

Yes on expanded gas ban and no on exemption D

Maria <[REDACTED]>

Fri 11/27/2020 11:38 AM

To: Liccardo, Sam <[REDACTED]> Davis, Dev <[REDACTED]> Peralez, Raul <[REDACTED]>
Diep, Lan <[REDACTED]> Arenas, Sylvia <[REDACTED]> Esparza, Mava <[REDACTED]>
Jones, Chappie <[REDACTED]> Jimenez, Sergio <[REDACTED]> Carrasco, Magdalena
<[REDACTED]> Foley, Pam <[REDACTED]> Khamis, Johnny <[REDACTED]>
Cc: Agendadesk <[REDACTED]> City Clerk <[REDACTED]>

[External Email]

Dear Mayor Liccardo and Council Members,

I'm a San Jose resident. Please vote **in favor of the expanded gas ban** ordinance (item 6.1 on the agenda for the 12/1 San Jose City Council meeting) and vote against exemption D for gas-powered fuel cells. **Natural gas used in buildings is the source of 40% of greenhouse gas emissions in our city. Banning the use of natural gas in new buildings is an important step in stopping climate change.**

Sincerely,

Maria Budman

95124, District 9

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Support updated gas ban; reject exemption for dirty fuel cells (12/1 City Council meeting)

Lynn Osband <[REDACTED]>

Fri 11/27/2020 3:02 PM

To: Liccardo, Sam <[REDACTED]> Davis, Dev <[REDACTED]> Peralez, Raul <[REDACTED]>
Diep, Lan <[REDACTED]> Arenas, Sylvia <[REDACTED]> Esparza, Mava <[REDACTED]>
Jones, Chappie <[REDACTED]> Jimenez, Sergio <[REDACTED]> Carrasco, Maadalenia
<[REDACTED]> Foley, Pam <[REDACTED]> Khamis, Johnny <[REDACTED]>
Cc: Agendadesk <[REDACTED]> City Clerk <[REDACTED]>

[External Email]

Dear Mayor Liccardo, Vice Mayor Jones, and Council Members Jimenez, Peralez, Diep, Carrasco, Davis, Esparza, Arenas, Foley, and Khamis,

*As a San Jose resident, as a mother, and as a supporter of Mothers Out Front, **I urge you to support the Updated Natural Gas Infrastructure Prohibition Ordinance, but reject Bloom Energy's request for an exemption for its fuel cells.***

If not watered down, this forward-thinking ordinance will go a long way toward meeting our climate-smart goals and preserving a livable climate for our children's future.

But I am strongly opposed to Bloom Energy's request for an unwarranted exemption that would allow for the use of fuel cells powered by liquified "natural" gas.

Allowing an exemption for fuel cells would:

- Violate the goals of the gas ban prohibition, allowing gas to be used in new buildings not just for back-up, but for continuous, baseload power.*
- Harm the climate and make it harder to achieve our climate goals.*

*Since the fuel cells used in Bloom Boxes are currently powered by fracked gas, **the energy they supply is much dirtier than the energy provided by either San Jose Clean***

Energy or PG&E. If this energy were only used on the few days each year when a power outage occurs, that might be acceptable. However, Bloom Boxes are not economically feasible if used only to provide back-up power. On the contrary, Bloom Boxes only make sense economically if used 24/7 every day of the year, providing baseload energy to the buildings where they are installed. This is not acceptable and violates the goal of the gas ban prohibition: to ban gas! Fracked gas is fracked gas, whether it is burnt in a power plant, a building, or a fuel cell. Dirty energy should only be allowed, if needed, to provide temporary, limited back-up power, not baseload energy. Even [Forbes](#) has reported that Bloom Energy's technology is too dirty and too costly.

*In 2019, San Jose's use of fossil gas rose slightly. If new buildings are allowed to use Bloom Boxes, the City's use of fossil gas would go up even more. **This is destabilizing to the climate and will make it harder for San Jose to achieve our climate smart goals.** If Bloom wants to have its Bloom Boxes used in new San Jose buildings, it should be required to power its fuel cells with certified clean energy, not fracked gas.*

*San Jose should not throw away its climate goals in order to appease one company. **We cannot afford to water down our essential climate policies.** Instead, the City should allow businesses to **secure back-up power from sources that cannot be connected to the gas grid infrastructure** and should prohibit the continuous use of fossil fuels for baseload energy.*

*Please hold the line and insist on the **strongest possible gas ban ordinance** so that San Jose can continue to provide the climate-smart leadership so essential to preserving a livable climate for all children. What could be more important?*

Sincerely,

Lynn Osband

[REDACTED]
[REDACTED]

Support updated gas ban; reject exemption for dirty fuel cells (12/1 City Council meeting)

Michael Kutilek <[REDACTED]>

Fri 11/27/2020 3:55 PM

To: Liccardo, Sam <[REDACTED]> Davis, Dev <[REDACTED]> Peralez, Raul <[REDACTED]>
Diep, Lan <[REDACTED]> Arenas, Sylvia <[REDACTED]> Esparza, Mava <[REDACTED]>
Jones, Chappie <[REDACTED]> Jimenez, Sergio <[REDACTED]> Carrasco, Maaddalena
<[REDACTED]> Foley, Pam <[REDACTED]> Khamis, Johnny <[REDACTED]>
Cc: Agendadesk <[REDACTED]> City Clerk <[REDACTED]>

[External Email]

Dear Mayor Liccardo, Vice Mayor Jones, and Council Members Jimenez, Peralez, Diep, Carrasco, Davis, Esparza, Arenas, Foley, and Khamis,

As a 45-year San Jose resident, I urge you to support the Updated Natural Gas Infrastructure Prohibition Ordinance but reject Bloom Energy's request for an exemption for its fuel cells. The Updated Natural Gas Infrastructure Prohibition Ordinance will go a long way toward meeting our climate-smart goals and preserving a livable climate for ourselves and for our children's future.

I am strongly opposed to Bloom Energy's request for an unwarranted exemption because it would allow for the use of fuel cells powered by liquified "natural" gas. An exemption for these fuel cells would violate the goals of the gas ban prohibition and allow gas to be used in new buildings for continuous, base load power. It would increase green house gas emissions and make it harder to achieve our climate goals. Since the fuel cells used in Bloom Boxes are currently powered by fracked gas, the energy they supply is much dirtier than the energy provided by either San Jose Clean Energy or PG&E.

Please hold the line and insist on the strongest possible gas ban ordinance so that San Jose can continue to provide the climate-smart leadership so essential to preserving a livable climate for ourselves and our children.

Sincerely,

Michael Kutilek

[REDACTED]

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Gas Ban Ordinance

Annacy Sampas <[REDACTED]>

Fri 11/27/2020 8:41 PM

To: Jones, Chappie <[REDACTED]> Davis, Dev <[REDACTED]> Khamis, Johnny <[REDACTED]>
<[REDACTED]> Diep, Lan <[REDACTED]> Carrasco, Magdalena <[REDACTED]>
Esparza, Maya <[REDACTED]> Foley, Pam <[REDACTED]> Peralez, Raul <[REDACTED]>
Liccardo, Sam <[REDACTED]> Jimenez, Sergio <[REDACTED]> Arenas, Sylvia <[REDACTED]>
<[REDACTED]>

Cc: Agendadesk <[REDACTED]> City Clerk <[REDACTED]>

[External Email]

Dear Mayor Liccardo and Council Members,

I'm a San Jose resident. Please vote in favor of the expanded gas ban ordinance (item 6.1 on the agenda for the 12/1 San Jose City Council meeting) and vote against exemption D for gas-powered fuel cells. Natural gas used in buildings is the source of 40% of greenhouse gas emissions in our city. Banning the use of natural gas in new buildings is an important step in stopping climate change.

Sincerely,
Annacy Sampas

--

Annacy Sampas

[REDACTED]
[REDACTED]
Santa Clara University Class of 2022

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Support updated gas ban; reject exemption for dirty fuel cells (12/1 City Council meeting), Agenda Item 6.1

Todd Weber <[REDACTED]>

Sat 11/28/2020 10:45 AM

To: Liccardo, Sam <[REDACTED]> Davis, Dev <[REDACTED]> Peralez, Raul <[REDACTED]>
Diep, Lan <[REDACTED]> Arenas, Sylvia <[REDACTED]> Esparza, Mava <[REDACTED]>
Jones, Chappie <[REDACTED]> Jimenez, Sergio <[REDACTED]> Carrasco, Maaddalena
<[REDACTED]> Foley, Pam <[REDACTED]> Khamis, Johnny <[REDACTED]>
Cc: Todd A. Weber <[REDACTED]> Agendadesk <[REDACTED]> City Clerk <[REDACTED]>

[External Email]

Dear Mayor Liccardo, Vice Mayor Jones, and Council Members Jimenez, Peralez, Diep, Carrasco, Davis, Esparza, Arenas, Foley, and Khamis,

*As a San Jose District 6 resident, as a concerned citizen, and as a supporter of Elders Climate Action, **I urge you to support the Updated Natural Gas Infrastructure Prohibition Ordinance**, but reject Bloom Energy's request for an exemption for its fuel cells.*

If not watered down, this forward-thinking ordinance will go a long way toward meeting our climate-smart goals and preserving a livable climate for our children's future.

*But **I am strongly opposed to Bloom Energy's request for an unwarranted exemption that would allow for the use of fuel cells powered by liquified "natural" gas.***

Allowing an exemption for fuel cells would:

- *Violate the goals of the gas ban prohibition, allowing gas to be used in new buildings not just for back-up, but for continuous, baseload power.*
- *Harm the climate and make it harder to achieve our climate goals.*

*Since the fuel cells used in Bloom Boxes are currently powered by fracked gas, **the energy they supply is much dirtier than the energy provided by either San Jose Clean Energy or PG&E.** If this energy were only used on the few days each year when a power outage occurs, that might be acceptable. However, Bloom Boxes are not economically feasible if used only to provide back-up power. On the contrary, Bloom Boxes only make sense economically if used 24/7 every day of the year, providing baseload energy to the buildings where they are installed. This is not acceptable and violates the goal of the gas ban prohibition: to ban gas! Fracked gas is fracked gas, whether it is burnt in a power plant, a building, or a fuel cell. Dirty energy should only be allowed, if needed, to provide temporary, limited back-up power, not baseload energy. Even [Forbes](#) has reported that Bloom Energy's technology is too dirty and too costly.*

*In 2019, San Jose's use of fossil gas rose slightly. If new buildings are allowed to use Bloom Boxes, the City's use of fossil gas would go up even more. **This is destabilizing to the climate and will make it harder for San Jose to achieve our climate smart goals.** If Bloom wants to have its Bloom Boxes used in new San Jose buildings, it should be required to power its fuel cells with certified clean energy, not fracked gas.*

*San Jose should not throw away its climate goals in order to appease one company. **We cannot afford to water down our essential climate policies.** Instead, the City should allow businesses to **secure back-up power from sources that cannot be connected to the gas grid infrastructure** and should prohibit the continuous use of fossil fuels for baseload energy.*

*Please pass the **original updated gas ban ordinance without the exemptions proposed in the Supplemental Memos of 11/16 or 11/23** so that San Jose can continue to provide the climate-smart leadership so essential to preserving a livable climate for all children. What could be more important?*

Sincerely,

Todd Weber

[REDACTED]

[REDACTED]

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RE: Request a NO vote on Agenda Item 6.1: to REJECT Exemptions identified in either of the two Supplemental Memos

[REDACTED]

Sat 11/28/2020 11:57 AM

To: Liccardo, Sam <[REDACTED]> Davis, Dev <[REDACTED]> Peralez, Raul <[REDACTED]>
Diep, Lan <[REDACTED]> Arenas, Sylvia <[REDACTED]> Esparza, Mava <[REDACTED]>
Jones, Chappie <[REDACTED]> Jimenez, Sergio <[REDACTED]> Carrasco, Maaddalena <[REDACTED]>
<[REDACTED]> Foley, Pam <[REDACTED]> Khamis, Johnny <[REDACTED]>
Cc: Agendadesk <[REDACTED]>

[External Email]

Request a NO vote on Agenda Item 6.1: to REJECT Exemptions identified in either of the two Supplemental Memos

RE: December 1, 2020 City Council Meeting.

- **Agenda 6.1 Supplemental Memo Attachment dated 11/25/20**
- **Agenda 6.1 Supplemental Memo Attachment dated 11/16/20, identified as Agenda Item 6.3 (item #4)**

Dear Mayor Liccardo, Vice Mayor Jones, and Council Members

Although I do not live within the City of San Jose, I do share the same valley, County of Santa Clara and planet. The emissions from San Jose affect the rest of us, and ordinances acted now will have repercussion for several decades. We must act NOW to limit CO2 emissions. The technology is available to eliminate carbon from fuel cell power generation.

Hydrogen fuel cells using hydrogen produced by electrolysis of water, using power from wind and solar are now viable. There is zero carbon emission. This is part of the solution to ensure that atmospheric carbon remains low enough to keep temperature rise below 1.5 C.

I wholeheartedly support the adoption of the Updated Natural Gas Infrastructure Prohibition Ordinance. I am very supportive of this next step to reduce emissions from the built environment.

However, I ask you to reject the exemption of CO2 emitting fuel cells and approve only the original updated gas ban ordinance.

Allowing the exemption would:

1. Increase GHG emissions rather than lower them. The Bloom Energy Fuel Cell Box at its most efficient still emits **679 lbs per megawatt hour** of CO₂ compared to PG&E (our local utility that supplies gas) at **210 lbs per megawatt hour**.
2. Violate the goals of the San Jose gas ban prohibition, allowing gas to be used in new buildings.
3. Harm the climate and make it harder to achieve our climate goals and go against San Jose's Climate Smart plan.
4. Dismantle the public stakeholder engagement process to the benefit of a single company whose motive is pure profit.
5. Set a bad example that will likely be emulated by other cities considering adopting gas bans, giving legitimacy to a technology that is not needed and is perpetuating the use of gas.
6. Harm our local Community Choice Energy program, San Jose Clean Energy, by pulling industrial and commercial customers away, thereby reducing SJCE's energy distribution and financial viability.

If Bloom Energy is suggesting that a near term replacement alternative to their gas-based fuel cells is their new hydrogen-based fuel cells, it must be noted that their hydrogen technology will NOT be market ready for many years. **Therefore, giving an exemption means San Jose will be burdened with gas-based fuel cell technology that will continue to emit CO₂ emissions for many years to come.**

Before approving an exemption, we need to have answers to these and other questions:

1. Are Bloom Boxes subject to the renewable portfolio standards?
2. How will increasing the number of large behind the meter electric energy producers impact the successful operation of San Jose Clean Energy?
3. Will a reduced power supply from SVCE create cost increases for the average SVCE consumer?
4. Will a reduced power supply from SVCE also diminish the CCE's ability to offer a variety of emission reduction programs to our consumers?
5. **The negative ripple effect could be significant and undermine our larger emission reduction goals.**
6. Has San Jose accounted for the **increased emissions impact** from a new service provider that uses "natural" gas for electricity production?
7. How will exemption approval severely **impact achieving Climate Smart San Jose's goals?**

Please do vote yes for the original expanded gas infrastructure prohibition ordinance. **But please vote NO to reject either of the exemption focused Supplemental Memos.**

As these questions cannot be adequately answered today, this last-minute proposed exemption should NOT be granted.

As the tenth largest city in the nation, are you willing to serve the economic interests of ONE company when instead we could educate the large companies, who need 24/7 power, about the real opportunities to secure 24/7 power in a more environmentally friendly way?

If approved, this exemption sends a destructive message regarding the integrity of our democracy by supporting a company over the will and needs of the people.

Thank you so much for thoughtfully considering my comments and concerns.

Campbell Scott

Your neighbor in Los Gatos

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Re: Request a NO vote on Agenda Item 6.1: to REJECT Exemptions identified in either of the two Supplemental Memos

Susan Nelson <[REDACTED]>

Sun 11/29/2020 10:38 AM

To: Liccardo, Sam <[REDACTED]> Davis, Dev <[REDACTED]> Peralez, Raul <[REDACTED]>
Diep, Lan <[REDACTED]> Arenas, Sylvia <[REDACTED]> Esparza, Mava <[REDACTED]>
Jones, Chappie <[REDACTED]> Jimenez, Sergio <[REDACTED]> Carrasco, Maadalenia <[REDACTED]>
<[REDACTED]> Foley, Pam <[REDACTED]> Khamis, Johnny <[REDACTED]>
Cc: Agendadesk <[REDACTED]>

[External Email]

Updating...I'm in District 9, not 10. Thank you!

RE: December 1, 2020 **City Council Meeting.**

- **Agenda 6.1 Supplemental Memo Attachment dated 11/25/20**
- **Agenda 6.1 Supplemental Memo Attachment dated 11/16/20, identified as Agenda Item 6.3 (item #4)**

Dear Mayor Liccardo, Vice Mayor Jones, and Council Members:

I wholeheartedly support the adoption of the Updated Natural Gas Infrastructure Prohibition Ordinance. I am very supportive of this next step to reduce emissions from the built environment.

However, **I ask you to reject the exemption of CO2 emitting fuel cells and approve only the original updated gas ban ordinance.**

Allowing the exemption would:

1. Increase GHG emissions rather than lower them. The Bloom Energy Fuel Cell Box at its most efficient still emits **679 lbs per megawatt hour** of CO2 compared to PG&E (our local utility that supplies gas) at **210 lbs per megawatt hour**.
2. Violate the goals of the San Jose gas ban prohibition, allowing gas to be used in new buildings.
3. Harm the climate and make it harder to achieve our climate goals and go against San Jose's Climate Smart plan.
4. Dismantle the public stakeholder engagement process to the benefit of a single company whose motive is pure profit.
5. Set a bad example that will likely be emulated by other cities considering adopting gas bans, giving legitimacy to a technology that is not needed and is perpetuating the use of gas.
6. Harm our local Community Choice Energy program, San Jose Clean Energy, by pulling industrial and commercial customers away, thereby reducing SJCE's energy distribution and financial viability.

If Bloom Energy is suggesting that a near term replacement alternative to their gas-based fuel cells is their new hydrogen-based fuel cells, it must be noted that their hydrogen technology will NOT be market ready for many years. **Therefore, giving an exemption means San Jose will be burdened with gas-based fuel cell technology that will continue to emit CO2 emissions for many years to come.**

Before approving an exemption, we need to have answers to these and other questions:

1. Are Bloom Boxes subject to the renewable portfolio standards?
2. How will increasing the number of large behind the meter electric energy producers impact the successful operation of San Jose Clean Energy?
3. Will a reduced power supply from SVCE create cost increases for the average SVCE consumer?

4. Will a reduced power supply from SVCE also diminish the CCE's ability to offer a variety of emission reduction programs to our consumers?
5. **The negative ripple effect could be significant and undermine our larger emission reduction goals.**
6. Has San Jose accounted for the **increased emissions impact** from a new service provider that uses "natural" gas for electricity production?
7. How will exemption approval severely **impact achieving Climate Smart San Jose's goals?**

Please do vote yes for the original expanded gas infrastructure prohibition ordinance. **But please vote NO to reject either of the exemption focused Supplemental Memos.**

As these questions cannot be adequately answered today, this last-minute proposed exemption should NOT be granted.

As the tenth largest city in the nation, are you willing to serve the economic interests of ONE company when instead we could educate the large companies, who need 24/7 power, about the real opportunities to secure 24/7 power in a more environmentally friendly way?

If approved, this exemption sends a destructive message regarding the integrity of our democracy by supporting a company over the will and needs of the people.

Thank you so much for thoughtfully considering my comments and concerns.

Susan Nelson
District 9

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Request a NO vote on Agenda Item 6.1: to REJECT Exemptions identified in either of the two Supplemental Memos

Seema Vaid <[REDACTED]>

Sun 11/29/2020 10:17 PM

To: Liccardo, Sam <[REDACTED]> Davis, Dev <[REDACTED]> Peralez, Raul <[REDACTED]>
Diep, Lan <[REDACTED]> Arenas, Sylvia <[REDACTED]> Esparza, Mava <[REDACTED]>
Jones, Chappie <[REDACTED]> Jimenez, Sergio <[REDACTED]> Carrasco, Maaddalena
<[REDACTED]> Foley, Pam <[REDACTED]> Khamis, Johnny <[REDACTED]>
Cc: Agendadesk <[REDACTED]>

[External Email]

Dear Mayor Liccardo, Vice Mayor Jones, and Council Members

I wholeheartedly support the adoption of the Updated Natural Gas Infrastructure Prohibition Ordinance. I am very supportive of this next step to reduce emissions from the built environment.

However, **I ask you to reject the exemption of CO2 emitting fuel cells and approve only the original updated gas ban ordinance.**

Allowing the exemption would:

1. Increase GHG emissions rather than lower them. The Bloom Energy Fuel Cell Box at its most efficient still emits **679 lbs per megawatt hour** of CO2 compared to PG&E (our local utility that supplies gas) at **210 lbs per megawatt hour**.
2. Violate the goals of the San Jose gas ban prohibition, allowing gas to be used in new buildings.
3. Harm the climate and make it harder to achieve our climate goals and go against San Jose's Climate Smart plan.
4. Dismantle the public stakeholder engagement process to the benefit of a single company whose motive is pure profit.
5. Set a bad example that will likely be emulated by other cities considering adopting gas bans, giving legitimacy to a technology that is not needed and is perpetuating the use of gas.
6. Harm our local Community Choice Energy program, San Jose Clean Energy, by pulling industrial and commercial customers away, thereby reducing SJCE's energy distribution and financial viability.

If Bloom Energy is suggesting that a near term replacement alternative to their gas-based fuel cells is their new hydrogen-based fuel cells, it must be noted that their hydrogen technology will NOT be market ready for many years. **Therefore, giving an exemption means San Jose will be burdened with gas-based fuel cell technology that will continue to emit CO2 emissions for many years to come.**

Before approving an exemption, we need to have answers to these and other questions:

1. Are Bloom Boxes subject to the renewable portfolio standards?
2. How will increasing the number of large behind the meter electric energy producers impact the successful operation of San Jose Clean Energy?
3. Will a reduced power supply from SVCE create cost increases for the average SVCE consumer?
4. Will a reduced power supply from SVCE also diminish the CCE's ability to offer a variety of emission reduction programs to our consumers?
5. **The negative ripple effect could be significant and undermine our larger emission reduction goals.**
6. Has San Jose accounted for the **increased emissions impact** from a new service provider that uses "natural" gas for electricity production?
7. How will exemption approval severely **impact achieving Climate Smart San Jose's goals?**

Please do vote yes for the original expanded gas infrastructure prohibition ordinance. **But please vote NO to reject either of the exemption focused Supplemental Memos.**

As these questions cannot be adequately answered today, this last-minute proposed exemption should NOT be granted.

As the tenth largest city in the nation, are you willing to serve the economic interests of ONE company when instead we could educate the large companies, who need 24/7 power, about the real opportunities to secure 24/7 power in a more environmentally friendly way?

If approved, this exemption sends a destructive message regarding the integrity of our democracy by supporting a company over the will and needs of the people.

Thank you so much for thoughtfully considering my comments and concerns.

Dr Seema Vaid
Congressional District 17

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FW: Item 6.1 - Please pass gas ban but don't exempt Bloom Energy

City Clerk

Mon 11/30/2020 8:27 AM

To: Agendadesk <[REDACTED]>

Thank you!

Best Regards,
Pawandeep Kaur

CITY OF SAN JOSE | OFFICE OF THE CITY CLERK
200 East Santa Clara St.
San Jose, CA 95113
408-535-1254

From: Terry Nagel <[REDACTED]>
Sent: Monday, November 30, 2020 8:04 AM
To: Liccardo, Sam <[REDACTED]> Davis, Dev <[REDACTED]> Peralez, Raul <[REDACTED]>
<[REDACTED]> Diep, Lan <[REDACTED]> Arenas, Sylvia <[REDACTED]>
Esparza, Maya <[REDACTED]> Jones, Chappie <[REDACTED]> Jimenez, Sergio <[REDACTED]>
<[REDACTED]> Carrasco, Magdalena <[REDACTED]> Foley, Pam <[REDACTED]>
<[REDACTED]> Khamis, Johnny <[REDACTED]>
Cc: Agendadesk <[REDACTED]> City Clerk <[REDACTED]>
Subject: Item 6.1 - Please pass gas ban but don't exempt Bloom Energy

[External Email]

Mayor Liccardo and Council Members,

Time is running out to put the brakes on climate change. I urge you to approve the Updated Natural Gas Infrastructure Prohibition Ordinance without exempting Bloom Energy.

Bloom Energy's Bloom Boxes are currently powered by fracked gas, and the energy they supply is far dirtier than the energy provided by San Jose Clean Energy or PG&E.

Please don't water down your policy by allowing this exception. It would open the door to more special interest requests.

Thank you for showing leadership that will be an example to the rest of the nation.

Sincerely,

Terry Nagel
Chair, Sustainable San Mateo County
Former Mayor, Burlingame

██████████ | ██████████

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FW: Please do not open a loophole in the natural gas infrastructure ordinance

City Clerk

Mon 11/30/2020 8:27 AM

To: Agendadesk <[REDACTED]>

Thank you!

Best Regards,
Pawandeep Kaur

CITY OF SAN JOSE | OFFICE OF THE CITY CLERK
200 East Santa Clara St.
San Jose, CA 95113
408-535-1254

From: Geoff Ivison <[REDACTED]>
Sent: Monday, November 30, 2020 7:40 AM
To: Liccardo, Sam <[REDACTED]> Jones, Chappie <[REDACTED]> Jimenez, Sergio <[REDACTED]>
<[REDACTED]> Peralez, Raul <[REDACTED]> Diep, Lan <[REDACTED]>
Carrasco, Magdalena <[REDACTED]> Davis, Dev <[REDACTED]> Esparza, Maya <[REDACTED]>
<[REDACTED]> Arenas, Sylvia <[REDACTED]> Foley, Pam <[REDACTED]>
Khamis, Johnny <[REDACTED]>
Cc: Agendadesk <[REDACTED]> City Clerk <[REDACTED]>
Subject: Please do not open a loophole in the natural gas infrastructure ordinance

[External Email]

Dear Mayor Liccardo, Vice Mayor Jones, and Council Members Jimenez, Peralez, Diep, Carrasco, Davis, Esparza, Arenas, Foley, and Khamis,

As a South Bay resident and former San Jose resident concerned about the climate crisis, I urge you to reject Bloom Energy's request for an exemption from the Updated Natural Gas Infrastructure Prohibition Ordinance.

I strongly support the Updated Natural Gas Infrastructure Prohibition Ordinance. If not watered down, this forward-thinking ordinance will go a long way toward meeting our climate-smart goals and preserving a livable climate for all children.

But I am strongly opposed to Bloom Energy's request for an unwarranted exemption that would allow for the use of fuel cells powered by liquified "natural" gas. Natural gas is mostly methane, a greenhouse gas up to *84 times* more potent than CO2.

Allowing an exemption for fuel cells is unnecessary and would:

-
- Violate the goals of the
- gas ban prohibition, allowing gas to be used in new buildings.
-
-
- Harm the climate and make
- it harder to achieve our climate goals.
-
-
- Set a bad precedent for
- other cities as they seek to electrify their buildings, essentially greenwashing a technology that's powered by dirty gas.
-

Since the fuel cells used in Bloom Boxes are currently powered by fracked gas, **the energy they supply is much dirtier than the energy provided by either San Jose Clean Energy or PG&E.** If Bloom Box fuel cells were only used on the few days each year when a power outage occurs, that might be acceptable.

However, Bloom Boxes are not economically feasible if used only to provide back-up power. On the contrary, **Bloom Boxes only make sense economically if used 24/7 every day of the year, providing baseload energy** to the buildings where they are installed. Please see this article in Forbes to learn more about them: <https://www.forbes.com/sites/christopherhelman/2020/02/13/the-forbes-investigation-how-bloom-energy-blew-through-billions-promising-cheap-green-tech-that-falls-short/?sh=2fdd91f43e5f>

Yes, some businesses need continuous power and cannot afford a power shutoff. However, allowing Bloom Boxes to be used to provide “back-up” power is like killing a flea with a tank. In fact, *it would take 150 days of diesel generator use to produce the same CO2e emissions as the Bloom Boxes would produce each year, yet businesses would likely only need diesel back-up for less than a dozen hours per year.*

If new buildings are allowed to use Bloom Boxes, San Jose’s use of fossil gas will increase, not decrease. **This is destabilizing to the climate and threatens San Jose’s ability to achieve our climate smart goals.** Bloom should be required to power its fuel cells with clean energy, not fracked gas.

San Jose should not throw away its climate goals in order to appease one company. **We cannot afford to water down our essential climate policies by allowing the continued buildout of gas infrastructure until halfway through this decade.**

We need you, the leaders responsible for our safety, to hold the line and insist on the **strongest possible gas ban ordinance** so that San Jose can continue to provide the climate-smart leadership so essential to preserving a livable climate.

Sincerely,

Geoffrey Ivison

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

FW: New Natural Gas Ban

City Clerk

Mon 11/30/2020 8:28 AM

To: Agendadesk <[REDACTED]>

Thank you!

Best Regards,
Pawandeep Kaur

CITY OF SAN JOSE | OFFICE OF THE CITY CLERK
200 East Santa Clara St.
San Jose, CA 95113
408-535-1254

From: Allan L. Campbell <[REDACTED]>
Sent: Sunday, November 29, 2020 9:22 PM
To: City Clerk <[REDACTED]>
Subject: New Natural Gas Ban

[External Email]

Please pass the original updated gas ban ordinance without the exemptions proposed in the Supplemental Memos of 11/16 or 11/23, so that San Jose can meet its climate goals.

Please oppose Bloom's exemption because we need to reduce our climate pollution for a better climate.

--

Allan Campbell
[REDACTED]

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

FW: Pass gas ban; reject Bloom Energy's request for an exemption (Agenda Item 6.1)

City Clerk

Mon 11/30/2020 8:28 AM

To: Agendadesk <[REDACTED]>

Thank you!

Best Regards,
Pawandeep Kaur

CITY OF SAN JOSE | OFFICE OF THE CITY CLERK
200 East Santa Clara St.
San Jose, CA 95113
408-535-1254

From: Sudhanshu Jain <[REDACTED]>
Sent: Sunday, November 29, 2020 9:09 PM
To: Davis, Dev <[REDACTED]> Peralez, Raul <[REDACTED]> Diep, Lan <[REDACTED]>
<[REDACTED]> Arenas, Sylvia <[REDACTED]> Esparza, Maya <[REDACTED]>
Jones, Chappie <[REDACTED]> Jimenez, Sergio <[REDACTED]> Carrasco, Magdalena <[REDACTED]>
<[REDACTED]> Foley, Pam <[REDACTED]> Khamis, Johnny <[REDACTED]>
<[REDACTED]> Liccardo, Sam <[REDACTED]>
Cc: Agendadesk <[REDACTED]> City Clerk <[REDACTED]>
Subject: Pass gas ban; reject Bloom Energy's request for an exemption (Agenda Item 6.1)

[External Email]

Dear Mayor Liccardo, Vice Mayor Jones, and Council Members Jimenez, Peralez, Diep, Carrasco, Davis, Esparza, Arenas, Foley, and Khamis,

I applaud you for considering a ban on natural gas for ALL new construction HOWEVER, I strongly urge you to outright reject or at the very least modify Bloom Energy's requested exemption to require Bloom to meet California's renewable portfolio standard (RPS). Currently Bloom's business model relies on using cheap fracked natural gas (methane) rather than renewable methane (from dairies or landfills).

Bloom boxes are not cost effective as backup generators. They must run 24/7 as baseload power to be cost effective. In that case, the CO2 emissions from a Bloom box are much worse than PG&E's grid or SJCE's grid which both must have at least 33% carbon free renewable electricity. In reality, SJCE's electricity is 48% renewable and 52% large hydro (in 2019) so there are ZERO CO2 emissions from the San Jose grid.

Contrary to what you may have heard, the City of Santa Clara never banned Bloom Boxes. The city just required that Bloom Boxes meet California's RPS standards if those Bloom Boxes relied on the Santa Clara grid for backup power. That is the very least of what you should ask. Bloom claims that Santa Clara never considered NOx, SOx and particulate emissions in its analysis so now Santa Clara is in the process of analyzing those emissions. As Santa Clara moves to a 100% renewable grid, those emissions will go away but Bloom's CO2 emissions will remain.

On September 17, 2019, the San Jose City Council adopted Resolution No. 79251 declaring a Climate Emergency. CO2 and methane are the greatest causes of climate change. We must stop emitting these gases and Bloom Boxes operating for 10 years will just perpetuate the problem.

Thank you,

Suds Jain

Santa Clara City Council-elect

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FW: Request a NO vote on Agenda Item 6.1: to REJECT Exemptions for Distributed Energy from Gas-Fuel Cells as identified in either of the two Supplemental Memos

City Clerk

Mon 11/30/2020 8:28 AM

To: Agendadesk <[REDACTED]>

Thank you!

Best Regards,
Pawandeep Kaur

CITY OF SAN JOSE | OFFICE OF THE CITY CLERK
200 East Santa Clara St.
San Jose, CA 95113
408-535-1254

From: Seema Jethani <[REDACTED]>

Sent: Sunday, November 29, 2020 6:25 PM

To: Liccardo, Sam <[REDACTED]>

Davis, Dev <[REDACTED]>

Peralez, Raul

<[REDACTED]> Diep, Lan <[REDACTED]>

Arenas, Sylvia <[REDACTED]>

Esparza, Maya <[REDACTED]>

Jones, Chappie <[REDACTED]>

Jimenez, Sergio

<[REDACTED]> Carrasco, Magdalena <[REDACTED]>

Foley, Pam

<[REDACTED]> Khamis, Johnny <[REDACTED]>

Cc: Agendadesk <[REDACTED]>

City Clerk <[REDACTED]>

Subject: Request a NO vote on Agenda Item 6.1: to REJECT Exemptions for Distributed Energy from Gas-Fuel Cells as identified in either of the two Supplemental Memos

[External Email]

Dear Mayor Liccardo, Vice Mayor Jones, and Council Members

I wholeheartedly support the adoption of the Updated Natural Gas Infrastructure Prohibition Ordinance. I am very supportive of this next step to reduce emissions from the built environment.

However, **I ask you to reject the exemption of CO2 emitting fuel cells and approve only the original updated gas ban ordinance.**

Allowing the exemption would:

1. Increase GHG emissions rather than lower them. The Bloom Energy Fuel Cell Box at its most efficient still emits **679 lbs per megawatt hour** of CO2 compared to PG&E (our local utility that supplies gas) at **210 lbs per megawatt hour**.
2. Violate the goals of the San Jose gas ban prohibition, allowing gas to be used in new buildings.
3. Harm the climate and make it harder to achieve our climate goals and go against San Jose's Climate Smart plan.

4. Dismantle the public stakeholder engagement process to the benefit of a single company whose motive is pure profit.
5. Set a bad example that will likely be emulated by other cities considering adopting gas bans, giving legitimacy to a technology that is not needed and is perpetuating the use of gas.
6. Harm our local Community Choice Energy program, San Jose Clean Energy, by pulling industrial and commercial customers away, thereby reducing SJCE's energy distribution and financial viability.

If Bloom Energy is suggesting that a near term replacement alternative to their gas-based fuel cells is their new hydrogen-based fuel cells, it must be noted that their hydrogen technology will NOT be market ready for many years. **Therefore, giving an exemption means San Jose will be burdened with gas-based fuel cell technology that will continue to emit CO2 emissions for many years to come.**

Before approving an exemption, we need to have answers to these and other questions:

1. Are Bloom Boxes subject to the renewable portfolio standards?
2. How will increasing the number of large behind the meter electric energy producers impact the successful operation of San Jose Clean Energy?
3. Will a reduced power supply from SVCE create cost increases for the average SVCE consumer?
4. Will a reduced power supply from SVCE also diminish the CCE's ability to offer a variety of emission reduction programs to our consumers?
5. **The negative ripple effect could be significant and undermine our larger emission reduction goals.**
6. Has San Jose accounted for the **increased emissions impact** from a new service provider that uses "natural" gas for electricity production?
7. How will exemption approval severely **impact achieving Climate Smart San Jose's goals?**

Please do vote yes for the original expanded gas infrastructure prohibition ordinance. **But please vote NO to reject the exemption for distributed energy resource, gas based fuel cell, as identified in the Supplemental Memos, dated 11/25 and 11/17.**

As these questions cannot be adequately answered today, this last-minute proposed exemption should NOT be granted.

As the tenth largest city in the nation, are you willing to serve the economic interests of ONE company when instead we could educate the large companies, who need 24/7 power, about the real opportunities to secure 24/7 power in a more environmentally friendly way?

If approved, this exemption sends a destructive message regarding the integrity of our democracy by supporting a company over the will and needs of the people.

Thank you so much for thoughtfully considering my comments and concerns.

Regards

Seema Jethani
District 4

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

FW: Pass gas ban: Reject Bloom Energy's request for an exemption (Agenda Item 6.1)

City Clerk

Mon 11/30/2020 8:28 AM

To: Agendadesk <[REDACTED]>

Thank you!

Best Regards,
Pawandeep Kaur

CITY OF SAN JOSE | OFFICE OF THE CITY CLERK
200 East Santa Clara St.
San Jose, CA 95113
408-535-1254

From: Linda Gonzales <[REDACTED]>

Sent: Sunday, November 29, 2020 5:50 PM

To: Liccardo, Sam <[REDACTED]> Davis, Dev <[REDACTED]> Peralez, Raul

<[REDACTED]> Diep, Lan <[REDACTED]> Arenas, Sylvia <[REDACTED]>

Esparza, Maya <[REDACTED]> Jones, Chappie <[REDACTED]> Jimenez, Sergio

<[REDACTED]> Carrasco, Magdalena <[REDACTED]> Foley, Pam

<[REDACTED]> Khamis, Johnny <[REDACTED]>

Cc: Agendadesk <[REDACTED]> City Clerk <[REDACTED]>

Subject: Pass gas ban: Reject Bloom Energy's request for an exemption (Agenda Item 6.1)

[External Email]

Dear Mayor Liccardo, Vice Mayor Jones, and Council Members Jimenez, Peralez, Diep, Carrasco, Davis, Esparza, Arenas, Foley, and Khamis,

As a San Jose resident concerned about the climate crisis, I urge you to reject Bloom Energy's request for an exemption from the Updated Natural Gas Infrastructure Prohibition Ordinance.

I strongly support the Updated Natural Gas Infrastructure Prohibition Ordinance. If not watered down, this forward-thinking ordinance will go a long way toward meeting our climate-smart goals and preserving a livable climate for all children.

But I am strongly opposed to Bloom Energy's request for an unwarranted exemption that would allow for the use of fuel cells powered by liquified "natural" gas.

Allowing an exemption for fuel cells is unnecessary and would:

- Violate the goals of the gas ban prohibition, allowing gas to be used in new buildings.
- Harm the climate and make it harder to achieve our climate goals.
- Set a bad precedent for other cities as they seek to electrify their buildings, essentially greenwashing a technology that's powered by dirty gas.

Since the fuel cells used in Bloom Boxes are currently powered by fracked gas, **the energy they supply is much dirtier than the energy provided by either San Jose Clean Energy or PG&E.** If Bloom Box fuel cells were only used on the few days each year when a power outage occurs, that might be acceptable.

However, Bloom Boxes are not economically feasible if used only to provide back-up power. On the contrary, **Bloom Boxes only make sense economically if used 24/7 every day of the year, providing baseload energy** to the buildings where they are installed. This is not acceptable and violates the goal of the gas ban prohibition: to ban gas! Fracked gas is fracked gas, whether it is burnt in a power plant, a building, or a fuel cell. Dirty energy should only be allowed, if needed, to provide temporary, limited back-up power, not baseload energy.

Yes, some businesses need continuous power and cannot afford a power shutoff. However, allowing Bloom Boxes to be used to provide “back-up” power is like killing a flea with a tank. It would be much better for the climate to use back-up diesel power only during power shutoffs than to use fracked gas-powered fuel cells continuously. In fact, *it would take 150 days of diesel generator use to produce the same CO₂e emissions as the Bloom Boxes would produce each year.*

In 2019, San Jose’s use of fossil gas rose slightly. If new buildings are allowed to use Bloom Boxes, the City’s use of fossil gas would go up even more. **This is destabilizing to the climate and threatens San Jose’s ability to achieve our climate smart goals.** If Bloom wants to have its Bloom Boxes used in new San Jose buildings, it should be required to power its fuel cells with clean energy, not fracked gas.

San Jose should not throw away its climate goals in order to appease one company. **We cannot afford to water down our essential climate policies by allowing the continued buildout of gas infrastructure until halfway through this decade.**

We need you, the leaders responsible for our safety, to hold the line and insist on the **strongest possible gas ban ordinance** so that San Jose can continue to provide the climate-smart leadership so essential to preserving a livable climate.

Sincerely,

Linda M. Gonzales

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FW: Yes for large buildings, NO for Bloom Boxes

City Clerk

Mon 11/30/2020 8:29 AM

To: Agendadesk <[REDACTED]>

Thank you!

Best Regards,
Pawandeep Kaur

CITY OF SAN JOSE | OFFICE OF THE CITY CLERK
200 East Santa Clara St.
San Jose, CA 95113
408-535-1254

From: Bruce Naegel <[REDACTED]>

Sent: Sunday, November 29, 2020 3:51 PM

To: Liccardo, Sam <[REDACTED]> Davis, Dev <[REDACTED]> Peralez, Raul

<[REDACTED]> Diep, Lan <[REDACTED]> Arenas, Sylvia <[REDACTED]>

Esparza, Maya <[REDACTED]> Jones, Chappie <[REDACTED]> Jimenez, Sergio

<[REDACTED]> Carrasco, Magdalena <[REDACTED]> Foley, Pam

<[REDACTED]> Khamis, Johnny <[REDACTED]> City Clerk <[REDACTED]>

Subject: Yes for large buildings, NO for Bloom Boxes

[External Email]

Dear Mayor Liccardo, Vice Mayor Jones, and Council Members Jimenez, Peralez, Diep, Carrasco, Davis, Esparza, Arenas, Foley, and Khamis,

As a South Bay resident, as a concerned citizen and as a supporter of Mothers Out Front, I urge you to reject Bloom Energy's request for an exemption from the Updated Natural Gas Infrastructure Prohibition Ordinance.

I strongly support the Updated Natural Gas Infrastructure Prohibition Ordinance. If not watered down, this forward-thinking ordinance will go a long way toward meeting our climate-smart goals and preserving a livable climate for all children.

But I am strongly opposed to Bloom Energy's request for an unwarranted exemption that would allow for the use of fuel cells powered by liquified "natural" gas.

Allowing an exemption for fuel cells is unnecessary and would:

Violate the goals of the gas ban prohibition, allowing gas to be used in new buildings.

Harm the climate and make it harder to achieve our climate goals.

Set a bad precedent for other cities as they seek to electrify their buildings, essentially greenwashing a technology that's powered by dirty gas.

Since the fuel cells used in Bloom Boxes are currently powered by fracked gas, the energy they supply is much dirtier than the energy provided by either San Jose Clean Energy or PG&E. If Bloom Box fuel cells were only used on the few days each year when a power outage occurs, that might be acceptable.

However, Bloom Boxes are not economically feasible if used only to provide back-up power. On the contrary, Bloom Boxes only make sense economically if used 24/7 every day of the year, providing baseload energy to the buildings where they are installed. This is not acceptable and violates the goal of the gas ban prohibition: to ban gas! Fracked gas is fracked gas, whether it is burnt in a power plant, a building, or a fuel cell. Dirty energy should only be allowed, if needed, to provide temporary, limited back-up power, not baseload energy.

Yes, some businesses need continuous power and cannot afford a power shutoff. However, allowing Bloom Boxes to be used to provide "back-up" power is like killing a flea with a tank. It would be much better for the climate to use back-up diesel power only during power shutoffs than to use fracked gas-powered fuel cells continuously. In fact, it would take 150 days of diesel generator use to produce the same CO₂e emissions as the Bloom Boxes would produce each year.

In 2019, San Jose's use of fossil gas rose slightly. If new buildings are allowed to use Bloom Boxes, the City's use of fossil gas would go up even more. This is destabilizing to the climate and threatens San Jose's ability to achieve our climate smart goals. If Bloom wants to have its Bloom Boxes used in new San Jose buildings, it should be required to power its fuel cells with clean energy, not fracked gas.

San Jose should not throw away its climate goals in order to appease one company. We cannot afford to water down our essential climate policies by allowing the continued buildout of gas infrastructure until halfway through this decade.

San Jose has a set of aggressive goals for a city designed to minimize Green House Gases and Pollution in the Climate Smart program. Supporting Bloom Boxes will make the 2040 goals in that plan harder to achieve.

We need you, the leaders responsible for our safety, to hold the line and insist on the strongest possible gas ban ordinance so that San Jose can continue to provide the climate-smart leadership so essential to preserving a livable climate for all children. What could be more important?

Sincerely,

Bruce Naegel
Part of SustainableSilicon Valley, Carbon Free Silicon Valley,
and the Fossil Free Buildings initiative.

Bruce Naegel
Part of SustainableSilicon Valley, Carbon Free Silicon Valley,
and the Fossil Free Buildings initiative.

Mothers Out Front Silicon Valley
www.mothersoutfront.org/team/california/siliconvalley

Mothers Out Front California · United States

This email was sent to [REDACTED] To stop receiving emails, click here.

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FW: Please reject Bloom Energy's request for an exemption (Agenda Item 6.1)

City Clerk

Mon 11/30/2020 8:29 AM

To: Agendadesk <[REDACTED]>

Thank you!

Best Regards,
Pawandeep Kaur

CITY OF SAN JOSE | OFFICE OF THE CITY CLERK
200 East Santa Clara St.
San Jose, CA 95113
408-535-1254

From: Carol Cross <[REDACTED]>

Sent: Sunday, November 29, 2020 1:54 PM

To: Liccardo, Sam <[REDACTED]>

Davis, Dev <[REDACTED]>

Peralez, Raul

<[REDACTED]> Diep, Lan <[REDACTED]>

Arenas, Sylvia <[REDACTED]>

Esparza, Maya <[REDACTED]>

Jones, Chappie <[REDACTED]>

Jimenez, Sergio

<[REDACTED]> Carrasco, Magdalena <[REDACTED]>

Foley, Pam

<[REDACTED]> Khamis, Johnny <[REDACTED]>

Cc: Agendadesk <[REDACTED]>

City Clerk <[REDACTED]>

Subject: Please reject Bloom Energy's request for an exemption (Agenda Item 6.1)

[External Email]

Dear Mayor Liccardo, Vice Mayor Jones, and Council Members

I was appalled to hear that Bloom Energy is requesting an exemption from the Updated Natural Gas Infrastructure Prohibition Ordinance.

Since the fuel cells used in Bloom Boxes are currently powered by fracked gas, the energy they supply is much dirtier than the energy provided by either San Jose Clean Energy or PG&E and would defeat the whole purpose of the UNGIPR.

Please say NO to such a damaging proposal.

Thank you,
Carol Cross,
Co-Convenor, Fossil Free Mid-Peninsula

You can't have climate change without sacrifice zones, and you can't have sacrifice zones without disposable people, and you can't have disposable people without racism.

~ Hop Hopkins

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FW: GAS BAN AND BLOOM'S ENERGY REQUEST

City Clerk

Mon 11/30/2020 8:29 AM

To: Agendadesk <[REDACTED]>

Thank you!

Best Regards,
Pawandeep Kaur

CITY OF SAN JOSE | OFFICE OF THE CITY CLERK
200 East Santa Clara St.
San Jose, CA 95113
408-535-1254

From: Christine Austin <ceast[REDACTED]>

Sent: Sunday, November 29, 2020 1:52 PM

To: Liccardo, Sam <[REDACTED]>

Davis, Dev <[REDACTED]>

Peralez, Raul

<[REDACTED]>

Diep, Lan <[REDACTED]>

Arenas, Sylvia <[REDACTED]>

Esparza, Maya <[REDACTED]>

Jones, Chappie <[REDACTED]>

Jimenez, Sergio

<[REDACTED]>

Carrasco, Magdalena <[REDACTED]>

Foley, Pam

<[REDACTED]>

Khamis, Johnny <[REDACTED]>

Cc: City Clerk <[REDACTED]> Agendadesk <[REDACTED]>

Subject: GAS BAN AND BLOOM'S ENERGY REQUEST

[External Email]

As a longtime San José resident, as a retired teacher, as a mother and grandmother, and as a supporter of Mothers Out Front, I am asking you to reject Bloom Energy's request for an exemption from the Updated Natural Gas Infrastructure Prohibition Ordinance.

I DO support the Updated Natural Gas Infrastructure Prohibition Ordinance, and know that as long as it is unadulterated, this forward-thinking ordinance will go a long way toward meeting our climate-forward goals.

However, I am very much opposed to Bloom Energy's request for an unwarranted exemption that would allow for the use of fuel cells powered by liquified natural gas.

I know that an exemption would violate the gas ban prohibition and further harm the important efforts being made to protect the climate.

San José should not throw away its climate goals in order to support one company. We should not minimize our essential climate policies by allowing the continued buildout of gas infrastructure halfway through this decade.

You are the people responsible for protecting the people and the environment. This is just one fight, and if you care about climate and its effects on our children and grandchildren, you will stand up for us.

Sincerely,

Chris Austin



This message is from outside the City email system. Do not open links or attachments from untrusted sources.

FW: Pass gas ban; reject Bloom Energy's request for an exemption (Agenda Item 6.1)

City Clerk

Mon 11/30/2020 8:29 AM

To: Agendadesk <[REDACTED]>

Thank you!

Best Regards,
Pawandeep Kaur

CITY OF SAN JOSE | OFFICE OF THE CITY CLERK
200 East Santa Clara St.
San Jose, CA 95113
408-535-1254

From: Brian Haberly <[REDACTED]>

Sent: Sunday, November 29, 2020 1:16 PM

To: Liccardo, Sam <[REDACTED]> Davis, Dev <[REDACTED]> Peralez, Raul

<[REDACTED]> Diep, Lan <[REDACTED]> Arenas, Sylvia <[REDACTED]>

Esparza, Maya <[REDACTED]> Jones, Chappie <[REDACTED]> Jimenez, Sergio

<[REDACTED]> Carrasco, Magdalena <[REDACTED]> Foley, Pam

<[REDACTED]> Khamis, Johnny <[REDACTED]>

Cc: Agendadesk <[REDACTED]> City Clerk <[REDACTED]>

Subject: Pass gas ban; reject Bloom Energy's request for an exemption (Agenda Item 6.1)

[External Email]

Dear Mayor Liccardo, Vice Mayor Jones, and Council Members Jimenez, Peralez, Diep, Carrasco, Davis, Esparza, Arenas, Foley, and Khamis,

As a San Jose resident, as a concerned citizen, and as a supporter of Mothers Out Front, I urge you to reject Bloom Energy's request for an exemption from the Updated Natural Gas Infrastructure Prohibition Ordinance.

I strongly support the Updated Natural Gas Infrastructure Prohibition Ordinance. If not watered down, this forward-thinking ordinance will go a long way toward meeting our climate-smart goals and preserving a livable climate for all children.

But I am strongly opposed to Bloom Energy's request for an unwarranted exemption that would allow for the use of fuel cells powered by liquified "natural" gas.

Allowing an exemption for fuel cells is unnecessary and would:

- Violate the goals of the gas ban prohibition, allowing gas to be used in new buildings.
- Harm the climate and make it harder to achieve our climate goals.

- Set a bad precedent for other cities as they seek to electrify their buildings, essentially greenwashing a technology that's powered by dirty gas.

Since the fuel cells used in Bloom Boxes are currently powered by fracked gas, **the energy they supply is much dirtier than the energy provided by either San Jose Clean Energy or PG&E**. If Bloom Box fuel cells were only used on the few days each year when a power outage occurs, that might be acceptable.

However, Bloom Boxes are not economically feasible if used only to provide back-up power. On the contrary, **Bloom Boxes only make sense economically if used 24/7 every day of the year, providing baseload energy** to the buildings where they are installed. This is not acceptable and violates the goal of the gas ban prohibition: to ban gas! Fracked gas is fracked gas, whether it is burnt in a power plant, a building, or a fuel cell. Dirty energy should only be allowed, if needed, to provide temporary, limited back-up power, not baseload energy.

Thank you.

Brian Haberly

[REDACTED]

[REDACTED]

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FW: SUPPORT OF THE NOVEMBER 16, 2020 SUPPLEMENTAL STAFF MEMORANDUM FOR ORDINANCE OF CITY OF SAN JOSE TO PROHIBIT NATURAL GAS INFRASTRUCTURE IN NEWLY CONSTRUCTED BUILDINGS

City Clerk

Mon 11/30/2020 8:31 AM

To: Agendadesk <[REDACTED]>

Thank you!

Best Regards,
Pawandeep Kaur

CITY OF SAN JOSE | OFFICE OF THE CITY CLERK
200 East Santa Clara St.
San Jose, CA 95113
408-535-1254

From: Rajesh Gopinath <[REDACTED]>
Sent: Sunday, November 29, 2020 7:55 AM
To: Liccardo, Sam <[REDACTED]> Jones, Chappie <[REDACTED]>
Cc: Jimenez, Sergio <[REDACTED]> Diep, Lan <[REDACTED]> Carrasco, Magdalena
<[REDACTED]> Davis, Dev <[REDACTED]> Esparza, Maya
<[REDACTED]> Arenas, Sylvia <[REDACTED]> Foley, Pam <[REDACTED]>
<[REDACTED]> Hughey, Rosalynn <[REDACTED]>
Romanow, Kerrie <[REDACTED]> Ortbal, Jim <[REDACTED]> City Clerk
<[REDACTED]>

Subject: SUPPORT OF THE NOVEMBER 16, 2020 SUPPLEMENTAL STAFF MEMORANDUM FOR ORDINANCE OF CITY OF SAN JOSE TO PROHIBIT NATURAL GAS INFRASTRUCTURE IN NEWLY CONSTRUCTED BUILDINGS

[External Email]

November 29, 2020

Mayor Sam Liccardo & Council Members
City of San Jose
200 E Santa Clara Street
San Jose, CA 95110

SUBJECT: SUPPORT OF THE NOVEMBER 16, 2020 SUPPLEMENTAL STAFF MEMORANDUM FOR ORDINANCE OF CITY OF SAN JOSE TO PROHIBIT NATURAL GAS INFRASTRUCTURE IN NEWLY CONSTRUCTED BUILDINGS

Dear Mayor Liccardo & Councilmembers:

I currently live in west San Jose (District 1). For nearly 20 years prior to 2017, I lived in Houston, Texas where my family has experienced several hurricanes and torrential rains. The natural gas supply through the underground pipeline infrastructure was truly a lifeline for our family during Hurricanes Ike, Rita and Harvey when the electric grid was unavailable for several weeks. In 2008, during Hurricane Ike, when broken electricity wires and trees blocked our streets, we were unable to reach the grocery stores for several days. My family, which then included my parents and a newborn child of 30 days, was able to survive by cooking with natural gas, which was truly uninterrupted.

I am a proud employee of Bloom Energy, which is a San Jose-based technology company with more than 700 employees locally and more than 1,200 worldwide. Bloom Energy manufactures unique distributed fuel-cell power systems, which are among the most energy-efficient on the planet; which virtually eliminate local air pollution like NOx, SOx and particulate matter that disproportionately impact disadvantaged communities.

The company was founded with the mission of making clean, reliable energy affordable for everyone on earth, has both altruism and innovation in its DNA. Its technology, invented in the U.S., continues to evolve and progress. Bloom Energy Servers can now use both biogas and renewable hydrogen, in addition to natural gas. Bloom Energy's technology is the most advanced on the market today to create electricity from natural gas – the reformation of which is one of the most efficient ways to derive hydrogen fuel today.

I work at Bloom Energy as Senior Product Manager and have been with them since 2011.

As a Bloom employee and a resident of San Jose, I urge you to support the Supplemental Staff Memorandum (memo) from November 16, 2020, "to allow for exemptions for facilities with distributed energy resources that meet Section 94203 of Title 17 California Code of Regulation requirements and are necessary for the public health, safety or economic welfare in the event of the ever-increasing electric grid outages facing our state, until December 31, 2023, or until low- or zero-carbon fuels are commercially available for the supply pipeline. The Director will report to Council no later than December 31, 2023, on low- and zero-carbon fuel availability." This amendment will allow for companies, like Bloom Energy, to continue to operate in San Jose and supply clean, reliable energy to aid the city and state in meeting our collective climate goals.

I appreciate you recognizing the importance of the staff recommendation from November 16, 2020 and urge your support to keep jobs within the city and allow for companies to invest and grow in San Jose.

San Jose can and should be a leader in utilizing clean technology solutions to increase energy resiliency. I encourage you to support the memo from November 16, 2020 to enable businesses to ensure they can operate reliably.

Sincerely

Rajesh Gopinath
Resident - District 1

Cc: Mayor Sam Liccardo, [REDACTED]
Vice Mayor Chappie Jones, [REDACTED]
Councilmember Sergio Jimenez, [REDACTED]
Councilmember Lan Diep, [REDACTED]
Councilmember Magdalena Carrasco, [REDACTED]
Councilmember Dev Davis, [REDACTED]
Councilmember Maya Esparza, [REDACTED]
Councilmember Sylvia Arenas, [REDACTED]
Councilmember Pam Foley, [REDACTED]
Councilmember Johnny Khamis, [REDACTED]
David Sykes, City Manager, [REDACTED]
Rosalynn Hughey, Director, Planning, Building, and Code Enforcement, [REDACTED] Kerrie Romanow, Director,
Environmental Services, [REDACTED]
Jim Ortbal, City Manager's Office [REDACTED]

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FW: 12/1 Item 6.1 Comment (slight revision)

City Clerk

Mon 11/30/2020 8:34 AM

To: Agendadesk <[REDACTED]>

Thank you!

Best Regards,
Pawandeep Kaur

CITY OF SAN JOSE | OFFICE OF THE CITY CLERK
200 East Santa Clara St.
San Jose, CA 95113
408-535-1254

From: Carl Salas <[REDACTED]>

Sent: Friday, November 27, 2020 12:07 PM

To: City Clerk <[REDACTED]>

Cc: [REDACTED]

Subject: FW: 12/1 Item 6.1 Comment (slight revision)

[External Email]

There were a few typos. This is updated... below

Energetically yours,

Carl Salas, P.E.

Founding Principal

SALAS O'BRIEN | expect a difference |

From: Carl Salas

Sent: Friday, November 27, 2020 11:58 AM

To: [REDACTED]

Cc: [REDACTED]

Subject: 12/1 Item 6.1 Comment

When I heard about the exemption in Item 6.1, my initial reaction, was "the exemption is a mistake. It's hypocritical". After reviewing the details, I want to explain the basis for my initial reaction, so Council can better understand why, after review, I encourage you to vote in favor of the exemption.

-

There were 2 specific reasons why my “gut” feels (felt) that the exemption was a mistake:

1. I strongly believe that the City is making a mistake as regards an immediate decision excluding a natural gas infrastructure from new commercial buildings. If you had the time for me to show you “the numbers” you would understand. The financial burden being placed on the consumer and business sector, by this decision, would give you pause. In addition, particularly during these changing times, the most prudent action is always: “diversify your portfolio”. So what better time to pause on the whole electrification issue than when Council is handing out exemptions anyway?
2. When I first heard about the exemption, it was in context of “the Bloom exemption”. The Bloom technology is a subset of two technology categories; (1) DG, or Distributed Generation (often referred to as “part of the micro-grid”); and (2) Fuel Cell. Along with 100’s of DG projects, my firm has been involved with over 25 fuel cell installations in California, most recently 20 Bloom installations. Within the broad categories of DG, Fuel Cells, or micro-grids, my personal feeling about Bloom’s market share is that it is primarily “marketing based”. As an engineer, in the energy business for over 45 years, I’ve witnessed much long-term disappointment with marketing-based, “green” technologies. I know that Carl Guardino is a Bloom lobbyist AND is Sam’s friend. Because I am painfully aware that much of the reason to rush towards electrification is politically based, I felt that Sam (and Council) was setting themselves up to be chastised by the press and environmental groups for granting this exemption. In short: Bloom uses natural gas. Every Bloom installation requires a permit from the Air Quality Management District. That’s because making a kilowatt-hour of power using a “Bloom-box” will dramatically raise the carbon footprint, and local emissions, of any facility.

Why, on reflection and analysis, I feel that you should vote for the exemption:

1. I read the supplement that you are voting on. It specifically refers to Section 94203 of Title 17 California Code of Regulation; which I’m familiar with and understand. But as written, the exemption is for the broad category of Distributed Generation (DG). I’m a proponent of DG... BECAUSE of “the numbers”; especially as relates to consumer choice based on both efficiency and cost. So this exemption is not a “Bloom Exemption”, rather it is a “Distributed Generation Exemption”.
2. The reason I’m so against electrification is because, the CSU, UC, and State exclude DG from their long term planning. DG certainly increases the local carbon footprint. But because DG is so efficient, I argue that the overall carbon footprint (of the state, for instance) will get smaller as more DG is deployed. Hence with your focus on a “DG exemption” (not specific to the Bloom technology) it’s a practical and defensible exemption.
3. The other benefit of the exemption is that there is some probability that a truly green “hydrogen conversion process” will evolve over the next few years or decade. There is also some probability that hydrogen could be used in the existing natural gas infrastructure. So by allowing the gas infrastructure to be extended to, and within, new commercial buildings, this exemption may facilitate a future zero-carbon economy.

I remain hopeful that the City will consider delaying the electrification ordinance. But, if that isn’t possible. The exemption in Item 6.1 provides a practical compromise.

Carl Salas is a registered Professional engineer. He graduated with honors, from Virginia Tech in 1974 with a major in Mechanical Engineering and a minor in Nuclear Engineer. Upon graduation, Carl was hired by General Electric’s Nuclear Division (in San Jose) He spent the first four years of his career providing design and on-site testing of nuclear reactors throughout the US and Japan. In 1978, he, along with Dan O’Brien, formed Salas O’Brien Engineers; as an energy and infrastructure firm. Since that time, Salas O’Brien LLC has grown from 3 engineers, with corporate headquarters in San Jose, to 650 employees nation-wide. Carl continues to work full time for the firm. In addition, Carl is the past International president of the Association of Energy Engineers <https://www.aeecenter.org/>; and for the past 20 years has been the chairperson of AEE’s International Energy Awards committee.

Energetically yours,

Carl Salas, P.E.

Founding Principal

SALAS O’BRIEN | expect a difference |



Pass gas ban; reject Bloom Energy's request for an exemption (Agenda Item 6.1)

Logan Spalding <[REDACTED]>

Mon 11/30/2020 9:12 AM

To: Liccardo, Sam <[REDACTED]> Davis, Dev <[REDACTED]> Peralez, Raul <[REDACTED]>
Diep, Lan <[REDACTED]> Arenas, Sylvia <[REDACTED]> Esparza, Mava <[REDACTED]>
Jones, Chappie <[REDACTED]> Jimenez, Sergio <[REDACTED]> Carrasco, Maaddalena <[REDACTED]>
<[REDACTED]> Foley, Pam <[REDACTED]> Khamis, Johnny <[REDACTED]>
Cc: Agendadesk <[REDACTED]> City Clerk <[REDACTED]>

[External Email]

Dear Mayor Liccardo, Vice Mayor Jones, and Council Members Jimenez, Peralez, Diep, Carrasco, Davis, Esparza, Arenas, Foley, and Khamis,

As a San Jose resident concerned about the climate crisis, I urge you to reject Bloom Energy's request for an exemption from the Updated Natural Gas Infrastructure Prohibition Ordinance.

I strongly support the Updated Natural Gas Infrastructure Prohibition Ordinance. If not watered down, this forward-thinking ordinance will go a long way toward meeting our climate-smart goals and preserving a livable climate for all children.

But I am strongly opposed to Bloom Energy's request for an unwarranted exemption that would allow for the use of fuel cells powered by liquified "natural" gas.

Allowing an exemption for fuel cells is unnecessary and would:

- Violate the goals of the gas ban prohibition, allowing gas to be used in new buildings.
- Harm the climate and make it harder to achieve our climate goals.
- Set a bad precedent for other cities as they seek to electrify their buildings, essentially greenwashing a technology that's powered by dirty gas.

Since the fuel cells used in Bloom Boxes are currently powered by fracked gas, **the energy they supply is much dirtier than the energy provided by either San Jose Clean Energy or PG&E.** If Bloom Box fuel cells were only used on the few days each year when a power outage occurs, that might be acceptable.

However, Bloom Boxes are not economically feasible if used only to provide back-up power. On the contrary, **Bloom Boxes only make sense economically if used 24/7 every day of the year, providing baseload energy** to the buildings where they are installed. This is not acceptable and violates the goal of the gas ban prohibition: to ban gas! Fracked gas is fracked gas, whether it is burnt in a power plant, a building, or a fuel cell.

Dirty energy should only be allowed, if needed, to provide temporary, limited back-up power, not baseload energy.

Yes, some businesses need continuous power and cannot afford a power shutoff. However, allowing Bloom Boxes to be used to provide “back-up” power is like killing a flea with a tank. It would be much better for the climate to use back-up diesel power only during power shutoffs than to use fracked gas-powered fuel cells continuously. In fact, *it would take 150 days of diesel generator use to produce the same CO2e emissions as the Bloom Boxes would produce each year.*

In 2019, San Jose’s use of fossil gas rose slightly. If new buildings are allowed to use Bloom Boxes, the City’s use of fossil gas would go up even more. **This is destabilizing to the climate and threatens San Jose’s ability to achieve our climate smart goals.** If Bloom wants to have its Bloom Boxes used in new San Jose buildings, it should be required to power its fuel cells with clean energy, not fracked gas.

San Jose should not throw away its climate goals in order to appease one company. **We cannot afford to water down our essential climate policies by allowing the continued buildout of gas infrastructure until halfway through this decade.**

We need you, the leaders responsible for our safety, to hold the line and insist on the **strongest possible gas ban ordinance** so that San Jose can continue to provide the climate-smart leadership so essential to preserving a livable climate.

Sincerely,

Logan Spalding

--

Logan Spalding (he/his)
AmeriCorps Beneficial Electrification Fellow



This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Pass gas ban; reject Bloom Energy's request for an exemption (Agenda Item 6.1)

Lauren Weston <[REDACTED]>

Mon 11/30/2020 9:52 AM

To: Liccardo, Sam <[REDACTED]> Davis, Dev <[REDACTED]> Peralez, Raul <[REDACTED]>
Diep, Lan <[REDACTED]> Arenas, Sylvia <[REDACTED]> Esparza, Mava <[REDACTED]>
Jones, Chappie <[REDACTED]> Jimenez, Sergio <[REDACTED]> Carrasco, Maaddalena
<[REDACTED]> Foley, Pam <[REDACTED]> Khamis, Johnny <[REDACTED]>
Cc: Agendadesk <[REDACTED]> City Clerk <[REDACTED]>

[External Email]

Dear Mayor Liccardo, Vice Mayor Jones, and Council Members Jimenez, Peralez, Diep, Carrasco, Davis, Esparza, Arenas, Foley, and Khamis,

On September 17, 2019, the San Jose City Council adopted Resolution No. 79251 declaring a Climate Emergency. I applaud you for considering a ban on natural gas for ALL new construction which is in alignment with the adopted resolution. I strongly encourage you keep our collective climate emergency top of mind and reject Bloom Energy's requested exemption to require Bloom to meet California's RPS. Currently, Bloom's business model relies on using cheap fracked natural gas (methane) rather than renewable methane (from dairies or landfills) and this cannot be acceptable if we are to protect our neighbors, families and communities. Bold action by our elected officials is necessary. Acterra is here to support your progress: We cannot do this work alone. Thank you so much for your time and consideration.

Lauren

Lauren Weston
Executive Director
Acterra: Action for a Healthy Planet

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Request a NO vote on Agenda Item 6.1: to REJECT Exemptions for Distributed Energy from Gas-Fuel Cells as identified in either of the two Supplemental Memos

prelich.k <[REDACTED]>

Mon 11/30/2020 9:55 AM

To: Liccardo, Sam <[REDACTED]> Davis, Dev <[REDACTED]> Peralez, Raul <[REDACTED]>
Diep, Lan <[REDACTED]> Arenas, Sylvia <[REDACTED]> Esparza, Mava <[REDACTED]>
Jones, Chappie <[REDACTED]> Jimenez, Sergio <[REDACTED]> Carrasco, Maadalena <[REDACTED]>
<[REDACTED]> Foley, Pam <[REDACTED]> Khamis, Johnny <[REDACTED]>
Cc: Agendadesk <[REDACTED]> City Clerk <[REDACTED]>

[External Email]

Dear Mayor Liccardo, Vice Mayor Jones, and Council Members

I wholeheartedly support the adoption of the Updated Natural Gas Infrastructure Prohibition Ordinance. I am very supportive of this next step to reduce emissions from the built environment. However, **I ask you to reject the exemption of CO2 emitting fuel cells and approve only the original updated gas ban ordinance.**

Allowing the exemption would:

1. Increase GHG emissions rather than lower them. The Bloom Energy Fuel Cell Box at its most efficient still emits **679 lbs per megawatt hour** of CO2 compared to PG&E (our local utility that supplies gas) at **210 lbs per megawatt hour**.
2. Violate the goals of the San Jose gas ban prohibition, allowing gas to be used in new buildings.
3. Harm the climate and make it harder to achieve our climate goals and go against San Jose's Climate Smart plan.
4. Dismantle the public stakeholder engagement process to the benefit of a single company whose motive is pure profit.
5. Set a bad example that will likely be emulated by other cities considering adopting gas bans, giving legitimacy to a technology that is not needed and is perpetuating the use of gas.
6. Harm our local Community Choice Energy program, San Jose Clean Energy, by pulling industrial and commercial customers away, thereby reducing SJCE's energy distribution and financial viability.

If Bloom Energy is suggesting that a near term replacement alternative to their gas-based fuel cells is their new hydrogen-based fuel cells, it must be noted that their hydrogen technology will NOT be market ready for many years. **Therefore, giving an exemption means San Jose will be burdened with gas-based fuel cell technology that will continue to emit CO2 emissions for many years to come.**

Before approving an exemption, we need to have answers to these and other questions:

1. Are Bloom Boxes subject to the renewable portfolio standards?
2. How will increasing the number of large behind the meter electric energy producers impact the successful operation of San Jose Clean Energy?
3. Will a reduced power supply from SVCE create cost increases for the average SVCE consumer?
4. Will a reduced power supply from SVCE also diminish the CCE's ability to offer a variety of emission reduction programs to our consumers?
5. **The negative ripple effect could be significant and undermine our larger emission reduction goals.**
6. Has San Jose accounted for the **increased emissions impact** from a new service provider that uses "natural" gas for electricity production?
7. How will exemption approval severely **impact achieving Climate Smart San Jose's goals?**

Please do vote yes for the original expanded gas infrastructure prohibition ordinance. **But please vote NO to reject the exemption for distributed energy resource, gas based fuel cell, as identified in the Supplemental Memos, dated 11/25 and 11/17.**

As these questions cannot be adequately answered today, this last-minute proposed exemption should NOT be granted.

As the tenth largest city in the nation, are you willing to serve the economic interests of ONE company when instead we could educate the large companies, who need 24/7 power, about the real opportunities to secure 24/7 power in a more environmentally friendly way?

If approved, this exemption sends a destructive message regarding the integrity of our democracy by supporting a company over the will and needs of the people.

Thank you so much for thoughtfully considering my comments and concerns.

Kristine Prelich

District 6

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Pass gas ban; reject Bloom Energy's request for an exemption (Agenda Item 6.1)

Rani Fischer <[REDACTED]>

Mon 11/30/2020 10:06 AM

To: Liccardo, Sam <[REDACTED]> Davis, Dev <[REDACTED]> Peralez, Raul <[REDACTED]>
Diep, Lan <[REDACTED]> Arenas, Sylvia <[REDACTED]> Esparza, Mava <[REDACTED]>
Jones, Chappie <[REDACTED]> Jimenez, Sergio <[REDACTED]> Carrasco, Maaddalena
<[REDACTED]> Foley, Pam <[REDACTED]> Khamis, Johnny <[REDACTED]>
Cc: Agendadesk <[REDACTED]> City Clerk <[REDACTED]>

[External Email]

Dear Mayor Liccardo, Vice Mayor Jones, and Council Members Jimenez, Peralez, Diep, Carrasco, Davis, Esparza, Arenas, Foley, and Khamis:

As a South Bay resident concerned about the climate crisis, I urge you to reject Bloom Energy's request for an exemption from the Updated Natural Gas Infrastructure Prohibition Ordinance.

I strongly support the Updated Natural Gas Infrastructure Prohibition Ordinance. If not watered down, this forward-thinking ordinance will go a long way toward meeting our climate-smart goals and preserving a livable climate for all children.

But I am strongly opposed to Bloom Energy's request for an unwarranted exemption that would allow for the use of fuel cells powered by liquified "natural" gas.

Allowing an exemption for fuel cells is unnecessary and would:

- Violate the goals of the gas ban prohibition, allowing gas to be used in new buildings.
- Harm the climate and make it harder to achieve our climate goals.
- Set a bad precedent for other cities as they seek to electrify their buildings, essentially greenwashing a technology that's powered by dirty gas.

Since the fuel cells used in Bloom Boxes are currently powered by fracked gas, **the energy they supply is much dirtier than the energy provided by either San Jose Clean Energy or PG&E.** If Bloom Box fuel cells were only used on the few days each year when a power outage occurs, that might be acceptable.

However, Bloom Boxes are not economically feasible if used only to provide back-up power. On the contrary, **Bloom Boxes only make sense economically if used 24/7 every day of the year, providing baseload**

energy to the buildings where they are installed. This is not acceptable and violates the goal of the gas ban prohibition: to ban gas! Fracked gas is fracked gas, whether it is burnt in a power plant, a building, or a fuel cell. Dirty energy should only be allowed, if needed, to provide temporary, limited back-up power, not baseload energy.

Yes, some businesses need continuous power and cannot afford a power shutoff. However, allowing Bloom Boxes to be used to provide “back-up” power is like killing a flea with a tank. It would be much better for the climate to use back-up diesel power only during power shutoffs than to use fracked gas-powered fuel cells continuously. In fact, *it would take 150 days of diesel generator use to produce the same CO₂e emissions as the Bloom Boxes would produce each year.*

We need you to hold the line and insist on the **strongest possible gas ban ordinance** so that San Jose can continue to provide the climate-smart leadership so essential to preserving a livable climate.

Yours,

Rani Fischer

Sunnyvale, CA

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December 1st City Council 11/24 Agenda. Item 6.3: Supplemental Memo's recommendation #4, Dated 11/17/20 and City Council 12/01/20 Agenda Supplemental Memo item 6.1, dated 11/25/20

Bob Ruff <[REDACTED]>

Mon 11/30/2020 11:21 AM

To: Liccardo, Sam <[REDACTED]> Davis, Dev <[REDACTED]> Peralez, Raul <[REDACTED]>
Diep, Lan <[REDACTED]> Arenas, Sylvia <[REDACTED]> Esparza, Mava <[REDACTED]>
Jones, Chappie <[REDACTED]> Jimenez, Sergio <[REDACTED]> Carrasco, Maaddalena <[REDACTED]>
<[REDACTED]> Foley, Pam <[REDACTED]> Khamis, Johnny <[REDACTED]>
Cc: Agendadesk <[REDACTED]> City Clerk <[REDACTED]>

[External Email]

Dear Mayor Liccardo, Vice Mayor Jones and Council Members,

As the former Assistant Director of Project Management for the San Jose Redevelopment Agency (1985 to 2011) and a resident of San Jose since 1983, I keep up to date on issues facing City Council. You all have made great progress in leading the way for big cities to combat the effect of climate changes due to human actions and inactions, and I applaud all of you for those past actions.

Before you on Tuesday is another major action that would demonstrate San Jose's leadership in addressing the negative aspects of continuing using gas fuel in our community as we continue to grow. You have previously taken positive actions regarding electric-only new residential construction. The current action is to extend prohibiting gas in virtually all future construction. This next step to reduce emissions for new buildings being constructed is a very important step by San Jose to help create a safe, livable community and planet. **I support your adoption of the Updated Natural Gas Infrastructure Prohibition Ordinance, but excluding the embedded revisions that allow exemptions for Distributed Energy Resource - gas fuel cells described in the two supplemental amendment memos.**

The original report and the two amendments and the revised ordinance are confusing - and it is now unclear exactly what you are considering for adoption. Since the purpose of this action is to prohibit gas in new construction, exempting industries that use gas to make electricity is counterproductive. If my memory serves me, Bloom Energy long ago introduced new fuel cells based on hydrogen, not gas, as their new innovative method. It was praised at the time. The press articles indicate their hydrogen technology will take years before being market ready. Given the effective and lower emitting alternatives to have 24/7 electric power during emergencies, including power shut-offs, exempting selling or using gas fuel cells technology is not acceptable. Continued use of gas powered fuel cells will increase GHG emissions rather than lower them, counterproductive to your goals.

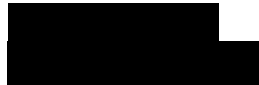
I ask you to REJECT the language used to revise the draft ordinance from Supplemental Memo dated 11/24/20 and/or from the Supplemental Memo #4, dated 11/16/20 which allow exemptions for use of fuel cells powered

by liquefied natural gas. Please vote NO on the distributed energy resource exemptions.

Let San Jose be the leader on this issue and be an example to other cities that are considering similar climate positive actions.

Thank you,

Robert Ruff



This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Please reject exemption to Gas Ban

Kate Schafer <[REDACTED]>

Mon 11/30/2020 11:35 AM

To: Liccardo, Sam <[REDACTED]> Davis, Dev <[REDACTED]> Peralez, Raul <[REDACTED]>
Diep, Lan <[REDACTED]> Arenas, Sylvia <[REDACTED]> Esparza, Mava <[REDACTED]>
Jones, Chappie <[REDACTED]> Jimenez, Sergio <[REDACTED]> Carrasco, Magdalena
<[REDACTED]> Foley, Pam <[REDACTED]> Khamis, Johnny <[REDACTED]>
Cc: Agendadesk <[REDACTED]> City Clerk <[REDACTED]>

[External Email]

Dear Mayor Liccardo, Vice Mayor Jones, and Council Members,

I wholeheartedly support the adoption of the Updated Natural Gas Infrastructure Prohibition Ordinance. I am very supportive of this next step to reduce emissions from the built environment.

However, **I ask you to reject the exemption of CO2 emitting fuel cells and approve only the original updated gas ban ordinance.**

Allowing the exemption would:

1. Increase GHG emissions rather than lower them. The Bloom Energy Fuel Cell Box at its most efficient still emits **679 lbs per megawatt hour** of CO2 compared to PG&E (our local utility that supplies gas) at **210 lbs per megawatt hour**.
2. Violate the goals of the San Jose gas ban prohibition, allowing gas to be used in new buildings.
3. Harm the climate and make it harder to achieve our climate goals and go against San Jose's Climate Smart plan.
4. Dismantle the public stakeholder engagement process to the benefit of a single company whose motive is pure profit.
5. Set a bad example that will likely be emulated by other cities considering adopting gas bans, giving legitimacy to a technology that is not needed and is perpetuating the use of gas.
6. Harm our local Community Choice Energy program, San Jose Clean Energy, by pulling industrial and commercial customers away, thereby reducing SJCE's energy distribution and financial viability.

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Before approving an exemption, we need to have answers to these and other questions:

1. Are Bloom Boxes subject to the renewable portfolio standards?
2. How will increasing the number of large behind the meter electric energy producers impact the successful operation of San Jose Clean Energy?
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5. **The negative ripple effect could be significant and undermine our larger emission reduction goals.**
6. Has San Jose accounted for the **increased emissions impact** from a new service provider that uses "natural" gas for electricity production?
7. How will exemption approval severely **impact achieving Climate Smart San Jose's goals?**

Please do vote yes for the original expanded gas infrastructure prohibition ordinance. **But please vote NO to reject the exemption for distributed energy resource, gas based fuel cell, as identified in the Supplemental Memos, dated 11/25 and 11/17.**

As these questions cannot be adequately answered today, this last-minute proposed exemption should NOT be granted.

As the tenth largest city in the nation, are you willing to serve the economic interests of ONE company when instead we could educate the large companies, who need 24/7 power, about the real opportunities to secure 24/7 power in a more environmentally friendly way?

If approved, this exemption sends a destructive message regarding the integrity of our democracy by supporting a company over the will and needs of the people.

Thank you so much for thoughtfully considering my comments and concerns.

Sincerely,
Kate Schafer

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Pass Gas Ban; Reject Bloom Energy's request for an exemption (Agenda Item 6.1)

Mary Helen Doherty <[REDACTED]>

Mon 11/30/2020 11:50 AM

To: Liccardo, Sam <[REDACTED]> Davis, Dev <[REDACTED]> Peralez, Raul <[REDACTED]>
Diep, Lan <[REDACTED]> Arenas, Sylvia <[REDACTED]> Esparza, Mava <[REDACTED]>
Jones, Chabbie <[REDACTED]> Jimenez, Sergio <[REDACTED]> Carrasco, Magdalena
<[REDACTED]> Foley, Pam <[REDACTED]> Khamis, Johnny <[REDACTED]>
Cc: Agendadesk <[REDACTED]> City Clerk <[REDACTED]>

[External Email]

Dear Mayor Liccardo, Vice Mayor Jones, and Council Members Jimenez, Peralez, Diep, Carrasco, Davis, Esparza, Arenas, Foley, and Khamis,

Dear Mayor Liccardo, Vice Mayor Jones, and Council Members Jimenez, Peralez, Diep, Carrasco, Davis, Esparza, Arenas, Foley, and Khamis,

As a San Jose resident, as a mother, and as a supporter of Mothers Out Front, I urge you to reject Bloom Energy's request for an exemption from the Updated Natural Gas Infrastructure Prohibition Ordinance.

I strongly support the Updated Natural Gas Infrastructure Prohibition Ordinance. If not watered down, this forward-thinking ordinance will go a long way toward meeting our climate-smart goals and preserving a livable climate for all children.

But I am strongly opposed to Bloom Energy's request for an unwarranted exemption that would allow for the use of fuel cells powered by liquified "natural" gas.

Allowing an exemption for fuel cells is unnecessary and would:

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However, Bloom Boxes are not economically feasible if used only to provide back-up power. On the contrary, **Bloom Boxes only make sense economically if used 24/7 every day of the year, providing baseload energy** to the buildings where they are installed. This is not acceptable and violates the goal of the gas ban prohibition: to ban gas! Fracked gas is fracked gas, whether it is burnt in a power plant, a building, or a fuel cell. Dirty energy should only be allowed, if needed, to provide temporary, limited back-up power, not baseload energy.

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In 2019, San Jose’s use of fossil gas rose slightly. If new buildings are allowed to use Bloom Boxes, the City’s use of fossil gas would go up even more. **This is destabilizing to the climate and threatens San Jose’s ability to achieve our climate smart goals.** If Bloom wants to have its Bloom Boxes used in new San Jose buildings, it should be required to power its fuel cells with clean energy, not fracked gas.

San Jose should not throw away its climate goals in order to appease one company. **We cannot afford to water down our essential climate policies by allowing the continued buildout of gas infrastructure until halfway through this decade.**

We need you, the leaders responsible for our safety, to hold the line and insist on the **strongest possible gas ban ordinance** so that San Jose can continue to provide the climate-smart leadership so essential to preserving a livable climate for all children.

What could be more important?

Sincerely,

Mary Helen Doherty



Mothers Out Front Silicon Valley

www.mothersoutfront.org/team/california/siliconvalley

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Pass gas ban; reject Bloom Energy's request for an exemption

AR Bancroft <[REDACTED]>

Mon 11/30/2020 12:13 PM

To: Liccardo, Sam <[REDACTED]>

Cc: Agendadesk <[REDACTED]>

City Clerk <[REDACTED]>

[External Email]

Dear Mayor Liccardo,

As a San Jose resident and leader of the 350 SV San Jose Chapter, I urge you to reject Bloom Energy's request for an exemption from the Updated Natural Gas Infrastructure Prohibition Ordinance.

I strongly support the Updated Natural Gas Infrastructure Prohibition Ordinance. If not watered down, this forward-thinking ordinance will go a long way toward meeting our climate-smart goals and preserving a livable climate for all children.

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We need you, the leaders responsible for our safety, to hold the line and insist on the **strongest possible gas ban ordinance** so that San Jose can continue to provide the climate-smart leadership so essential to preserving a livable climate for all children. What could be more important?

Sincerely,

Amanda Bancroft

[REDACTED]

[REDACTED]

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Request a NO vote on Agenda Item 6.1: to REJECT Exemptions for Distributed Energy from Gas-Fuel Cells as identified in either of the two Supplemental Memos

prelich.k <[REDACTED]>

Mon 11/30/2020 9:55 AM

To: Liccardo, Sam <[REDACTED]> Davis, Dev <[REDACTED]> Peralez, Raul <[REDACTED]>
Diep, Lan <[REDACTED]> Arenas, Sylvia <[REDACTED]> Esparza, Mava <[REDACTED]>
Jones, Chappie <[REDACTED]> Jimenez, Sergio <[REDACTED]> Carrasco, Maadalena <[REDACTED]>
<[REDACTED]> Foley, Pam <[REDACTED]> Khamis, Johnny <[REDACTED]>
Cc: Agendadesk <[REDACTED]> City Clerk <[REDACTED]>

[External Email]

Dear Mayor Liccardo, Vice Mayor Jones, and Council Members

I wholeheartedly support the adoption of the Updated Natural Gas Infrastructure Prohibition Ordinance. I am very supportive of this next step to reduce emissions from the built environment. However, **I ask you to reject the exemption of CO2 emitting fuel cells and approve only the original updated gas ban ordinance.**

Allowing the exemption would:

1. Increase GHG emissions rather than lower them. The Bloom Energy Fuel Cell Box at its most efficient still emits **679 lbs per megawatt hour** of CO2 compared to PG&E (our local utility that supplies gas) at **210 lbs per megawatt hour**.
2. Violate the goals of the San Jose gas ban prohibition, allowing gas to be used in new buildings.
3. Harm the climate and make it harder to achieve our climate goals and go against San Jose's Climate Smart plan.
4. Dismantle the public stakeholder engagement process to the benefit of a single company whose motive is pure profit.
5. Set a bad example that will likely be emulated by other cities considering adopting gas bans, giving legitimacy to a technology that is not needed and is perpetuating the use of gas.
6. Harm our local Community Choice Energy program, San Jose Clean Energy, by pulling industrial and commercial customers away, thereby reducing SJCE's energy distribution and financial viability.

If Bloom Energy is suggesting that a near term replacement alternative to their gas-based fuel cells is their new hydrogen-based fuel cells, it must be noted that their hydrogen technology will NOT be market ready for many years. **Therefore, giving an exemption means San Jose will be burdened with gas-based fuel cell technology that will continue to emit CO2 emissions for many years to come.**

Before approving an exemption, we need to have answers to these and other questions:

1. Are Bloom Boxes subject to the renewable portfolio standards?
2. How will increasing the number of large behind the meter electric energy producers impact the successful operation of San Jose Clean Energy?
3. Will a reduced power supply from SVCE create cost increases for the average SVCE consumer?
4. Will a reduced power supply from SVCE also diminish the CCE's ability to offer a variety of emission reduction programs to our consumers?
5. **The negative ripple effect could be significant and undermine our larger emission reduction goals.**
6. Has San Jose accounted for the **increased emissions impact** from a new service provider that uses "natural" gas for electricity production?
7. How will exemption approval severely **impact achieving Climate Smart San Jose's goals?**

Please do vote yes for the original expanded gas infrastructure prohibition ordinance. **But please vote NO to reject the exemption for distributed energy resource, gas based fuel cell, as identified in the Supplemental Memos, dated 11/25 and 11/17.**

As these questions cannot be adequately answered today, this last-minute proposed exemption should NOT be granted.

As the tenth largest city in the nation, are you willing to serve the economic interests of ONE company when instead we could educate the large companies, who need 24/7 power, about the real opportunities to secure 24/7 power in a more environmentally friendly way?

If approved, this exemption sends a destructive message regarding the integrity of our democracy by supporting a company over the will and needs of the people.

Thank you so much for thoughtfully considering my comments and concerns.

Kristine Prelich

District 6

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Please reject exemption to Gas Ban

Kate Schafer <[REDACTED]>

Mon 11/30/2020 11:35 AM

To: Liccardo, Sam <[REDACTED]> Davis, Dev <[REDACTED]> Peralez, Raul <[REDACTED]>
Diep, Lan <[REDACTED]> Arenas, Sylvia <[REDACTED]> Esparza, Mava <[REDACTED]>
Jones, Chappie <[REDACTED]> Jimenez, Sergio <[REDACTED]> Carrasco, Magdalena
<[REDACTED]> Foley, Pam <[REDACTED]> Khamis, Johnny <[REDACTED]>
Cc: Agendadesk <[REDACTED]> City Clerk <[REDACTED]>

[External Email]

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However, **I ask you to reject the exemption of CO2 emitting fuel cells and approve only the original updated gas ban ordinance.**

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2. Violate the goals of the San Jose gas ban prohibition, allowing gas to be used in new buildings.
3. Harm the climate and make it harder to achieve our climate goals and go against San Jose's Climate Smart plan.
4. Dismantle the public stakeholder engagement process to the benefit of a single company whose motive is pure profit.
5. Set a bad example that will likely be emulated by other cities considering adopting gas bans, giving legitimacy to a technology that is not needed and is perpetuating the use of gas.
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Before approving an exemption, we need to have answers to these and other questions:

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2. How will increasing the number of large behind the meter electric energy producers impact the successful operation of San Jose Clean Energy?
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4. Will a reduced power supply from SVCE also diminish the CCE's ability to offer a variety of emission reduction programs to our consumers?
5. **The negative ripple effect could be significant and undermine our larger emission reduction goals.**
6. Has San Jose accounted for the **increased emissions impact** from a new service provider that uses "natural" gas for electricity production?
7. How will exemption approval severely **impact achieving Climate Smart San Jose's goals?**

Please do vote yes for the original expanded gas infrastructure prohibition ordinance. **But please vote NO to reject the exemption for distributed energy resource, gas based fuel cell, as identified in the Supplemental Memos, dated 11/25 and 11/17.**

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If approved, this exemption sends a destructive message regarding the integrity of our democracy by supporting a company over the will and needs of the people.

Thank you so much for thoughtfully considering my comments and concerns.

Sincerely,
Kate Schafer

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Reject Bloom Energy's request for an exemption form (Natural Gas Infrastructure Prohibition Ordinance: Agenda Item 6.1)

Bret Andersen <[REDACTED]>

Mon 11/30/2020 12:18 PM

To: Liccardo, Sam <[REDACTED]> Davis, Dev <[REDACTED]> Peralez, Raul <[REDACTED]>
Diep, Lan <[REDACTED]> Arenas, Sylvia <[REDACTED]> Esparza, Mava <[REDACTED]>
Jones, Chappie <[REDACTED]> Jimenez, Sergio <[REDACTED]> Carrasco, Maaddalena
<[REDACTED]> Foley, Pam <[REDACTED]> Khamis, Johnny <[REDACTED]>
Cc: Agendadesk <[REDACTED]> City Clerk <[REDACTED]>

[External Email]

Dear Honorable Mayor and Council Members,

As a member of Carbon Free Palo Alto and South Bay Area resident, I urge you to reject Bloom Energy's request for an exemption from the Updated Natural Gas Infrastructure Prohibition Ordinance.

There is no compelling reason to compromise the integrity and fairness of the proposed ordinance by granting an exception for Bloom Energy's natural gas powered systems. Bloom's systems offer no advantage over renewable grid electricity with emergency backup power provided by traditional diesel generators that run for only a few days a year or the solar / battery and microgrid backup solutions that are becoming more common.

A special exception for natural gas powered fuel cell systems is also unfair and counterproductive. It runs directly counter to the ordinance's goal of stopping further expansion of the gas network and the associated long term carbon emissions from connected fossil fuel based devices. It would tilt the market unfairly back toward one fossil fuel energy provider which will weaken the market incentives for the competitive, low cost beneficial electric solutions we all want and need.

San Jose's natural gas infrastructure prohibition ordinance represents an important step forward on climate action by a major city in the U.S. It will serve as a highly visible example for many other cities in our area and beyond. I hope you see no other reasonable decision but to reject the proposed exception which appears to be a blatant corporate interest carve out in an otherwise very solid and impactful climate protection policy effort.

Thank You,
Bret Andersen, Carbon Free Palo Alto

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FW: In Favor of a Simple Gas Ban (Item 6.1)

City Clerk

Mon 11/30/2020 12:36 PM

To: Agendadesk <[REDACTED]>

Thank you!

Best Regards,
Pawandeep Kaur

CITY OF SAN JOSE | OFFICE OF THE CITY CLERK
200 East Santa Clara St.
San Jose, CA 95113
408-535-1254

From: Kevin Ma <[REDACTED]>

Sent: Monday, November 30, 2020 12:01 PM

To: Liccardo, Sam <[REDACTED]> Davis, Dev <[REDACTED]> Peralez, Raul

<[REDACTED]> Diep, Lan <[REDACTED]> Arenas, Sylvia <[REDACTED]>
Esparza, Maya <[REDACTED]> Jones, Chappie <[REDACTED]> Jimenez, Sergio

<[REDACTED]> Carrasco, Magdalena <[REDACTED]> Foley, Pam

<[REDACTED]> Khamis, Johnny <[REDACTED]>

Cc: City Clerk <[REDACTED]>

Subject: In Favor of a Simple Gas Ban (Item 6.1)

[External Email]

Dear San Jose City Council,

As a Santa Clara County resident, I look up to San Jose's decisions as ones that can lead the other cities. With the provided Infrastructure Prohibition Ordinance, we have an opportunity to demonstrate our shared recognition that climate change is an existential issue that must be addressed aggressively.

I have heard reports that there have been some businesses clamoring for exemptions. I believe this is too short-sighted for the problem at hand, and has a risk of unduly benefiting some businesses over others. SB 375 targets are aggressive, and failing to reach those may lead to RHNA-like requirements in the future. Also, additional exemptions require staff time to research and review, when they could be enforcing and educating. And there will be future costs to convert cases where exemptions have been granted, just as we see currently with the replacement of gas infrastructure to electric.

Sincerely,
Kevin Ma

FW: Natural Gas Ban

City Clerk

Mon 11/30/2020 12:37 PM

To: Agendadesk <[REDACTED]>

Thank you!

Best Regards,
Pawandeep Kaur

CITY OF SAN JOSE | OFFICE OF THE CITY CLERK
200 East Santa Clara St.
San Jose, CA 95113
408-535-1254

From: Ratana, Christopher <[REDACTED]>
Sent: Monday, November 30, 2020 11:32 AM
To: City Clerk <[REDACTED]>
Subject: Fw: Natural Gas Ban

From: John Lipka <[REDACTED]>
Sent: Saturday, November 28, 2020 9:07 PM
To: The Office of Mayor Sam Liccardo <[REDACTED]>
Subject: Natural Gas Ban

[External Email]

As a resident of San Jose for my entire 66 year life, I am appalled at this decision being made without the residents of this city being given the opportunity to vote on it, and definitely feel as though the San Jose City Council is grossly overstepping its authority.

The City Council meeting isn't even open for us to come complain! Stop this vote until the people have had a chance to speak.

If this bill is passed without people being given due process I will make it my personal goal to see every one of our city Council members voted out of their chairs.

John Lipka
Resident
Homeowner
Taxpayer

Voter

John Lipka

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

FW: Eliminating household natural gas

City Clerk

Mon 11/30/2020 12:38 PM

To: Agendadesk <[REDACTED]>

Thank you!

Best Regards,
Pawandeep Kaur

CITY OF SAN JOSE | OFFICE OF THE CITY CLERK
200 East Santa Clara St.
San Jose, CA 95113
408-535-1254

From: Ratana, Christopher <[REDACTED]>
Sent: Monday, November 30, 2020 11:44 AM
To: City Clerk <[REDACTED]>
Subject: Fw: Eliminating household natural gas

From: Timothy Resudek <[REDACTED]>
Sent: Saturday, November 28, 2020 6:55 PM
To: The Office of Mayor Sam Liccardo <[REDACTED]>
Subject: Eliminating household natural gas

[External Email]

Anyone notice how the state of california can't manage to keep electricity running during the summer, or when there may be high winds? Do we really think it's smart to further invest ourselves in the sub-standard electric grid?

This plan is absurd.

TR

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Pass gas ban; reject Bloom Energy's request for an exemption (Agenda Item 6.1)

Cristin Boyd <[REDACTED]>

Mon 11/30/2020 12:40 PM

To: Liccardo, Sam <[REDACTED]> Davis, Dev <[REDACTED]> Peralez, Raul <[REDACTED]>
Diep, Lan <[REDACTED]> Arenas, Sylvia <[REDACTED]> Esparza, Mava <[REDACTED]>
Jones, Chappie <[REDACTED]> Jimenez, Sergio <[REDACTED]> Carrasco, Maadalena <[REDACTED]>
<[REDACTED]> Foley, Pam <[REDACTED]> Khamis, Johnny <[REDACTED]>
Cc: Agendadesk <[REDACTED]> City Clerk <[REDACTED]>

[External Email]

Dear Mayor Liccardo, Vice Mayor Jones, and Council Members Jimenez, Peralez, Diep, Carrasco, Davis, Esparza, Arenas, Foley, and Khamis,

As a San Jose resident, as a parent, and as a supporter of a better climate for future generations (and Mothers Out Front), I strongly urge you to reject Bloom Energy's request for an exemption from the Updated Natural Gas Infrastructure Prohibition Ordinance.

I strongly support the Updated Natural Gas Infrastructure Prohibition Ordinance. If not amended, this forward-thinking ordinance will go a long way toward meeting our climate-smart goals and preserving a livable climate for all children.

But I am strongly opposed to Bloom Energy's request for an unwarranted exemption allowing for the use of fuel cells powered by liquified "natural" gas.

Since the fuel cells used in Bloom Boxes are currently powered by fracked gas, **the energy they supply is much dirtier than the energy provided by either San Jose Clean Energy or PG&E.** If Bloom Box fuel cells were only used on the few days each year when a power outage occurs, that might be acceptable. However, Bloom Boxes are not economically feasible if used only to provide back-up power.

On the contrary, **Bloom Boxes only make sense economically if used 24/7 every day of the year, providing baseload energy** to the buildings where they are installed. This is not acceptable and violates the goal of the gas ban prohibition: to ban gas! Fracked gas is fracked gas, whether it is burnt in a power plant, a building, or a fuel cell. Dirty energy should only be allowed, if needed, to provide temporary, limited back-up power, not baseload energy.

Yes, some businesses need continuous power and cannot afford a power shutoff. However, allowing Bloom Boxes to be used to provide "back-up" power is like killing a flea with a tank. It would be much better for the climate to use back-up diesel power only during power shutoffs than to use fracked gas-powered fuel cells continuously. In fact, *it would take 150 days of diesel generator use to produce the same CO2e emissions as the Bloom Boxes would produce each year.*

In 2019, San Jose's use of fossil gas rose slightly. If new buildings are allowed to use Bloom Boxes, the City's use of fossil gas would go up even more. **This is destabilizing to the climate and threatens San Jose's ability to achieve our climate smart goals.** If Bloom wants to have its Bloom Boxes used in new San Jose buildings, it should be required to power its fuel cells with clean energy, not fracked gas.

San Jose should not throw away its climate goals in order to appease one company. **We cannot afford to water down our essential climate policies by allowing the continued buildout of gas infrastructure until halfway through this decade.**

We need you, the leaders responsible for our safety, to hold the line and insist on the **strongest possible gas ban ordinance** so that San Jose can continue to provide the climate-smart leadership so essential to preserving a livable climate for all our children.

Sincerely,

Cristin A. Boyd



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