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BOARD OF PORT COMMISSIONERS CITY OF OAKLAND

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE AN AMENDMENT TO THE INTERCONNECTION AGREEMENT AND WHOLESALE DISTRIBUTION SERVICE AGREEMENT BETWEEN PACIFIC GAS AND ELECTRIC COMPANY AND THE PORT OF OAKLAND (SERVICE AGREEMENT NO. 3) UNDER FEDERAL ENERGY REGULATORY COMMISSION ELECTRIC TARIFF VOLUME NO. 4 TO TAKE AND PAY FOR ADDITIONAL DISTRIBUTION SERVICE FROM PACIFIC GAS AND ELECTRIC COMPANY SUBSTATION TO THE PORT'S SS-E-2 SUBSTATION (MAXIMUM 2.388 MW CAPACITY AND ENERGY TO BE TRANSMITTED), WHICH INCLUDES A ONE-TIME ESTIMATED COST OF OWNERSHIP CHARGE OF \$373,317.12, AN ESTIMATED INSTALLATION AND TAX CHARGE OF \$327,360.00, AN ESTIMATED INSTALLATION CHARGE OF \$264,000; AND FINDING THAT THE PROPOSED ACTION IS EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report for Agenda Item No. 6.3, dated January 30, 2025, and related agenda materials ("Agenda Report"), has received the expert testimony of Port of Oakland ("Port") staff, and has provided opportunities for and taken public comment; and

WHEREAS, the Port currently has an Interconnection Agreement and Wholesale Distribution Service Agreement with Pacific Gas and Electric Company ("PG&E") Service Agreement No. 3, under PG&E Federal Energy Regulatory Commission ("FERC") Electric Tariff Volume No. 4 for wholesale distribution service from PG&E ("Service Agreement No. 3"); and

WHEREAS, the Port seeks to amend Service Agreement No. 3 in order to convert from retail service to wholesale distribution service and obtain a load increase at the Port-owned substation E-2 ("SS-E-2"); and

WHEREAS, that in acting upon this matter, the Board has exercised its independent judgment based on substantial evidence in the record and adopts and relies upon the facts, data, analysis, and findings set forth in the Agenda Report and in testimony received;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. Based upon the information contained in the Agenda Report and in testimony received, the Board hereby finds and determines that the proposed action is categorically exempt from the California Environmental Quality Act ("CEQA") under Section 15301 of the CEQA Guidelines, which exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. Amending Service Agreement No. 3 meets the criteria for this exemption.

Section 2. The Board hereby approves and authorizes the Executive Director to:

- A. Enter into a service amendment for point-to-point service under the existing Service Agreement No. 3 with PG&E as follows:
- a. Term: Service will be provided under the terms of Service Agreement No. 3, and the amendment will be added as an exhibit to and will have a term concurrent with that agreement.
 - b. Delivery Voltage and Point of Delivery: This amendment will specify a delivery voltage of 12 kV from the C Substation to the Port's Substation E-2 (SS-E-2). The point of delivery is located at 1405 Middle Harbor Road, at the Port's SS-E-2 Substation with a delivery voltage of 12 kV.
 - c. Capacity and Energy: The maximum amount of capacity and energy to be transmitted (contract demand) is 2.388 MW.
 - d. Estimated costs: The estimated cost to take and pay for this additional wholesale distribution service include a one-time estimated cost of ownership charge of \$373,317.12, an estimated installation and tax charge of \$327,360.00, and an estimated installation charge of \$264,000.
 - e. Installation: PG&E will be responsible for installing the line enclosure, overhead conductor and replace existing cutout with overhead switch.

Section 3. This resolution is not evidence of and does not create or constitute: (a) a contract, or the grant of any right, entitlement, or property interest; or (b) any obligation or liability on the part of the Board or any officer or employee of the Port. This resolution approves and authorizes the execution of a contract in accordance with the terms of this resolution. Unless and until a separate written contract is duly executed on behalf of the Board as authorized by this resolution, is signed as approved as to form and legality by the Port Attorney, and is delivered to other contracting party, there shall be no valid or effective contract.

Section 4. This resolution shall be effective immediately upon adoption by the Board.

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