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File No. 55735.00004

June 24, 2022

VIA EMAIL

LARRYAGRAN@CITYOFIRVINE.ORG

Larry Agran
City Councilmember
City of Irvine
1 Civic Center Plaza
Irvine, CA 92623-9575

***Re: Orange County Power Authority Public Records Act Request
Received March 24, 2022 – Providing Additional Records***

Dear Councilmember Agran:

On behalf of our client the Orange County Power Authority (“OCPA”), this letter is related to OCPA’s previous response to your request for public records pursuant to the California Public Records Act (“CPRA”) (Gov. Code section 6250, *et seq.*), received by OCPA on March 24, 2022. You requested the following records:

1. *A record of all previous Public Records Act Requests filed with the Orange County Power Authority from Irvine’s execution of the Authority’s Joint Power Agreement until today, as well as any and all correspondence about the public comments filed (11/20/2020-03/24/2022).*
2. *Records, documented policies, and any and all correspondence related to:*
 - a. *The energy sources being procured for the Basic Choice, Smart Choice, and 100% Choice plans, and the percentage allocation for each source.*
 - b. *The OCPA customer notice for residential and commercial customers in Irvine and other member cities.*

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- c. *The number of small, medium, and large commercial customers OCPA will serve on April 1, 2022.*
- d. *The other account types OCPA is serving (e.g. residential customers) and the number of those customers OCPA is serving.*
- e. *The source of business data OCPA used to assemble its customers.*
- f. *OCPA's contingency plans in case more than 5% of residential customers and/or 10% of commercial customers opt out of its plans or opt "down" to the Basic Choice plan.*
- g. *Power Purchasing Agreements between Orange County Power Authority and other entities and the nature of those contracts, including the percentage that are medium-term (defined as 5 years or longer) v. long-term (defined as 10 years or longer).*
- h. *Any and all reserve funds OCPA has created to address contingencies and other risk factors.*

For items #1 and #2.b of your request, OCPA previously provided responsive records. OCPA staff members have located additional responsive records for item #1 of your request ("A record of all previous Public Records Act Requests filed..."). The records are being provided to you in electronic format through the following link:

<https://www.imanageshare.com/pd/5O4USRjKdVI>

Please let us know if you have any problems accessing the records through the above link. Also, the link will expire on July 25, 2022. Please download the records prior to that date.

For the remaining items in your request, OCPA staff members are continuing to search for any existing responsive disclosable records. OCPA will notify you of the results of the search on or before July 27, 2022.

In addition, please be advised that OCPA staffing resources are limited and the current volume of PRA requests that OCPA is processing may affect the time necessary for staff to provide records in response to your request. (*See Bruce v. Gregory* (1967) 65 Cal.2d 666, 676; 64 Ops.Cal.Atty.Gen.317 (1981) [noting that ensuring orderly functioning of the agency may affect the reasonableness that applies to the right to inspect and obtain copies of public records].)

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Please feel free to contact me if you have any questions or concerns regarding the information provided in this letter.

Sincerely,



Christine N. Wood
for BEST BEST & KRIEGER LLP

CNW:ngs

cc: Brian S. Probolsky - OCPA