

April 14, 2022

Mr. Simon Baker
Director for Costs, Rates and Planning
California Public Utilities Commission
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Subject: Inappropriate Public Influencing by CPUC Staff Member

Dear Mr. Baker,

I am writing to you as a former Member of the California State Assembly, regarding a public statement that appeared on my personal social media page. It was made by one of your staff regarding the ongoing rooftop solar proceeding.

By way of background, I represented the 76th Assembly district for three terms- from 2004 through 2010- serving as Speaker Pro Tempore, Chair of the Legislative Women's Caucus, and Chair of Housing and Community Development Committee. I also served as a member of Elections and Redistricting, Rules, Veterans Affairs, Judiciary and the Water, Parks & Wildlife Committees and was appointed to the Assembly Ethics Committee, to investigate complaints within the legislature.

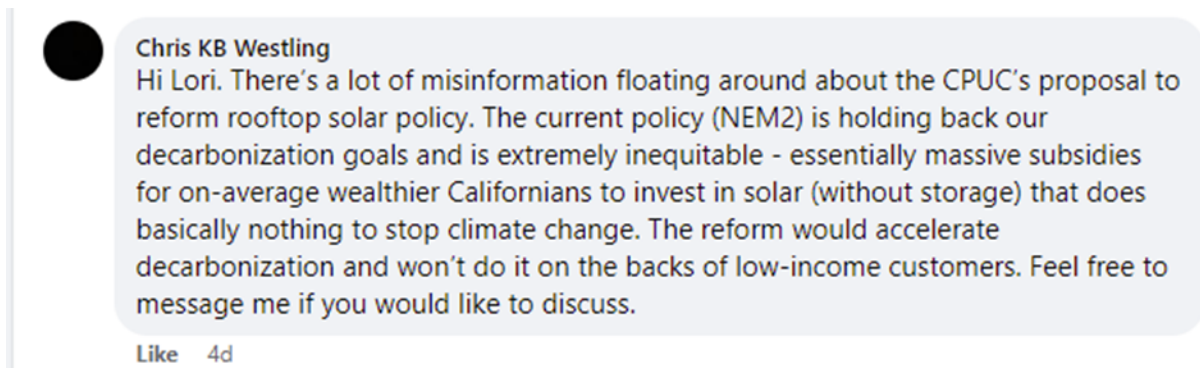
After leaving the Assembly I continued teaching Business Information Technology for the local community college district, and retired in 2020. I am currently on the board of the Protect Our Communities Foundation, which is a party to the California Public Utilities Commission (CPUC) net-metering proceeding.

During my time in the state Legislature, I co-authored AB32 and enthusiastically supported the launch and growth of California's Million Solar Roofs Initiative. I consider the state's 1.4 million solar roofs a crown jewel of our state and seek to add more in San Diego. I am familiar with net metering and the associated policies that have led to the growth of rooftop solar, and am proud to see solar being increasingly adopted by families of all income levels in my community, to offset both the impacts of climate change, and address rapidly rising utility costs that have made our rates the highest in the nation.

For all these reasons and experiences- I have been following the CPUC net-metering proceeding with great interest. I was dismayed at the CPUC's proposed decision last December to impose a penalty fee on solar users and other changes that would take us back to the days when solar was only for the wealthy. However, I was encouraged when Governor Newsom said that the proposal needed to be changed. My hope is that common sense and the facts would prevail as the CPUC reconsiders its proposal.

This is why I wish to inform you of a Facebook message that appeared unexpectedly on my personal page, posted by one of your Energy Division staff engaged in the net-metering proceeding, Chris Westling.

I was unaware of his role in these proceedings when he first posted it to my personal Facebook page on March 25, 2022, in response to information I had posted about rooftop solar. Below is a screenshot of Mr. Westling's message. (Please advise if you would like to read the full thread on my Facebook page, as I limit access to my personal account.)



Mr. Westling is entitled to his private opinion, of course. However, as someone who is quite familiar with government service, and the important roles and protocols that both elected officials and civil servants must play to ensure that the government both runs well and equitably to earn the trust of the public, I was frankly shocked that a civil servant deeply involved in such a highly consequential regulatory proceeding would reveal his bias so publicly, and without disclosing his professional association with a matter that will significantly increase costs for millions of Californians who choose to install solar panels.

I am curious why Mr. Westling appears to be defending the CPUC's original proposal, even though the official position of the CPUC is that they are going back to the drawing board to review the record of the proceeding and revise the decision, and why he failed to identify his professional role in this matter.

Mr. Westling's message also appears out of step with what I and many others understand the CPUC's current position to be. They are certainly not the words of someone with an open mind about a different approach. Therefore, I strongly recommend that he be asked to recuse himself from the rooftop solar proceeding, and be removed if he refuses to do so.

With that said, I will also note that Mr. Westling's remarks are substantively incorrect and seem to be drawn from an SDG&E fact sheet rather than objective facts. I characterize these remarks as "astroturfing"- the practice of displaying an opinion on an environmental or conservation

issue in the guise of a personal “grassroots” post, when in fact a corporate or business interest is influencing the communication.

In fact, rooftop solar is growing fastest in working- and middle-class neighborhoods, and on multi-family homes. In most cases net metering is not a subsidy but a simple billing arrangement that allows the state to efficiently use the valuable surplus solar energy produced by rooftop solar systems (Those of us around when net metering was originally created are always surprised to hear it referred to as a "subsidy").

Rooftop solar is also reducing the need for expensive and risky long-distance transmission and distribution investments to the benefit of all ratepayers. And, according to the Energy Commission, the state is counting on rooftop solar to triple in order to comply with SB 100.

Rather than respond directly to a CPUC staff member, I ask that you confer with Mr. Westling, and let him know that I found his post troubling for reasons outline above. I hope his biased and uninformed remarks are an anomaly, and not reflective of more widespread sentiment within the CPUC. If he is continuing to post similar comments via Facebook and other social media platforms on other pages, I ask that he identify his professional role in these statements.

The public is watching this proceeding closely, and at stake are both the fate of rooftop solar and the credibility of our state to follow through on its clean energy goals.

Thank you for your attention to this matter.

Sincerely,



Lori Saldaña
California Assemblymember (retired)

cc:

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