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## Agenda – Legal Committee Meeting

**Meeting Date:** July 6, 2023 Legal Committee Meeting  
**Location:** Meeting held at NCPA Headquarters and via Teleconference Posted Locations  
**Time:** 8:30 a.m. PT

In compliance with the Brown Act, you may participate in person at the meeting location or via teleconference at one of the locations listed below. In either case, please (1) post the Agenda at a publicly accessible location at the participation location at least 72-hours before the meeting begins, and (2) have a speaker phone available for any member of the public who may wish to attend at your location.

<p><b>Northern California Power Agency</b> 651 Commerce Drive Roseville, CA 95678</p>	<p><b>City of Alameda</b> Alameda City Attorney's Office 2263 Santa Clara Avenue, No. 280 Alameda, CA 94501</p>	<p><b>San Francisco Bay Area Rapid Transit District</b> Office of the General Counsel 2150 Webster Street, 10<sup>th</sup> Floor, Room 1009 Oakland, CA 94612</p>
<p><b>City of Biggs</b> Law Office of Gregory P. Einhorn 542 Quail Walk Way Rio Vista, CA 94571</p>	<p><b>City of Alameda</b> 18217 Carmel Drive Castro Valley, CA 94546</p>	<p><b>City of Gridley</b> [No teleconference location this month]</p>
<p><b>City of Lodi</b> 221 West Pine Street Lodi, CA 95240</p>	<p><b>City of Healdsburg</b> Burke Williams &amp; Sorenson 688 Roble Avenue Menlo Park, CA 94025</p>	<p><b>Plumas-Sierra Rural Electric Coop</b> Somach, Simmons &amp; Dunn 500 Capitol Mall, Suite 1000 Sacramento, CA 95814</p>
<p><b>City of Lompoc</b> Aleshire &amp; Wynder, LLP 6001 Boeing Place Los Angeles, CA 90045</p>	<p><b>City of Palo Alto</b> Office of the City Attorney Office 250 Hamilton Avenue Palo Alto, CA 94301</p>	<p><b>Port of Oakland</b> Office of General Counsel 530 Water Street Oakland, CA 94607</p>
<p><b>City of Redding</b> Office of the City Attorney 777 Cypress Avenue Redding, CA 96001</p>	<p><b>City of Palo Alto</b> Assistant City Attorney Office 54 Bosworth Field Mendon, NY 14506</p>	<p><b>City of Santa Clara</b> 1500 Warburton Avenue Santa Clara, CA 95050</p>
<p><b>City of Roseville</b> Civic Center-City Attorney's Office 311 Vernon Street Roseville, CA 95678</p>	<p><b>City of Shasta Lake</b> [No teleconference location]</p>	<p><b>Truckee Donner PUD</b> [No teleconference location]</p>
<p><b>City of Ukiah</b> Rapport and Marston 405 West Perkins Street Ukiah, CA 95482</p>	<p><b>City of Alameda</b> 10572 Avenida Magnifica San Diego, CA 92131</p>	

**To participate by phone from posted meeting location: Dial: 1 (669) 900-6833  
Meeting ID: 831 4179 1685**

**To participate via Zoom from posted location: <https://us06web.zoom.us/j/83141791685>**

Persons requiring accommodations in accordance with the Americans with Disabilities Act in order to attend or participate in this meeting are requested to contact the NCPA Secretary at 916-781-3636 in advance of the meeting to arrange for such accommodations.

The Committee may act on any of the items listed on this Agenda regardless of whether an item is described as an Action item, a Report, or an Informational or Discussion item. This Agenda may be supplemented by Staff Reports which are available to the public upon request. Pursuant to California Government Code Section 54957.5, the following is the location at which the public can view Agendas and other public writings: NCPA Offices, 651 Commerce Drive, Roseville, California, or [www.ncpa.com](http://www.ncpa.com).

- **Review Safety Procedures – NCPA Headquarters Facility**

- 1. CALL MEETING TO ORDER AND ROLL CALL**

- 2. PUBLIC COMMENT**

Any member of the public who desires to address the NCPA Legal Committee on any item considered by the Legal Committee at this meeting, before or during the Committee's consideration of that item, shall so advise the Chair and shall thereupon be given an opportunity to do so. Any member of the public who desires to address the NCPA Legal Committee on any item within the jurisdiction of the Legal Committee and not listed on the Agenda may do so at this time.

- 3. MEETING MINUTES**

Seeking approval of the minutes of the Legal Committee meeting held on June 1, 2023.  
(Action Item)

### **CLOSED SESSION**

- 4. CONFERENCE WITH LEGAL COUNSEL**

Pursuant to Government Code Section 54956.9(d)(1) - Existing Litigation, one (1) case:

Case Name: Case Name: *City of Santa Clara dba Silicon Valley Power and Northern California Power Agency, Plaintiffs, v. California Department of Water Resources, Defendant*, Sacramento County Superior Court, Case No. 34-2023-00338449

### **OPEN SESSION**

- 5. REPORT FROM CLOSED SESSION**

6. **UPDATE REGARDING FERC RULING IN TO18 CASE** – NCPA General Counsel will provide additional information in response to questions raised in the matter of Pacific Gas and Electric Company, Docket Nos. ER 16-2320-007/ER 16-2320-009, PG&E's eighteenth revised transmission owner tariff filing requesting an increase in stated transmission service rates. *(Information Item)*
7. **HOSPITAL REQUEST FOR ELECTRIC RATE SUBSIDY** – Discussion of this legal issue and whether the Committee is aware of any authority under California law which could potentially support a decision to grant such a request. *(Discussion Item)*
8. **FEDERAL COURT REVIEW** - NCPA General Counsel will lead a discussion about preemption of California laws and regulations such as California Air Resources Board Advanced Clean Trucks regulation and the natural gas bans. *(Information Item)*
9. **GENERAL COUNSEL UPDATES** - NCPA's General Counsel will update the Committee on miscellaneous business matters of interest. *(Information Item)*
10. **ADJOURNMENT**