

**From:** Darlene Jackson <[djackson@mcecleanenergy.org](mailto:djackson@mcecleanenergy.org)>

**Subject: RE: Your email dated March 23, 2018**

**Date:** April 4, 2018 at 1:02:09 PM PDT

**To:** Jim Phelps <[jimphelps56@gmail.com](mailto:jimphelps56@gmail.com)>

Mr. Phelps,

To assist you in better understanding the facts, we are providing you with corrections on some of your misinformation in the email below:

- Your false accusation: Your email from Mary Nichols was not a definitive statement on any fact or analysis, but simply an off-handed remark that she was not aware of whether or not your accusation had any basis. Mary Nichols has spoken to MCE directly multiple times expressing regret that you are using her email out of context in a way she did not intend. Truth: MCE has always been in good standing with CARB, and you have distorted her words into your own meaning.
- Your false accusation: MCE is not “addicted to unbundled RECs”. Truth: MCE’s caps purchases of unbundled RECs at 0-3% annually.
- Your false accusation: MCE was not the trigger behind AB1110 and implementation of this bill is still not complete. Your references to AB1110 (which is still being developed for future implementation at the California Energy Commission) show a lack of knowledge of the process, timing and legal environment we are currently working within. Truth: MCE has always followed California rules and requirements, and adhered to best practices in energy accounting. The greenhouse gas accounting principles MCE follows aligns with The Climate Registry, The Center for Resource Solutions, and the EPA.
- Your false accusation: You have accused MCE of ‘greed’. Truth: MCE is a not-for profit agency with a long list of public benefits (see attached). Financial reserves of the agency are in place to protect against market volatility, provide for rate stabilization, and to bolster MCE’s credit standing in line with best practices by municipal utilities and other load-serving entities. MCE pays staff standard public sector compensation levels and does not pay any bonuses or stock shares to staff. Many equivalent jobs in the private sector pay much higher salaries (including executive salaries which are typically in the millions) and frequently supplement salaries with added bonuses and stock options. These discrepancies can sometimes create challenges in attracting staff to the public sector, but tend to result in a public sector staff base that is very ‘values’ driven.

In addition to your many false accusations, it is noteworthy that your frequent practice of blind-copying other individuals on your email messages (as you have done below) prevents those individuals from ever seeing MCE’s response to your accusations. If intentional, this practice indicates you do not want those individuals

to see any input or feedback to your accusations. Individuals who believe in transparency would avoid this covert practice.

Regards,

**Darlene Jackson** | 415.464.6032  
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**From:** Jim Phelps [mailto:[jimp Phelps56@gmail.com](mailto:jimp Phelps56@gmail.com)]  
**Sent:** Tuesday, April 03, 2018 11:24 AM  
**To:** Dawn Weisz <[dweisz@mcecleanenergy.org](mailto:dweisz@mcecleanenergy.org)>  
**Cc:** Jamie Tuckey <[jtuckey@mcecleanenergy.org](mailto:jtuckey@mcecleanenergy.org)>; Darlene Jackson <[djackson@mceCleanEnergy.org](mailto:djackson@mceCleanEnergy.org)>  
**Subject:** Re: Your email dated March 23, 2018

April 3, 2018

Dawn Weisz, CEO  
Marin Clean Energy  
1125 Tamalpais Avenue  
San Rafael, CA 94901

Ms. Weisz,

I am sorry you have chosen to respond as you have in your email this morning. I have not fabricated anything — the data and source documents stand on their own. The footnotes in my work are complete.

For many years MCE has been an addict of unbundled RECs. When the Chair of California Air Resources Board wonders whether your MCE's "true up" activities (green-washing with RECs) is fraud, there is a problem (see attached PDF). The lack of integrity in your agency is THE problem — this is a plain language issue.

MCE is the primary trigger behind California's AB 1110 anti-green-washing, truth-in-advertising

legislation. Perhaps that will fix part of the problem that MCE has caused for California's electric market, and for consumers who believe they are getting cleaner air with your MCE products.

Let me be clear — MCE is a WONDERFUL concept. It's just that it's been co-opted by a few people who took it off the rails for their own purposes. Greed is bad thing — MCE needs leadership that places the community above personal desires. If MCE finds leadership that has those qualities things will begin to correct themselves so that labor, IOUs, and regulators can better address problems that continue to plague California's electricity market, as well as new resource problems that are only now being exposed.

Yours sincerely,

Jim Phelps

<https://marinpost.org/blog/2018/3/25/mce-feeding-the-beast>