



# **SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY GENERAL COUNSEL**

Recruitment Services Provided By  
Ralph Andersen & Associates



## An Outstanding Opportunity

This is a rare opportunity to join a unique organization as the top legal advisor with a specialty that is both incredibly interesting and complex. The top candidate will have experience in this arena and be known as a legal strategist with business expertise and acumen.

The position of General Counsel of Southern California Public Power Authority (SCPPA) supports its Board of Directors, its member agencies, and the Executive Director by offering unparalleled legal support in a collaborative and member-driven organization.



# Southern California Public Power Authority

Southern California Public Power Authority is a joint powers agency created in 1980 under California law for the purpose of providing its Member Agencies with opportunities of joint planning, financing, construction, and operation of electric generation and transmission projects. SCPPA's Member Agencies are eleven cities and one irrigation district, each operating an electric utility serving retail customers with its jurisdictional boundaries, serving more than 5 million Californians (2 million customers) across a service area of 7,000 square miles. SCPPA's Members supply 16% of California's power.

## Our Mission

SCPPA serves its Members by operational efficiencies and cost savings through the joint procurement and financing of projects, value-added services, and providing collaborative advocacy.

## Our Vision

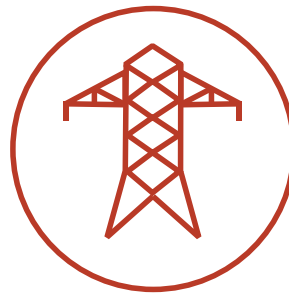
The Members of Southern California Public Power Authority work together to power sustainable communities.



Help Members thrive and excel for the long term by exploring technological and operational solutions to emerging industry challenges and opportunities.



Champion decarbonization efforts for Member communities through collective projects, programs, and services to meet sustainability goals while maintaining reliability, low costs, and local control.



Be trustworthy stewards of public funds through the responsible administration of financial and physical assets and obligations.



Foster collaboration and professionalism for SCPPA and its Working Groups to maximize the value of SCPPA to its Members and the communities they serve.



Emphasize the unique needs of Member communities by facilitating proactive advocacy.

# Member Agencies and SCPPA Projects

## Members



- ◆ Anaheim Public Utilities Department
- ◆ City of Azusa Light & Water
- ◆ City of Banning
- ◆ Burbank Water and Power
- ◆ City of Cerritos
- ◆ City of Colton
- ◆ Glendale Water and Power
- ◆ Imperial Irrigation District
- ◆ Los Angeles Department of Water & Power
- ◆ Pasadena Water and Power Department
- ◆ Riverside Public Utilities
- ◆ City of Vernon



## Responsibilities of the General Counsel

This at-will position reports to and serves at the pleasure of the Board of Directors with additional reporting responsibility to the Executive Director. The General Counsel receives general direction from the Executive Director on a day-to-day basis as an active member of SCPPA's leadership team. Importantly, the General Counsel has a multi-faceted client focus to support and advise 1) the Board of Directors as policymakers; 2) the Executive Director, as the administrative head of the organization, and SCPPA staff; and 3) the Member Agencies in the legislative, regulatory, and resource procurement policies evolving from strategic alliances offered by SCPPA.

The General Counsel oversees all legal activities of the organization and as such is the top legal advisor for matters related to the association and its membership as well as the supporting organization of SCPPA (i.e. administration, human resources, and finance). In addition to the Board, legal advice and counsel is also given to various committees and working groups (on an as needed basis as determined by the Executive Director):

## SCPPA Governance Committees and Subcommittees

- ◆ Finance
- ◆ Investment
- ◆ Audit

## Project Planning, Development, Operations, and Maintenance Working Groups

- ◆ Resource Planning
- ◆ Natural Gas
- ◆ Renewables
- ◆ Transmission & Distribution Engineering & Operations
- ◆ Mutual Assistance
- ◆ Safety
- ◆ Risk Management
- ◆ Cybersecurity

## Energy and Demand Reduction Working Groups

- ◆ Public Benefits
- ◆ Key Accounts
- ◆ Transportation Electrification-Planning and Demand Avoidance
- ◆ Program Incentives and Rates

## Policy and Advocacy Working Groups

- ◆ Legislative
- ◆ Regulatory



## Responsibilities of the General Counsel (cont'd)

The General Counsel is also seen as a resource to the Member Agencies on legislative, regulatory, and resource procurement and, as a result, is expected to interact and collaborate frequently with each Member Agency's own legal team. Member Agencies, based on size, may have an in-house legal team or contract with an outside law firm.

Responsibility also includes overseeing and delegating responsibility to the Senior Assistant General Counsel and working with others in the organization for administrative support.

This position works closely with outside counsel on a variety of matters related to a full range of key areas, including complex contracts, defaults, bankruptcies, capital and refinancing opportunities, and performance and construction related claims. The General Counsel has the discretion to select outside counsel and recommend execution of a legal services agreement to the Board of Directors and the Executive Director.

Candidates will also be expected to have an understanding of the role of various regulatory agencies in the electric industry (e.g. the Federal Energy Regulatory Commission (FERC), National American Energy Reliability Corporation (NERC) California Energy Commission (CEC), California Public Utility Commission (CPUC), and California Air Resources Board (CARB)). A working knowledge and understanding of National Environmental Protection Act (NEPA) and California Environmental Quality Act (CEQA) will be an added plus for top candidates.

The General Counsel takes the lead in identifying and addressing potential legal issues and risks for current activities, operations, and strategic initiatives and oversees and manages litigation.





## Key responsibilities include:

- ◆ Direct, organize, plan, acquire, and provide all legal services required by the SCPA Board, SCPA Member Agencies, and the SCPA Executive Director.
  - ◆ Provide legal advice to the SCPA Board, SCPA Member Agencies, and the SCPA Executive Director relative to any action that potentially could violate federal, state, or local law, regulation, or policy.
  - ◆ Receive and respond to requests for legal services and legal advice and track all such requests and responses.
  - ◆ Determine when an issue or matter requires use of outside counsel and recommend retaining these resources to the SCPA Board and Executive Director.
  - ◆ Provide a variety of legal services, including transactional, real property, contracts, financing, regulatory, litigation, corporate counsel, and other energy-related matters.
- 
- ◆ Provide legal services, legal research, and legal advice to SCPA in areas such as joint powers agency law, contract law, environmental law, real property law, public entity law, electricity law and regulatory practice, renewable energy, public finance, and other relevant areas.
  - ◆ Provide legal services and legal advice relative to SCPA's existing and proposed energy projects and proposed agreements.
  - ◆ Coordinate with SCPA staff in drafting, negotiating, and analyzing power purchase agreements, purchase and sale agreements, asset acquisition agreements, and other similar procurement mechanisms with differing counterparties as well as various agreements and arrangements between SCPA and SCPA Member Agencies associated with these projects.
  - ◆ Provide legal services and legal advice to SCPA staff on participatory or joint ownership structures through which SCPA and its participating Member Agencies may acquire or own energy generations and transmission facilities, or other alternatives through which planned or existing energy generation or transmission facilities or resources owned by other parties may be purchased by SCPA.
  - ◆ Analyze proposed transactions involving complex or unconventional financing devices and structures, and advise SCPA, its Member Agencies, and committees.



## Key responsibilities (cont'd)

- ◆ Coordinate with SCPPA staff in drafting, negotiating, and analyzing professional services agreements, goods and services agreements, and similar agreements related to energy efficiency and energy conservation programs offered to SCPPA Member Agencies.
- ◆ Review monthly SCPPA Board Agenda, review Agenda Reports for legal content, and draft Board resolutions.
- ◆ Prepare for and appear in judicial or administrative proceedings on behalf of SCPPA.

## Requires Experience with or Ability to Obtain Knowledge of:

- ◆ Statutory law and regulations related to the state-mandated renewables portfolio standard and limitations on greenhouse gas emissions by publicly owned utilities.
- ◆ Traditional California public entity contracting and procurement legal requirements; laws relating to joint powers agencies, including ability to issue debt, the Ralph M. Brown Act, the California Public Records Act, the Fair Political Practices Act, CEQA, and NEPA.
- ◆ Power sales contracts, electric utility transactions, transmission service contracts, renewable and alternative energy acquisition, and the various types of project agreements associated with SCPPA projects.
- ◆ Transmission and interconnection agreements, easements, ground leases, scheduling procedures and protocols, local, state, and federal permit requirements.
- ◆ Contractual and real property related instruments which may be involved in energy acquisition, especially leases and leasing structures which might be associated with the production of renewable energy.
- ◆ Public finance including knowledge of the legal requirements of tax-exempt financing of generation, natural gas, and transmission projects as well as federal tax exemption implications in the refinancing and operation of projects (i.e. generation, natural gas, and transmission projects).



# The Ideal Candidate

The ideal candidate will be an experienced legal professional who provides legal advice, support, and counsel to the SCPPA organization including the Board of Directors, the Executive Director, and SCPPA staff on an array of activities and policy initiatives. The General Counsel provides advice and counsel to both the Board of Directors and the Executive Director, as such, must be able to work well in this dynamic yet collaborative environment. On occasion, the General Counsel will retain and confer with outside legal counsel on a variety of matters deemed important to the Board and the Executive Director.

Additionally, this legal strategist will have a track record of success in managing a small legal office. The General Counsel will also thrive in a dynamic, fast-paced, and high-performance organization. The General Counsel will have an outgoing, engaging, and collaborative style that supports transparency, innovation, and timely response. This top candidate will demonstrate the ability to craft solutions that allow the SCPPA Board and Member Agencies to move forward on complex purchase agreements and supporting initiatives. Incorporating best practices and innovative approaches to serving the Member Agencies is strongly desired in the selected candidate.

The General Counsel will be an inclusive and thoughtful legal advisor who listens first, seeks input, and then consistently presents legal options in a concise fashion for consideration, allowing for a thorough analysis of all aspects of an issue. With broad legal experience and a focus on power purchases, transmission or alternative energy sources, the ideal candidate will be able to evaluate highly technical proposals with potentially high dollar values.

## Personal traits and characteristics:

- ◆ Proactively address legal needs in a **strategic and collaborative fashion to support the Board of Directors, SCPPA Member Agencies, and the Executive Director** in providing proactive and strategic legal advice and counsel to this member-driven organization.
- ◆ **Business acumen** combined with sound judgement and **business-oriented solutions** on legal matters.
- ◆ Encourage and engage in frequent updates to support SCPPA Members and provide legal support complemented by an **enhanced customer service approach** to Member Agencies.
- ◆ Confident and engaging professional with **outstanding communication, interpersonal, and leadership skills.**



## Compensation and Benefits

The annual salary range for the General Counsel position is \$172,796 to \$233,338 and will be based on qualifications and experience. Additionally, SCPPA offers a competitive benefits program that may be viewed on [Ralph Andersen & Associates' website](#), which includes a retirement plan through the California Public Employees' Retirement System (CalPERS).



# Qualifying Education, Experience, and License

**Education and Experience:** A Juris Doctorate degree and at least 7 years of experience practicing law, with least 2 years of experience representing local public agencies that own and operate an electric utility, or at least 2 years of experience representing private sector firms in the negotiation of agreements for electric generation and transmission resources.

All highly qualified candidates are strongly encouraged to apply for this outstanding opportunity.

**License:** Requires current and active membership in the State Bar of California, in good standing, at time of application. Out-of-State candidates who have previously practiced law in California with an inactive license must be able to be re-instated at time of employment date.



## To Be Considered

Candidates are required to submit a comprehensive résumé and a compelling cover letter no later than **Monday, October 19, 2020** for optimal consideration. Screening interviews will be done with highly qualified candidates upon receipt of submitted applications. Electronic submittals may be sent to: [apply@ralphandersen.com](mailto:apply@ralphandersen.com). Confidential inquiries should be directed to Ms. Heather Renschler, Ralph Andersen & Associates at (916) 630-4900 or request an appointment to discuss further by contacting [scheduling@ralphandersen.com](mailto:scheduling@ralphandersen.com).

Candidates should be aware that no references will be contacted until mutual interest is established. The First Round of Panel Interviews will be done via Video Technology during late October or early November and will include the legal staff of SCPPA Member Agencies and other professionals as Panel Members. Top candidates will be later presented to the Michael Webster, Executive Director (one-on-one video interview), and also presented to the Executive Working Group Board Members as the top choice or as part of a slate of top individuals (1 to 3 candidates). Interviews for Round #2 are anticipated in mid-November with the hire date to be in late 2020 or no later than the beginning of January 2021. Candidates should be aware that every effort will be made to allow for a smooth transition with the outgoing General Counsel (Richard Morillo) who is retiring at the end of the calendar year after serving more than seven years in this role.

### *Equal Employment Opportunity*

***SCPPA is an equal employment opportunity employer. All personnel policies and programs are administered without regard to race, color, religion, political belief, age, national origin, sex, disability, cultural background, or sexual orientation.***

