



651 Commerce Drive
Roseville, CA 95678

phone (916) 781-3636
fax (916) 783-7693
web www.ncpa.com

Agenda – Legal Committee Meeting

Meeting Date: November 2, 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>Northern California Power Agency 651 Commerce Drive Roseville, CA 95678</p>	<p>City of Alameda Alameda City Attorney's Office 2263 Santa Clara Avenue, No. 280 Alameda, CA 94501</p>	<p>San Francisco Bay Area Rapid Transit District 2150 Webster Street, 1st Floor, Room 161 Oakland, CA 94612</p>
<p>City of Biggs Law Office of Gregory P. Einhorn 542 Quail Walk Way Rio Vista, CA 94571</p>	<p>City of Alameda 18217 Carmel Drive Castro Valley, CA 94546</p>	<p>City of Gridley Rich, Fuidge, Bordsen & Galyean 1129 D Street Marysville, CA 95901</p>
<p>City of Lodi 221 West Pine Street Lodi, CA 95240</p>	<p>City of Healdsburg Burke Williams & Sorenson 688 Roble Avenue Menlo Park, CA 94025</p>	<p>Plumas-Sierra Rural Electric Coop Somach, Simmons & Dunn 500 Capitol Mall, Suite 1000 Sacramento, CA 95814</p>
<p>City of Lompoc Aleshire & Wynder, LLP 6001 Boeing Place Los Angeles, CA 90045</p>	<p>City of Palo Alto Office of the City Attorney Office 250 Hamilton Avenue Palo Alto, CA 94301</p>	<p>Port of Oakland Office of General Counsel 530 Water Street Oakland, CA 94607</p>
<p>City of Redding Office of the City Attorney 777 Cypress Avenue Redding, CA 96001</p>	<p>City of Palo Alto Assistant City Attorney Office 54 Bosworth Field Mendon, NY 14506</p>	<p>City of Santa Clara 881 Martin Avenue Santa Clara, CA 95050</p>
<p>City of Roseville Civic Center-City Attorney's Office 311 Vernon Street Roseville, CA 95678</p>	<p>City of Shasta Lake [No teleconference location]</p>	<p>Truckee Donner PUD [No teleconference location]</p>
<p>City of Ukiah Rapport and Marston 405 West Perkins Street Ukiah, CA 95482</p>	<p>City of Alameda 10572 Avenida Magnifica San Diego, CA 92131</p>	

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.

- **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 September 7, 2023, and meeting held on October 4, 2023 (*Action Item*)

CLOSED SESSION

- 4. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

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

A. 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

B. FERC Dockets: Rate Cases:

FERC TO18:

- *Pacific Gas and Electric Co.*, Federal Energy Regulatory Commission, Docket No. ER16-2320
- *Pacific Gas and Electric Co.*, Federal Energy Regulatory Commission, Docket No. EL18-108

FERC TO19:

- *Pacific Gas and Electric Co.*, Federal Energy Regulatory Commission, Docket No. ER17-2154
- *California Public Utilities Commission, et al. v. Pacific Gas and Electric Co.*, Federal Energy Regulatory Commission, Docket No. EL17-95

FERC TO20:

- *Pacific Gas and Electric Co.*, Federal Energy Regulatory Commission, Docket No. ER19-13
- *Pacific Gas and Electric Co.*, Federal Energy Regulatory Commission, Docket No. ER19-1816
- *Pacific Gas and Electric Co.*, Federal Energy Regulatory Commission, Docket No. ER20-2265

D.C. Circuit:

- *Pacific Gas and Electric Co. v. Federal Energy Regulatory Commission*, D.C. Circuit Case No. 21-1061 (lead), consolidated with Case Nos. 21-1135, 21-1172, 21-1204, 22-1095, 22-1113.

5. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Pursuant to Government Code Section 54956.9(d)(2) – Anticipated Litigation, one (1) case.

OPEN SESSION

6. REPORT FROM CLOSED SESSION

7. SECOND PHASE AGREEMENT–COMBUSTION TURBINE 2 REPLACEMENT PROJECT –

Discuss Second Phase Agreement moving forward for the CT2 Repower Project.

(Information/Discussion Item)

8. NCPA PROGRAM TO ADDRESS WHEELING ACCESS CHARGES–TRANSMISSION OWNER RATE CASES –

Discuss the development of Transmission Rate Case Program.

(Information/Discussion Item)

9. GENERAL COUNSEL UPDATES - NCPA’s General Counsel will update the Committee on miscellaneous business matters of interest. *(Information Item)*

10. ADJOURNMENT