

# Chaos kills renewable-power measure

**Dan Walters, Sacramento Bee, 9-13-10**

The most conspicuous casualty on the chaotic final day of the 2009-10 legislative session last month was an extremely complex measure to increase California's use of so-called "renewable" electric power and reduce its greenhouse-gas emissions.

Many months in the making, a final version of Senate Bill 722 emerged from the cloisters of the Assembly, where it had been secretly massaged by a few insiders, just hours before the midnight deadline for action.

The bill, nominally carried by Democratic Sen. Joe Simitian of Palo Alto, didn't make it off the Assembly floor until a few minutes before midnight. It was still floating in the Senate's ether when the clock struck 12.

What happened?

There has been fairly broad agreement, at least among Democrats and outgoing Gov. Arnold Schwarzenegger's administration, that California utilities should be required to obtain 33 percent of their power from solar, wind, geothermal or other renewables by 2020. It would revise the never-reached previous goal of 20 percent renewables by 2010.

But the devil, as usual, was in the very complex details, especially the source of those renewables. Schwarzenegger had vetoed two previous bills that, due to pressure from unions, would have required that 75 percent be generated in California.

The governor said that was counterproductive to reaching the 33 percent goal, especially because the bills also made siting generation and transmission facilities more difficult.

The latest version still required 75 percent to come from in-California sources or from facilities in nearby states directly serving California. Schwarzenegger was demanding no more than 60 percent, so it faced a potential veto as well.

The state's three major private utilities were divided three ways, publicly owned utilities were critical of the details, and many other stakeholders were ticked off by the secrecy in how the measure was written.

Even Simitian's office was kept in the dark about how the bill was being redrafted until just before it hit the Assembly floor. It reminded many of how a far-reaching and misnamed utility "deregulation" bill was hustled through the Legislature in 1996 with disastrous results.

The legislators, staffers and labor union lobbyists who wrote the final bill played it too cute, believing that they could jam it through on the final night before opponents could organize.

So what happens now?

Schwarzenegger's Air Resources Board will almost certainly and quickly adopt the 33 percent goal by regulation, without the baggage of in-state generation.

However, those regulations could be litigated and/or undone by the next governor, so it's possible that a new legislative version could emerge during the final days of Schwarzenegger's reign – particularly if the next governor is named Meg Whitman.