill credits for the excess generation are applied to a Customer-Generator's bill at the same retail rate (including generation, distribution, and transmission components) that the Customer-Generator would have paid for energy consumption, according to their otherwise applicable rate structure. At the end of a customer's 12-month billing period, any balance of surplus electricity is true-up at a separate fair market value, known as net surplus compensation (NSC). The NSC rate is based on a 12-month rolling average of the market rate for energy and is currently approximately \$0.04 to \$0.05 per kilowatt-hour (kWh) pursuant to Commission Decision (D.) 11-06-016.

Section 5. NEM AGGREGATION. As a part of its NEM program required pursuant to Section 2 of this ordinance, the Irrigation District shall also permit NEM aggregation, in which an eligible Customer-Generator elects to aggregate the electrical load from multiple meters, and NEM credits are shared among all property that is attached, adjacent, or contiguous to the generation facility. Properties eligible for NEM aggregation shall be interpreted in the same manner as the Commission has for SCE customers. A Customer-Generator must be the sole owner, lessee, or renter of the properties in order to utilize NEM aggregation. For example, an agricultural customer could use a single solar system to provide NEM bill credits to offset the electrical load from their home as well as from an irrigation pump located on an adjacent parcel.

Section 6. VIRTUAL NET METERING. As a part of its NEM program required pursuant to Section 2 of this ordinance, the Irrigation District shall also offer, as a part of its NEM program, Virtual Net Metering (VNM), a tariff available to multi-tenant properties that enables an owner of such property to allocate a solar system's benefits to tenants across multiple units. The system owner, including but not limited to owners of affordable multifamily properties, shall be permitted to allocate bill credits of a percentage of the solar generation between common load areas and tenants along a multiple service delivery points.

Section 7. INTERCONNECTION FEE. As a part of its NEM program required pursuant to Section 2 of this ordinance, the Irrigation District, consistent with the Commission's rules relating to the Commission's successor NEM tariff program may assess an one-time interconnection fee, not to exceed seventy-five dollars (\$75) for projects of less than 1 megawatt (MW), and non-bypassable charges on each kilowatt-hour (kWh) of electricity they consume from the grid to fund special programs offered by the Irrigation District, not to exceed 3 cents per kWh. Non-bypassable charges shall be imposed on the same net interval as determined by the Commission.

Section 8. VIOLATIONS AND PENALTIES. It shall be unlawful for any person to violate any provision of this ordinance. Any person violating any provision of this ordinance shall be deemed guilty of an infraction or misdemeanor as hereinafter specified. Such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this ordinance is committed, continued or permitted. Any person so convicted shall be: (1) guilty of an infraction offense and punished by a fine not exceeding one hundred dollars (\$100.00) for a first violation; (2) guilty of an infraction offense and punished by a fine not exceeding two hundred dollars (\$200.00) for a second violation. The third and any additional violations shall constitute a misdemeanor offense and shall be punishable by a fine not exceeding one thousand dollars (\$1,000.00) or six (6) months in jail or both. Notwithstanding the above, a first offense may be charged and prosecuted as a misdemeanor. Payment of any penalty herein shall not relieve a person from the responsibility for correcting the violation.

Section 9. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have adopted the ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, clauses or phrases be declared invalid.

Section 10. EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after its adoption.

Chuck Washington, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on July 17, 2018, the foregoing Ordinance consisting of ten (10) sections was adopted by said Board by the following vote:

AYES: Jeffries, Tavaaglione, Washington, Perez and Ashley
NAYS: None
ABSENT: None

Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant

3.4 of 07/17/18



Order Confirmation for Ad #: 0003057926

Customer: RIVERSIDE COUNTY-BOARD OF
Address: 4080 LEMON ST
 RIVERSIDE CA 92501 USA
Acct. #: TDS-RIV069
Phone: 9099551067

 RIVERSIDE COUNTY-BOARD OF
Ordered By: Cecilia Gil

OrderStart Date: 07/29/2018

Order End Date: 07/29/2018

<u>Tear Sheets</u>	<u>Affidavits</u>	<u>Blind Box</u>	<u>Promo Type</u>	<u>Materials</u>	<u>Special Pricing</u>	<u>Size</u>
0	2					1 X 337.00

<u>Net Amount</u>	<u>Tax Amount</u>	<u>Total Amount</u>	<u>Payment Method</u>	<u>Payment Amount</u>	<u>Amount Due</u>
\$748.00	\$0.00	\$748.00	Invoice	\$0.00	\$748.00

Ad Order Notes:

Sales Rep: kthor

Order Taker: kthor

Order Created 07/25/2018

Product	# Ins	Start Date	End Date
TDS-DesertSun.com	1	07/29/2018	07/29/2018
07-29-18, TDS-The Desert Sun	1	07/29/2018	07/29/2018
07-29-18,			

* ALL TRANSACTIONS CONSIDERED PAID IN FULL UPON CLEARANCE OF FINANCIAL INSTITUTION

4th District
3.4 of 07/17/18

Text of Ad: 07/25/2018

BOARD OF SUPERVISORS OF THE
COUNTY OF RIVERSIDE, STATE OF
CALIFORNIA

**ORDINANCE NO. 943
AN ORDINANCE OF THE COUNTY OF
RIVERSIDE ESTABLISHING
REGULATIONS AND PROCEDURES
FOR NET-ENERGY METERING BY
IRRIGATION DISTRICTS**

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Washington, Perez and Ashley
NAYS: None
ABSENT: None

Kecia Harper-Ihem, Clerk of the Board

By: Cecilia Gil, Board Assistant
Published: 7/29/18



PROOF OF PUBLICATION

STATE OF CALIFORNIA SS. COUNTY OF RIVERSIDE

RIVERSIDE COUNTY-BOARD OF SUP. 4080 LEMON ST

RIVERSIDE CA 92501

I am over the age of 18 years old, a citizen of the United States and not a party to, or have interest in this matter. I hereby certify that the attached advertisement appeared in said newspaper (set in type not smaller than non pariel) in each and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

07/29/18

I acknowledge that I am a principal clerk of the printer of The Desert Sun, printed and published weekly in the City of Palm Springs, County of Riverside, State of California. The Desert Sun was adjudicated a Newspaper of general circulation on March 24, 1988 by the Superior Court of the County of Riverside, State of California Case No. 191236.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 30th of July 2018 in Green Bay, WI, County of Brown.

[Handwritten signature of Jana Kanitz]

DECLARANT

Ad#:0003057926

P O :

of Affidavits : 1

2018 AUG 10 AM 10:50

RECEIVED... AUG 10 2018

3.4 of 07/17/18

the County of Riverside, Irrigation Districts providing electric service in the County shall offer a NEM program that is as expansive but in no event more restrictive than the rules, regulations, and orders of the Commission applicable to SCE for NEM customers under NEM Successor Tariff Decision (D) 15-01-044 and any decision of the Commission that supersedes such decision or otherwise governs NEM. As of the Effective Date of this Ordinance, the Irrigation District shall provide Customer-Generators a credit equal to the fully bundled retail rate for generation that offsets load (coincident or non-coincident), and cover net excess generation. In addition to billing credits for net energy exported to the electric grid, participating NEM Customer-Generators shall also be exempt from standby charges, departing load charge, and costs associated with interconnection application fees, studies and distribution upgrades. In the event that the Commission-adopted rules, regulations, and orders applicable to the SCE NEM program are amended by the Commission and, as a result, this ordinance becomes more restrictive than the Commission-approved SCE NEM program, this ordinance shall be deemed amended to be consistent with and to mirror the NEM program approved by the Commission for SCE without further action required of the County governing Board. Section 3. SUPERSEDE EXISTING NEM PROGRAM RULES, REGULATIONS AND ORDERS. This ordinance shall be deemed to occupy the field with regard to NEM programs offered by Irrigation Districts to Customer-Generators in the County and shall supersede any existing NEM program rules, regulations, and orders adopted by Irrigation Districts for Customer-Generators in the County. Section 4. CREDITS. As a part of its NEM program required pursuant to Section 2 of this ordinance, the Irrigation District shall provide participating Customer-Generators with a bill credit for excess generation that is exported to the electric grid during times when it is not serving onsite load. On a month-to-month basis, bill credits for the excess generation are applied to a Customer-Generator's bill at the same retail rate (including generation, distribution, and transmission components) that the Customer-Generator would have paid for energy consumption, according to their otherwise applicable rate structure. At the end of a customer's 12-month billing period, any balance of surplus electricity is trued-up at a separate fair market value, known as net surplus compensation (NSC). The NSC rate is based on a 12-month rolling average of the market rate for energy and is currently approximately \$0.04 to \$0.05 per kilowatt-hour (kWh) pursuant to Commission Decision (D.) 11-06-016. Section 5. NEM AGGREGATION. As a part of its NEM program required pursuant to Section 2 of this ordinance, the Irrigation District shall also permit NEM aggregation, in which an eligible Customer-Generator elects to aggregate the electrical load from multiple meters, and NEM credits are shared among all property that is attached, adjacent, or contiguous to the generation facility. Properties eligible for NEM aggregation shall be interpreted in the same manner as the Commission has for SCE customers. A Customer-Generator must be the sole owner, lessee, or renter of the properties in order to utilize NEM aggregation. For example, an agricultural customer could use a single solar system to provide NEM bill credits to offset the

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