

*The Committee to Stop the Blank Check,
A coalition of concerned consumers, small businesses, labor, community organizations and
Pacific Gas and Electric Company.*

VIA HAND DELIVERY

Members of
The San Francisco Ballot Simplification Committee
1 Dr. Carlton B. Goodlett Place
San Francisco, California 94102

Dear Committee Members:

Among the phrases included on the tentative list of "words you should know" is "clean energy." Unfortunately, as explained below there is no one generally accepted definition of "clean energy." We strongly recommend that the Committee steer clear of attempting to define a term that does not have an objective meaning and will be hotly disputed by all sides on this issue, and which is not defined by the proposed Charter Amendment.

Section 8B.129(a) of the proposed amendment is the only guidance provided by the initiative itself. It states as follows: "For purposes of this measure, (i) renewable and/or clean resources shall exclude nuclear power."

State law nowhere defines "clean energy", but it does define *renewable energy* in Public Utilities Code section 399.12 and Public Resources Code section 25741. Those provisions of state law exclude large hydroelectric facilities, energy efficiency, and power from on site generators that do not deliver to the electric grid from what is considered renewable energy. However, this definition, which is used in renewable portfolio standards that apply to private utilities such as PG&E, does not apply to cities like San Francisco, has not been incorporated into the proposed charter amendment regarding clean energy, and hence does not apply to this measure.

Moreover, most of the words in the initiative actually refer to "clean resources" or "clean energy resources," rather than renewable power. These words are not defined anywhere, and mean many different things to different people. To many, "clean energy" includes "clean coal" plants and to others it may mean something different.

These undefined terms are highly subjective. To some California municipal utilities or irrigation districts, it includes large hydro facilities, such as the Hetch Hetchy system even though large hydro facilities are excluded by the above state statutes defining renewable energy. To some members of the Board of Supervisors, more "modern" natural gas burning peakers power plants would be considered clean.

In addition, to make matters even more complex, in the draft Community Choice Aggregation plan, the Board of Supervisors included renewable energy credits, energy efficiency, and fuel cell units (that can be run using natural gas as a fuel) as resources that would help meet the city's future energy needs, even though none currently meet the generally agree to "renewable" definition.

Ballot Simplification

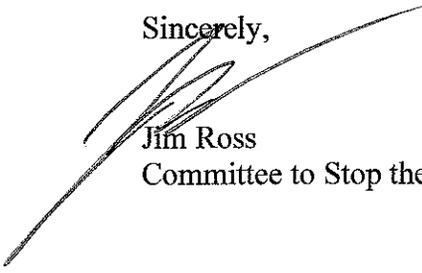
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In sum, as written, and according to assertions by the proponents, the initiative apparently intentionally did not provide a definition of "clean" or "renewable" power. To date this Committee has steadfastly avoided interpreting or adding to the initiative; we recommend that you continue to refrain from doing so and avoid creating a controversial definition of "clean energy" when the drafters of this initiative did not provide one.

Thank you for your time and consideration.

Sincerely,



Jim Ross

Committee to Stop the Blank Check