



*** WOMEN FOR AMERICAN VALUES AND ETHICS ***

November 22, 2021

Dear OCPA Board,

WAVE (Women for American Values and Ethics), based in Orange County, is a fast-growing community organization of 2,300 people committed to supporting transparency and accountability in government, environmental conservation, and other fundamental issues impacting our communities. WAVE's leadership is very concerned about what we saw and heard during the Tuesday, November 9, 2021 OCPA Board meeting. We believe these matters, addressed below, warrant immediate review and attention by the Board of Directors.

The first issue we would like to address with you is the final anonymous "robocall" public comment of the Board meeting (heard at 1:26:50), which attacked WAVE, Crista Martin, the candidates we support, and others. Allowing anonymous robocalls during the public comment agenda violates the spirit of public meeting rules and potentially allows one person to speak for more than three minutes. OCPA's legal counsel should have prevented the call from being played. It likely was produced by someone who watched the entire meeting and felt criticized by WAVE, our advisory council members, the *Voice of OC*, and other members of the public.

We respectfully request that the Board investigate to determine who made the "robocall." If a public official is the source of the disparaging remarks about community members who he/she serves, that would be deeply disturbing and beg for remedial action. We hope and trust that the Board will undertake an investigation, and not ignore the flagrant rules violation that occurred under its watch. A report back to the public regarding the investigation's findings also should ensue.

In addition, we must direct your attention to the conduct of CEO Brian Probolsky, who was seen on Zoom angrily and forcefully communicating with COO Antonia Castro-Graham during the meeting. The episode was visible during the live Zoom presentation, witnessed by multiple people, and Dr. Kathleen Treseder commented on it during General Comments at the end of the meeting. The conversation between the COO and the clerk corroborates the accounts of those who witnessed the yelling and indicates that she feels threatened by Mr. Probolsky. At 14:15, Ms. Castro-Graham says, "Brian is totally flipping out." Then the clerk replies, "You're not going to get fired, he needs to talk to me."



Any abuse including verbal abuse is unacceptable, and we are concerned at what treatment employees may be subject to by Mr. Probolsky off-camera. We also question the professionalism of someone who chooses to communicate with an employee in such a manner during a public meeting. This matter suggests that OCPA undertake a separate, independent investigation, this one into Mr. Probolsky's treatment of employees and working conditions at OCPA.

Another critically important issue is OCPA's apparent lack of commitment to renewable energy and climate action. The staff report on item 6.1 for Tuesday's meeting says that OCPA is responsible for providing the minimum renewables required by law. It says that offering a 50% renewable product will "quickly become redundant as the RPS minimums will exceed the middle-tier within a few short years after launch," referring to the 52% by 2027 minimum renewable product.

While we appreciate Board member comments regarding increasing renewables, the comments from the consultant and Mr. Probolsky confirmed that renewables are not currently a priority for OCPA. This reflects a troubling lack of urgency on the state of the climate crisis and the importance of reducing emissions through OCPA products.

We also were concerned to hear that all other CCEs in Edison territory currently have higher prices than Edison, and that OCPA staff has not provided a public update on these market realities. As was suggested by several Board members, we ask that you direct OCPA staff to immediately prepare a detailed public report and discussion of rates and energy market conditions, OCPA's product portfolio, and all other aspects of OCPA's launch options.



Thank you for your prompt attention to these urgent issues. Please let us know if WAVE can provide any assistance.

Sincerely,

Joanna Weiss, WAVE, Founder and President
Dr. Alethea Monge, WAVE, Vice President
Crista Martin, WAVE, Advisory Council
Helayne Angelus, WAVE Advisory Council
Piper Benom, WAVE Advisory Council
Cricket Jamet, WAVE Advisory Council
Bonnie Eastman, WAVE Advisory Council
Charlotte Finklea, WAVE Advisory Council
Julie Frost, WAVE Advisory Council
Dr. Catherine Han, WAVE Advisory Council
Arlene Joyce, WAVE Advisory Council
Irene Kinoshita, WAVE Advisory Council
Dr. Deborah Liu, WAVE Advisory Council
Gena Reed, WAVE Advisory Council
Danea Riley, WAVE Advisory Council
Sue Ellen O'Conner, WAVE Advisory Council
Audrey Prosser, WAVE Advisory Council
Dr. Kathleen Treseder, WAVE Advisory Council
Beth Daley Ullem, WAVE Advisory Council