

Association of Bay Area Governments

Executive Board

November 20, 2025

Agenda Item 6.g.

Bay Area Regional Energy Network (BayREN)

Subject:

Authorization to negotiate and enter into a contract amendment with the Law Office of Elizabeth Kelly in the amount of \$300,000, for a cumulative total amount not to exceed \$1,000,000, to provide regulatory support services for the Bay Area Regional Energy Network (BayREN) and Tri-County Regional Energy Network (3C-REN) through December 31, 2027

Background:

The Bay Area Regional Energy Network (BayREN) implements a portfolio of energy efficiency programs across the region. ABAG serves as the program administrator and lead agency for a 10-member unincorporated association of local government entities. The California Public Utilities Commission (CPUC), in Decision 12-11-015, first authorized funding for BayREN. Most recently, on July 3, 2023, the CPUC issued D.23-06-055 approving BayREN's strategic business plan for eight years (2024-2031) and four-year program portfolio for 2024-2027, with an accompanying budget of approximately \$157 million.

ABAG, on behalf of BayREN, has contracts with member agencies and with third-party consultants to assist in the implementation of the programs.

BayREN's regulatory support team includes the Law Office of Elizabeth Kelly (EMK), which provides regulatory support through participation and representation before different state agencies, including the California Public Utilities Commission and the California Energy Commission. The current contract provides services through the end of 2025, and extending the contract will allow these services to continue through the remainder of BayREN's four-year portfolio period (2024-2027). EMK has provided exceptional service, and their assistance is particularly needed to support completion of BayREN's 2028-2035 Business Plan application to the CPUC, which is due in 2026.

This contract is for services on behalf of both BayREN and the Tri-County Regional Energy Network (3C-REN). Both RENs need similar services and have therefore arranged a joint contract that splits expenses in order to reduce costs to each REN.

Issues:

None identified.

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Recommended Action:

The Executive Board is requested to authorize the Executive Director of the Metropolitan Transportation Commission (MTC), or his designee, to negotiate and enter into a contract amendment with The Law Office of Elizabeth Kelly in the amount of \$300,000, for a cumulative total amount not to exceed \$1,000,000, to provide regulatory support services for the Bay Area Regional Energy Network (BayREN) and Tri-County Regional Energy Network (3C-REN) through December 31, 2027.

Attachments:

- A. Summary Approval—Law Office of Elizabeth Kelly

Reviewed:



Andrew Fremier