



Larry Agran, Councilmember

[cityofirvine.org](http://cityofirvine.org)

1 Civic Center Plaza, Irvine, CA 92623-9575

Orange County Power Authority  
c/o Brian Probolsky  
3349 Michelson Dr., Suite 200  
Irvine, CA 92612-8881

Thursday, March 24, 2022

Dear CEO Brian Probolsky and the Orange County Power Authority:

I write to ask for your help with answering some outstanding questions the City of Irvine, its businesses and its residents have raised with me and my staff.

As OCPA launches service for its commercial customers, I want to seek transparency on the communication and community education OCPA must manage as a fledgling entity. I also would like the public to see a comprehensive history of public records requests Orange County Power Authority has received.

Please review and respond to the below-stated public records requests (Attachment 1) **by April 7, 2022** and note any confidential information you share. We will disseminate the public information we receive at our next City Council meeting, and we will keep you informed of any feedback we hear.

Thank you for your service, we appreciate your attention to these questions, and we look forward to hearing from you soon.

Sincerely,

Larry Agran  
City Councilmember, Irvine  
[LarryAgran@cityofirvine.org](mailto:LarryAgran@cityofirvine.org)

cc: Brian Probolsky, OCPA CEO  
Tiffany Law, OCPA Chief Financial Officer  
Fred Jung, OCPA Vice Chairman  
Susan Sonne, OCPA Board Member  
Mike Posey, OCPA Board Member  
Farrah Khan, OCPA Board Member and Irvine Mayor  
Mike Carroll, OCPA Chairman and Irvine City Councilmember  
Anthony Kuo, Irvine Vice Mayor  
Tammy Kim, Irvine City Councilmember  
Carl Petersen, Irvine City Clerk  
Jeffrey Melching, Irvine City Attorney  
Oliver Chi, Irvine City Manager  
Aaron France, Buena Park City Manager  
Sean Joyce, Huntington Beach City Manager  
Jeff Collier, Fullerton City Manager



## Attachment 1: Public Records Requests

Per California Government Code 6250, I request that the OCPA procure and share the following with my Office:

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
  - 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