MODULE 2
Legislative Campaigns for Energy Justice

ACTION TOOLKIT

NAACP
Environmental and Climate Justice Program

JUST ENERGY
Policies and Practices
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Module 2: Legislative Campaigns for Energy Justice

This module contains information on how your Environmental and Climate Justice committee (ECJ) or team can run a legislative campaign for energy justice in your community. We will discuss a variety of policies and programs that your ECJ Committee or team can advocate for in your state. If your unit is interested in getting involved with the legislative process and creating statewide change in terms of energy justice, this module will help you get started on how to gather support for your cause, how to successfully engage your legislator or representative, and how to design policies or pieces of legislation to be passed at the state level.

We will start from the basics of legislative advocacy and work our way towards specific policies that will promote energy justice. Feel free to take what you need from each part and create a campaign that works for your ECJ Committee or team’s needs.

There are so many options! So, let’s get started.

What is Legislative Advocacy?

Legislative advocacy is when an individual or community advocates for a policy or law to governing bodies. This could be a Public Service Commission, city council, state representative and senator, U.S Congress members, or Governors.

Actions you might take to be an advocate include:

- Raising public awareness
- Working with the media
- Community organizing
- Meetings with your legislators

More examples of legislative advocacy include:

**Advocating for a bill.** A bill supporting specific legislation, like anti-fixed charge regulations, or regulations that would permit offshore wind development, are two examples of bills you would help get introduced in your area by legislative advocacy.

**Advocating for a local ordinance.** Proposing or advocating for a local ordinance is a great way to advance energy democracy and justice right in your backyard. Local
Energy Committees or Conservation Committees are great to partner with in creating your ordinance and proposals.

**Budget advocacy.** Federal, state, and local governments create and approve budgets every year. You can make sure your energy justice interests are being listened to and protected by advocating for funding.

**Speaking at your town hall.** Town halls are a great opportunity to engage your members of Congress. For more information on hosting an in-person or a Twitter Town Hall, see *Module 7: Educating and Organizing for Energy Justice*.

**What is the Public Service Commission?**
Oftentimes, in advocating for more progressive energy policies, you’ll have to appear before your state’s Public Service Commission. The PSC—also known as a utilities commission, utility regulatory commission (URC), public utilities commission (PUC) or public service commission (PSC)—is a governing body that regulates public utilities like energy, telephones, water, and more. For more information on Public Service Commissions, visit *Module 3: Engaging Your Utility Company and Regulators*.

See the Resource section in this module for a helpful guides on PSU’s and PUC’s from both Florida’s Public Service Commission and us, NAACP’s Environmental and Climate Justice Program!

**A Step-by-Step Guide to the Legislative Process**

One way to see sustainable change in your community is to advocate for policies that promote clean and equitable energy. There are several steps you can follow to get successfully involved in the legislative process. Your ECJ Team will want to meet to discuss your goals and devise a plan of action. Below is a basic guide on how to get involved in the legislative process, if you are interested in learning more, please see the resource guide.

**Familiarize yourself with the legislation you want to pass**

- How does it benefit your community?
- How does it benefit your state's economy?
- What are the pros and cons to this piece of legislation?
- What similar legislation already exists?
- Why should your representative be interested in passing your legislation?
- How does this piece of legislation promote civil rights and why is that important?
- How does this legislation compare to other states that have passed similar bills? What were the impacts of passing the bill in these states?
Gather the support of community members and organizations that are working on energy justice, economic justice, racial justice and health justice

- Inform your members and partners of how this policy will positively impact the causes they are passionate about.
- Inform community members about how this policy will create a healthier community, a thriving green economy, and create green jobs.
- Create a working group of community members and representatives from partner organizations to help carry out this campaign.
- Contact media about your campaign and hold educational meetings and town halls about your intended piece of legislation (for more information about working with the media, see *Module 7: Educating and Organizing for Energy Justice*).

Create your team

- You can meet with your ECJ Committee or team and create roles for each member. Possible roles include people to lead, people who research and draft proposals; a communications officer as your public relations person and point of contact; a grassroots manager to manage activists and organizing; and a liaison who’s responsible for building a coalition. For more information on how to get organized, see *Module 1: Getting Organized so You Can Organize!*

Design your policy

- With your working group, create a clear message for your legislative campaign.
- Is the goal of the campaign to pass legislation? To strengthen current policies? To promote certain programs that align with energy justice? To increase funding for standing legislation?
- What are the solutions that your piece of legislation is promoting and are they feasible in your state’s current economy, the current political and social climate, and the success of these policies in other states?
- Write the legislation that you want to pass, if your goal is to pass a new bill. If you are working to amend an existing policy, create a detailed list of changes you would like to make to the policy (including any budgetary proposals).
- A bill should include the following:
  - The general rule, or the message of your bill
  - Exceptions to the rule, or who or what the bill does not apply to
  - Special rules, or if the main message applies differently to some parties
  - Transitional rules
  - Other provisions
  - Definitions
  - Effective date (when the law would go into effect if passed)
  - Authorization of Appropriations
Gather the support of your representatives

- Familiarize yourself with your representatives, the issues they care about, and their history in advocating for (or against) energy justice or environmental justice policies.
- Contact them through emails, letters and phone calls and invite community members and partner organizations to do the same.
- Invite them to town halls, education sessions and community meetings so that they can hear directly from the impacted communities.
- Organize a one-on-one meeting with them where you can present your piece of legislation.

Stay engaged in the campaign until the bill passes

- Keeping the media and the public updated on regular advancements in the campaign is key.
- Keep in contact with legislators that are interested in your bill and keep underlining the importance of the bill.
- Stay engaged through social media. Post updates through Facebook, Twitter and Instagram and encourage people to engage in the campaign.

Use the following chart as a worksheet to outline your ECJ Committee or team’s intended bill.

<table>
<thead>
<tr>
<th>Section of the Bill</th>
<th>Description</th>
<th>Components of your Bill</th>
</tr>
</thead>
<tbody>
<tr>
<td>Short Title</td>
<td>A phrase by which the bill will be referred. For example, &quot;The Clean Energy Act&quot;</td>
<td></td>
</tr>
<tr>
<td>Statement of Policy</td>
<td>Describes the policy behind the bill. Discuss why this bill is being introduced and why it is important.</td>
<td></td>
</tr>
<tr>
<td>Leading Purpose</td>
<td>States the purpose of the bill. This states the specific intents of the bill and the actions and programs that will be implemented following the passage of the bill.</td>
<td></td>
</tr>
<tr>
<td>Provision Type</td>
<td>Description</td>
<td></td>
</tr>
<tr>
<td>------------------------</td>
<td>------------------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>Subordinate Provisions</td>
<td>Conditions, exceptions and special cases.</td>
<td></td>
</tr>
<tr>
<td>Administrative Provisions</td>
<td>States the entities are responsible for administering and regulating the bill.</td>
<td></td>
</tr>
<tr>
<td>Transitional Provisions</td>
<td>States the provisions (if any) that are temporarily necessary in order to implement of the piece of legislation.</td>
<td></td>
</tr>
<tr>
<td>Penalties</td>
<td>States any penalties for parties that fail to follow the requirements of the bill.</td>
<td></td>
</tr>
<tr>
<td>Effective Date</td>
<td>What date will the bill go into law? Usually, it is effective as soon as it is passed.</td>
<td></td>
</tr>
<tr>
<td>Definitions</td>
<td>Define any ambiguous or uncommon terms.</td>
<td></td>
</tr>
</tbody>
</table>
Communities have a choice to get their power from clean and renewable sources.
How to Pass Renewable Portfolio Standards in Your Community

A Renewable Portfolio Standard (RPS) requires that a certain amount of energy supplied from electric utility companies must be from renewable energy sources. The specific sources of renewable energy that the NAACP supports are solar, wind and geothermal because these sources are clean, safe, and have little negative impact on the environment and communities.

Getting your state to pass or strengthen an RPS is critical because utility companies have usually relied on burning fossil fuels to produce electricity, which causes pollution and leads to various health issues such as asthma in our communities. An RPS puts increased pressure on utility companies to use renewable energy in an equitable manner. Transitioning to renewable energy will allow for a cleaner, healthier environment and will help build a strong future for our communities.

What does a Renewable Portfolio Standard policy contain?
- The utility providers that must follow the RPS.
- The minimum percentage of electricity supplied that must come from clean renewable resources.
- The date/year by which this percentage should be achieved.
- The specific renewable energy resources that will be used (solar, wind and geothermal energy).

For example:
California Senate Bill 350, October 2015
- "Retail sellers and publicly owned utilities must procure 50% of electricity from eligible renewable energy resources by 2030"

What supporting policies must be included in order to strengthen the impact of the Renewable Portfolio Standards Legislation?
- Decoupling: This policy unlinks utility profits from the amount of power that the company sells and instead links the profits to the number of customers served. This way, the utility company will be less likely to disagree with using renewable energy in an equitable manner because it will impact their profits less.
- Performance Based Rates: This policy allows the profits that the utility companies earn to be based on the effectiveness of their power distribution and therefore discourages utility companies from building unnecessary and expensive infrastructure.
- Market Rules: This policy prevents utility companies from owning local power companies and prevents them from easily buying local renewable energy systems and pushing local businesses out of the market.
• Affordability policies: This policy creates financial benefits for low-income customers who are supplied by RPS complying companies. RPS policies stabilize electricity rates and result in long-term savings. Equity-conscious programs include reduced rates for low-income customers.

Steps to Organize and Pass Legislation for Introducing Renewable Portfolio Standards

1. Research. Your Environmental and Climate Justice (ECJ) Committee or team can conduct research to understand all the key components of the issue and the program you would like to implement.
   a. Familiarize yourself with your state's utility regulations and procedures. You can research energy-related policies through your state's department of energy, department of housing, department of sustainability, and department of economic development and planning websites.
   b. Understand where the energy in your community comes from (i.e., a power plant or a local community-based system, etc.).
   c. Know and understand your state's current policies and programs on renewable energy.
   d. Understand how your desired renewable portfolio standard (RPS) legislation compares to current RPS policies, especially those with similar economies to your state.
   e. Understand who the opponents are and if there are drawbacks to RPS policies in your state (i.e., it may impact jobs in the coal industry).

2. Gather the support of community members that would benefit from an RPS program.

3. Familiarize yourself with your legislators who are in favor of clean energy and gather support from them as well as community organizations who support clean and just energy. Establish regular contact with legislative staff and other influencers by:
   a. Inviting them to attend town halls and meeting about RPS and energy justice.
   b. Attending their weekly or monthly meetings that are open to the public.
   c. Continuous yet productive contact: e-mail, write letters, and call your representatives with your final goal of passing an RPS bill in mind.
4. Define your goals for the RPS policy.
   
   a. When talking with decision makers, clearly communicate the solutions, the feasibility of the program, and similar programs that already exist in other states.

5. Write a draft of the RPS legislation and then recruit legislators to sponsor it.

6. Arrange a meeting with your lawmaker.
   
   a. When meeting with the lawmaker, recruit a small group of community members to attend so that each of them can share the importance of this legislation and how it will positively impact them.

   b. Be sure to research the legislator beforehand and understand the issues they care about. If they are passionate about the economy or health, focus on the economic and health benefits of renewable portfolio standards.

   c. Most importantly, provide a packet/fact sheet of information about your RPS legislation to your legislator.

Best practices to keep in mind while designing a piece of legislation around Renewable Portfolio Standards (RPS):

- The RPS target you want to achieve should increase steadily over a period of time.
- The RPS program you want to implement should last long enough for long-term investments and financing.
- The renewable resources that will be used for the RPS should be tailored to your state’s interest, resource base or local economy if possible.
- In order to make an RPS program more wholesome, it should not only apply to investor-owned utility companies but also municipal suppliers and electric cooperatives.
- The cost of RPS should be distributed equally across all ratepayers.
- To ensure compliance, be sure to include penalties in the legislation for utility companies that do not meet the RPS requirements.
How to Pass Energy Efficiency Resource Standards

Energy Efficiency Resources Standards (EERS) require utility companies to reduce their energy sales by a certain percentage by requiring them to implement energy efficiency and conservation programs for their customers. EERS will increase energy savings, promote a cleaner environment and foster a healthier community. Implementing this policy will encourage utility companies to invest in large-scale projects with energy efficient technology (such as solar and wind).

What does an EERS Policy contain?
- A minimum percentage reduction in energy sales annually.
- The amount that the percentage reduction will increase each year.
- The specified time period over which this policy applies.
- The energy providers that must comply with this policy.
- A specified set of energy conservation tactics that can be implemented for customers.

Benefits of EERS Policies
- Save energy and helps reduce greenhouse gas emissions
- Helps customers save on their energy bills
- Encourage job growth
- Diminishes health impacts from power plants that burn fossil fuel

The NAACP Model EERS policy:

Through the year 2025 all utility companies must attain 2% cumulative annual energy savings. Annual energy savings shall be measured as a percentage of a utility’s retail energy sales in the prior calendar year.

Steps to Pass Legislation on EERS

1. Understand the key components of EERS.
   a. Research and understand the energy efficiency resources standards in other states and the programs they have set up to reach their goals.

2. Gather support of community members by hosting educational sessions and meetings discussing the benefits of EERS.
3. Familiarize yourself with legislators who are in favor of energy conservation and transitioning to renewable energy resources. Establish regular contact with legislative staff and other influencers by:
   a. Inviting them to attend town halls and meetings surrounding EERS and energy conservation.
   b. Attending their weekly or monthly meetings that are open to the public.
   c. Continuous yet productive contact: e-mail, write letters and call your representatives with your final goal of passing an EERS bill in mind.

4. Write a draft of an EERS bill to propose to lawmakers and make sure to include the following:
   a. The savings target.
   b. How this policy will benefit the state and the communities involved.
   c. Target a certain conservation and efficiency program depending on the economic needs and interests of your state. These include:
      - Utility and Public Benefits program and Policies
      - Transportation Policies
      - Building Energy Codes
      - Combined Heat and Power
      - State Government Initiatives
      - Appliance Efficiency Standards
Table 2: Energy Efficiency Policies and Programs

<table>
<thead>
<tr>
<th>Energy Efficiency Policies and Programs</th>
<th>Actions</th>
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<tbody>
<tr>
<td><strong>Utility and Public Benefit Programs</strong></td>
<td>a. Include financial incentives for customers to save energy such as loans.</td>
</tr>
<tr>
<td></td>
<td>b. Include funding for technical services such as audits, training for architects, engineers and building owners.</td>
</tr>
<tr>
<td><strong>Building Energy Code Policies</strong></td>
<td>a. Require minimum level of energy efficiency for all new buildings.</td>
</tr>
<tr>
<td></td>
<td>b. Include enforcement of energy efficiency codes because currently, there are no enforcement mechanisms to address noncompliance of base codes from U.S. Department of Energy.</td>
</tr>
<tr>
<td></td>
<td>c. Host trainings for contractors and code officials.</td>
</tr>
<tr>
<td><strong>Appliance and Equipment Policies</strong></td>
<td>a. Community members may be using appliances that are not as energy efficient as newer versions, so these policies/programs will include a financial incentive program to ensure that all community members can have access to purchasing energy-efficient appliances.</td>
</tr>
<tr>
<td><strong>Transportation Policies</strong></td>
<td>a. To learn about specific policies and programs more please see this resource from the Department of Energy: <a href="https://energy.gov/eere/slc/transportation-policies-and-programs">https://energy.gov/eere/slc/transportation-policies-and-programs</a></td>
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<td></td>
<td>Or by going to energy.gov, clicking on &quot;Offices&quot; then &quot;Energy Efficiency and Renewable Energy&quot;</td>
</tr>
<tr>
<td><strong>State Government Initiatives</strong></td>
<td>a. To learn about various state government initiatives please see this resource from American Council for an Energy Efficient Economy: <a href="http://aceee.org/sector/state-policy">http://aceee.org/sector/state-policy</a></td>
</tr>
<tr>
<td><strong>Combined Heat and Power</strong></td>
<td>a. Provides electric power and heating or cooling to customers using a single source of clean energy. Conventional systems use separate and less efficient heat and power systems.</td>
</tr>
<tr>
<td></td>
<td>a. To learn more about design and implementation check out this resource from epa.gov: <a href="https://www.epa.gov/sites/production/files/2015-07/documents/portfolio_standards_and_the_promotion_of_combined_heat_and_power.pdf">https://www.epa.gov/sites/production/files/2015-07/documents/portfolio_standards_and_the_promotion_of_combined_heat_and_power.pdf</a></td>
</tr>
<tr>
<td><strong>On-Bill Financing/Inclusive Financing</strong></td>
<td>a. A common tool for energy efficiency programs, which allows customers to use their electric bills as a means of repaying an energy-related loan. After applying for a loan and receiving approval, the loan payments are added to the customer's electric bill. On Bill financing ensure access to weatherization/retrofit/clean energy improvements.</td>
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How to Pass Net Metering, Distributed Generation and Community Shared Renewable Energy Policies

Distributed generation, net metering, community shared renewable energy, and community choice aggregation (CCA) policies are great tools for advancing energy justice in your community. They help community members purchase solar, wind, etc. because these policies make renewable energy more affordable. By transitioning to distributed generation, net metering, and community shared renewable energy policies, as well as developing CCA programs, you can help your community reduce greenhouse emissions, increase energy production, lower energy costs, become more self-sufficient, and advance energy justice right in your backyard.

After you learn more about these policies, follow our Step-by-step Guide to the Legislative Process at the beginning of this module to begin advancing legislation. You can also look at Module 1: Getting Organized So You Can Organize! for helpful tips and resources on getting your Environmental and Climate Justice Committee or team organized.

**Distributed Generation**

Distributed generation is way of producing and consuming electricity that is generated in or near the community that uses it, instead of in a power plant located far away. The power you receive comes from a source that is at or close to your home or building, like solar panels on a house or a small wind turbine located a few miles away. It is also known as distributed energy. We will explore how to pass legislation involving net metering and community solar, two mechanisms that lead to distributed generation.

Types of distributed generation include:

- Community solar
- Net Metering
- Interconnection Standards
- Local Permitting
- Property-Assessed Clean Energy
- Rebates and Incentives
- Solar Access Rights
- Utility Rate Structure
**Net Metering**

Net metering is a system that allows customers who produce their own electricity from an installed renewable energy source to receive compensation for the amount of energy they contribute to the grid. It requires that utility companies give customers credits based on the amount of net renewable energy produced by a consumer. In the case that a customer produces more energy from their renewable energy source (such as a solar panel or wind turbine) than they use, they are able to sell this excess energy back to the utility company for the same rate that they buy energy from the utility company. For example, if a customer has solar panels installed on their roof and it generates more electricity during the day than is used in the home, the net-metering system will provide them with a credit on their bill. Customers are then billed only for their "net energy" which is the amount of energy they used from the utility company minus the amount of energy they contributed to the grid. It ends up saving people money on their electricity bills while also saving the environment and the health of their community.

**Benefits of net metering**

- Creates an incentive for customers to install renewable energy producing technology because monthly utility bills decrease.
- Promotes energy democracy and community control over energy production.
- Promotes job creation in the renewable energy industry.
- Accessible and financially beneficial for low income customers.

**What does a net metering policy contain?**

- The utility providers that must participate in crediting their customers for energy production.
- The mechanism of how the credit will function to lower the monthly utility bill for ratepayers.
- A mechanism to guarantee that the customer will be paid for their produced energy.
- Details on the maximum capacity of the power generating system of the customer (some states do not have a maximum capacity and allow system can have any capacity).

**NAACP Net Metering Model Policy**

All utility companies must provide retail credit for net renewable energy produced by a consumer so long as the consumer’s power generating system has a capacity of 2,000 kW or less.
Table 3: Supporting Policies to Strengthen Net Metering

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
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</table>
| Capacity Limits                               | - Should not be less than 2,000kW.  
- Utility company are required to reimburse customers for any electricity produced if they have a capacity limit below 2,000kW. | |
| Eligible Technology                           | - Solar, wind and geothermal energy.                                                                                                                                                                          |
| Net Metering Credit Retention                 | - Implement a system for the credits.  
- Decide to what extent customers can roll over the credits to the next month.  
- Decide how long customers can hold on to credits before they apply it to their monthly bill. | |
| Renewable Energy Certificate Ownership        | - States must specify who owns renewable energy certificates (REC), which are instruments that "represent property rights to the environmental, social and other non-power attributes of renewable energy generation" according to the EPA. RECs can be issued when a renewable energy resource creates one MWH of electricity and delivers it to the grid.  
- States that have net metering can allow customers producing their own energy to own the REC so that they can earn a revenue from their REC. | |
| Community and Customer Choice Aggregation Programs | - Allows cities and counties to combine the electric production of residents, businesses, and public facilities so that electrical energy can be bought and sold in a competitive market.  
- These programs allow for energy independence and price stability.  
- It enables local control over energy decisions, especially for frontline communities such as low-income communities and communities of color.  
- It lowers rates for ratepayers. | |

**Community Shared Renewable Energy**

Community shared renewable energy is a type of distributed generation that allows multiple people living in the same area to share a local renewable energy system (such as a community solar garden). This system is created and paid for by members of the community, private entities and other interested organizations. A common type of community shared renewable energy is community solar, which is when power is solely supplied by solar energy. Community shared renewable energy allows people who would not normally have access to their own renewable energy power generators to participate in and benefit from renewable energy programs. This includes people who cannot afford their own solar panels, renters, and houses or buildings that are not feasible for people to have their own renewable energy generators.
Benefits of Community Solar:
- The electric grid is more secure than in traditional systems.
- Less water consumption and fossil fuel usage.
- Elimination of negative health effects that come from non-renewable energy systems.
- Provide frontline communities with jobs in the renewable energy industry.
- Community ownership and awareness of energy justice.
- Equitable access for people of all incomes.
- Ratepayer benefits.
- Energy subsidies such as incentives, rebates and tax credits.

Models for Community Shared Renewable Energy:
- **On-Bill Crediting:** Allows residents and businesses to purchase a part of a shared renewable facility and receive compensation for the energy produced from the portion they own.
- **Special Purpose Entity Model:** Community members and other interested parties create a business enterprise to create the shared renewable energy farm.
- **Non-Profit "Buy a Brick" Model:** People can donate to a shared renewable energy installation that is owned by a non-profit organization.
- **Utility Sponsored Model:** Utility companies give their customers an option to buy renewable energy from a distributed generation facility. This is not the preferred model of the NAACP because one of our focal aims is community ownership and control and this model puts the power in the hands of the utility company instead of the community.
Community Choice Aggregation (CCA)

CCA works with your local utility companies to give cities and counties the ability to combine the electric loads of residents, businesses and public facilities to purchase and sell electrical energy in a more competitive market. Communities then have a choice to get their power from clean and renewable sources. CCAs can offer energy independence, price stability, more energy efficiency programs, opportunities to bring solar, wind, and other types of clean energy into your community as well as good green jobs. For more detail on CCA programs see Module 4: Starting Community-Owned Clean Energy Projects.

Benefits of CCA:
- Local control over energy resources
- Lower energy rates
- Renewable and alternative energy development
- Energy efficient production
- Energy price stability
- Energy efficiency programs
- Allows municipalities to meet other local objectives (e.g. economic development, environmental issues, community health, and local employment)

How to Pass Equity in Energy Enterprise Policies

In implementing our vision for renewable energy, distributed generation policies, and energy justice, it is important to work towards equitable representation and access for the communities most affected. Increasing the number of women, people of color, formerly incarcerated persons, and local populations in the energy sector can help us turn that vision into reality. According to the American Association of Blacks in Energy, in 2009, while African Americans spent $40 billion on energy, only 1.1% of African Americans held energy jobs and collected only .001% of energy revenue. By hiring women, people of color, local populations, and implementing DBE (Disadvantaged Business Enterprise) provisions, we can help achieve economic justice and equity in the energy sector.

Maryland Community Solar & Economic Justice

In 2015, the state of Maryland passed legislation that enabled a pilot (trial) program for community solar initiatives. A portion of this legislation pushed for a program that benefits low- and moderate-income (LMI) customers. This legislation called for the pilot program to allow low- and moderate-income customers to have ownership over projects, create a space for LMI customers to enter the market and encourage increased participation over community solar.
Local, People of Color, Women, & Fair Chance Hire Provisions

Local, women, and fair chance hiring policies set goals for increasing the number of local people, people of color, persons with a criminal record, and women that are hired for state or federally funded projects. These provisions are a necessity for advancing energy justice because they diversify the energy sector and ensure that the voices of local community members, people of color, the formerly incarcerated, and women are being heard when it comes to the energy policies that affect them. Renewable energy is one of the fastest growing sectors of the American economy and we need to ensure that historically marginalized groups, like African Americans and women, have a seat at the table. These hire provisions should be used to ensure equitable access to the employment and employment training opportunities created by new renewable energy and energy efficiency projects.

Local Hire Policies

Community participation is central to our vision for an equitable energy democracy. Local hiring policies help ensure community participation by making sure local people are employed by the industries that develop their communities. Sometimes included in a broader community benefit agreement, these policies are great tools to advocate for the inclusion of local populations in the green economy. Oftentimes, new development happens at the expense of the surrounding community, bringing skyrocketing prices, gentrification, and exclusion from new job opportunities. Local hiring policies can help prevent the outsourcing of green economy jobs to outside employees and developers. By passing local hire policies, you can help ensure that local persons have access to the development shaping their communities. In addition to creating local employment opportunities, local hire policies:

- Ensure that tax dollars are invested back into the local economy;
- Reduce the environmental impact of commuting; and
- Foster community involvement.

We must make sure that low-come communities and communities of color have access to solar energy jobs and other green economy opportunities that will shape the future of our communities.

Women Hire Provisions

Energy policies can disproportionately affect women, particularly low-income women. Although the energy sector may seem gender-neutral, there are many ways that women can be put at a disadvantage. Energy is a traditionally male-nominated sector, and the unique needs and perspectives of women have not
always been accounted for. For example, large scale energy production that produces energy for industry instead of homes might disproportionately burden women who bear the brunt of domestic duties. Men and women also experience energy access differently; cost, distribution, and the availability of new technologies can advantage men over women. A 2015 study conducted by the Bureau of Labor Statistics found that black women represented just 3.5% of oil and extraction industries, 5.2% of the solar industry and 8.5% of the utility industry. Passing women hire provisions can help ensure that women have equitable opportunities to jobs in the energy sector and have a voice in shaping the energy policies and technologies that affect them.

These hire provisions should be used to ensure equitable access to the employment and employment training opportunities created by new renewable energy and energy efficiency projects.

**Fair Chance Policies**

Another type of policy that advances energy justice through equitable employment opportunities are Fair Chance Policies. Also known as “ban the box,” these policies serve formerly convicted or incarcerated persons and give qualified potential employees a ‘fair chance’ during the hiring process, despite their criminal record. Examples of Fair Chance policies include delaying the disclosure of criminal history inquiries until the potential employee has an opportunity to introduce themselves and their qualifications; notifying the applicant if they were denied employment because of their criminal history; implementing anti-discrimination protections, and more.

These policies are important for fighting the stigmatization of formerly incarcerated persons and those with a criminal record. Communities of color and low-income communities are disproportionately criminalized by mass incarceration and targeted policing; passing fair chance policies can help combat this by creating equitable opportunities in the green energy economy. All qualified candidates should have the chance to contribute to our collective vision for a greener, more sustainable, future, a vision that will remain inaccessible as long as barriers to equitable and fair hiring processes remain. A guide on how to pass Fair Chance Policies, as well as a sample ordinance, are included in the resource section of this module.
Disadvantaged Business Enterprise (DBE) Provisions

Just as local, fair chance and women hire provisions help increase equitable access to employment and training opportunities, Minority Business Enterprise (MBE), Women Business Enterprise (WBE), and DBE provisions help ensure that people of color, women and socially or economically disadvantaged businesses get a fair opportunity to win contracts. Minority Business Enterprises are businesses that are at least 51% owner operated and controlled by individuals who identify with specific ethnic "minority" classifications, including African American, Asian American, Hispanic American, Native American, etc. MBEs can be self-identified, but are typically certified by a city, state, or federal agency.

Women Business Enterprises (WBEs) and Disadvantage Business Enterprises (DBEs) are businesses that are at least 51% owner operated and controlled by women or disadvantaged persons. Often publicly funded projects set a requirement or goal to source MBEs, WBEs or DBE as suppliers. Some state policies reference MBEs, WBEs, and DBEs separately. DBE is used as an umbrella term that includes both Minority Owned Business and Women Owned Business Enterprise as well as including economically disadvantaged business enterprises. There are several creative ways that states can use policies to increase local people, people of color, women and DBE’s access to the employment and training opportunities created by renewable energies. Some examples of possible policies include:

- Renewable Energy Certificate (REC) multipliers for utilities
- Agreements with contractors that they use DBE and local, people of color and women hire provisions on renewable energy or energy efficiency projects;
- Renewable Energy Certificate (REC) multipliers for utilities that build in-state generation plants or uses equipment manufactured in state;
- REC multipliers for a utility that makes an investment in an in-state energy generation plant;
- Bidding preferences for contractors that implement local, people of color and women hire policies; and
- Requiring the use of community benefit agreements (CBAs) for all renewable energy and energy efficiency projects. See the Community Benefit Agreement section below for more details.

Although no states currently include DBE policies within their energy efficiency, renewable energy or distributed generation policies, nine states currently have local hire provisions within their energy policies.

The table (see the next page) shows the equitable enterprise policies of these nine states.
### Table 4: States and Localities with Equitable Enterprise Policies in Place

<table>
<thead>
<tr>
<th>State</th>
<th>Equitable Enterprise Policies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>• Extra Renewable Energy Certificate (REC) credit multipliers may be earned for in-state solar installation and in-state manufactured content.</td>
</tr>
<tr>
<td></td>
<td>• If a utility makes an investment in an in-state solar electric manufacturing plant or provides incentives for a plant to be located in-state, the utility can acquire RECs for the main Renewable Portfolio Standard (RPS) tier equal to the capacity of the system multiplied by 2,190 hours.</td>
</tr>
<tr>
<td>California</td>
<td>• Approved a Clean Energy Job Creation Fund that directs up to $550 million each year into energy efficiency and renewable energy projects on public buildings.</td>
</tr>
<tr>
<td></td>
<td>• San Francisco’s 1998 First Source program requires that for all government assisted construction projects, employers must make a good faith effort to hire Economically Disadvantaged Residents referred by San Francisco’s Workforce Development System.</td>
</tr>
<tr>
<td>Delaware</td>
<td>• Several compliance multipliers are currently available under the Delaware RPS.</td>
</tr>
<tr>
<td></td>
<td>• There is an additional 10% REC credit for solar or wind installations sited in Delaware, for which at least 50% of the equipment or components are manufactured in Delaware.</td>
</tr>
<tr>
<td></td>
<td>• There is an additional 10% credit for solar or wind installations sited in Delaware and installed with a minimum 75% state workforce.</td>
</tr>
<tr>
<td>District of Columbia</td>
<td>• The 1984 First Source Program requires that for all government assisted construction projects, 51% of all new jobs created on the project and at least 70% of all common laborer hours are filled by District Residents.</td>
</tr>
<tr>
<td>Maine</td>
<td>• The state established the Community-based Renewable Energy Pilot Program in 2009, which encourages the development of locally owned, in-state renewable energy resources.</td>
</tr>
<tr>
<td></td>
<td>• To be eligible for incentives, a generating facility must be 51% locally owned, use renewable energy resources, be no larger than 10 MW in generating capacity, and be located in-state.</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>• Boston’s Neighborhood Jobs Trust directly funds job training through a city real estate development fee.</td>
</tr>
<tr>
<td>Michigan</td>
<td>• Michigan’s RPS contains a series of bonus incentive renewable energy credits.</td>
</tr>
<tr>
<td></td>
<td>• Renewable electricity produced using equipment manufactured within the state of Michigan receives an additional 1/10 credit per MWh.</td>
</tr>
<tr>
<td></td>
<td>• Renewable electricity produced using a system which was constructed using an in-state workforce receives an additional 1/10 credit per MWh.</td>
</tr>
<tr>
<td>Minnesota</td>
<td>• Under the State’s Community-Based Energy Development Tariff, each public utility in Minnesota is required to file with the state Public Utilities Commission (PUC) to create a 20-year power purchase agreement for community-owned renewable energy projects.</td>
</tr>
<tr>
<td>Montana</td>
<td>• The state’s RPS includes provisions for community renewable energy projects to stimulate rural economic development (defined as renewable energy projects less than 25 MW where local owners have a controlling interest.</td>
</tr>
<tr>
<td></td>
<td>• For each year following 2014, utilities must purchase at least 75 MW in nameplate capacity.</td>
</tr>
<tr>
<td></td>
<td>• Public utilities must enter contracts that include a preference for Montana workers.</td>
</tr>
</tbody>
</table>
Community Benefit Agreements

One way that states and municipalities can increase equitable access to employment and training for residents, people of color, women, and Disadvantaged Business Enterprises (DBEs) is through a community benefit law or ordinance. A **Community Benefits Ordinance** (CBO) is a project-specific agreement between a developer and a community or community coalition that describes how the project will contribute to the good of the community. CBO’s seek to ensure community support for the project, by addressing community issues in a legally binding and enforceable contract. CBO’s can be enforced by local government by incorporating the community benefit terms into an agreement between the local government and the developer. This is done through the development agreement or lease. CBO’s are a great way to ensure that the needs, concerns, and perspectives of community members are being heard by energy developers.

If your ECJ team is interested in bringing a community benefit agreement or ordinance to your community, the first step is to research the proposed development. Whether it’s a new hydroelectric facility, wind farm, solar plant, or any other type of energy generation site, understanding what risks the development poses to the community— including environmental, health, and economic risks— is crucial for understanding how your community could benefit. Arrange a town hall or roundtable with the developers to address how the surrounding community would be affected. Hold the meeting in an accessible building and advertise it to the entire community to ensure that diverse perspectives are represented (see Module 8, *Educating and Organizing for Energy Justice* for more tips on how to host a town hall or community roundtable.) Once the community has voiced their perspectives on the proposed development, draft an agreement that details how the development must serve the surrounding community.

Examples include enacting a local hiring policy, mandating air quality tests, and introducing a committee made up of local persons to represent the community as development progresses. An example of a CBA between New England residents and offshore wind developers is included in the Resources section of this module. Your team can also look at this example form the *Detroit People’s Platform* below.

For more information on how to write CBA’s and other types of legislation, see “A Step-by-Step Guide to the Legislative Process” at the beginning of this module.

**Detroit’s Community Benefit Ordinance Petition**

Detroit is an example of a city in which residents and members of the Detroit People’s Platform and Equitable Detroit Coalition organized and advocated in favor of a community benefits ordinance (CBO). You can also find samples from the 2014 petition and proposed CBO created by community members. The proposed
community benefit ordinance contains a “first source hiring program” provision. In this model ordinance, only local people and economically disadvantaged persons are included. However, communities could and should tailor hiring provisions to be inclusive of local persons, people of color, women, socially and economically disadvantaged persons and DBEs. Other relevant provisions included in the community benefit ordinance but not shown below include: environmental remediation and conservation; housing relocation; and public safety, monitoring, and enforcement. See resources for the example, and learn more at the Detroit People’s Platform: [http://www.detroitpeoplesplatform.org/resources/community-benefit-agreements/](http://www.detroitpeoplesplatform.org/resources/community-benefit-agreements/)

The rest of this module will describe how you can pass three types of renewable energy bills through legislative advocacy: Offshore wind bills, anti-fracking bills, and anti-fixed charge bills. All of these policies help advance cleaner, healthier, and more equitable communities through renewable energies.

**How to Pass Offshore Wind Bills**

Offshore wind energy is harnessed from turbine-powered wind farms constructed several miles offshore in the ocean or large body of water. Offshore wind farms are a great renewable energy alternative because they’re clean, more efficient than onshore wind farms due to the high coastal wind speeds, won’t disrupt homes or agriculture, won’t pollute or emit hazardous waste, they produce energy at night (unlike solar), and are unlikely to inflict environmental injustices upon frontline communities due to their distance from shore.

**Is offshore wind right for my community?**

Offshore wind is a great option for coastal communities who want to transition towards cleaner, safer, and more equitable renewable energies. They can also bolster the local economy by creating manufacturing jobs and revitalizing industrial ports. Offshore wind provides reliable, affordable energy for coastal communities (which is where the majority of Americans live), and have provided both jobs and clean energy to European communities for years. When we wrote this module, the only American offshore wind farm is in Rhode Island but farms are expected to serve Maryland, New York, and Massachusetts by 2022. Projects are also developing in the Great Lakes and off of the Pacific coast. Your team can look at how New England residents passed a community benefits agreement with offshore wind developers in the resource section of this module.

**I want to bring offshore wind to my community. Now what?**

If you think offshore wind is a right fit for your coastal community, the first step is researching if development is possible. If offshore wind can be harnessed off of
your coastline, the next step would be surveying your state and local laws to make sure offshore wind production is legal. If offshore wind is legal, next you should reach out to developers. Deepwater Wind is currently the only offshore wind company developing in America but more companies are working to expand development. Finally, you should follow the legislative advocacy process described at the beginning of this module before bringing a proposal to public officials. If developers, legislators, and the community supports the construction of an offshore wind farm, it’s important to make sure the needs of the community don’t get left behind. One way to ensure that your community interests are being listened to and supported is through a Community Benefits Agreement, as we explained earlier.

How to Pass Anti-Fracking Bills

Fracking is short for hydraulic fracturing. It’s the most common process to extract natural gas from the earth, and involves injecting high pressure water and chemicals (fracking fluid) into shale and other tight-rock formations a mile or more below the surface. Fracking is controversial because of its destructive environmental impacts, including the contamination of groundwater, the production of toxic waste, the consumption of large amounts of water (up to a million gallons of water are used at each well), and the negative health effects experienced by nearby communities and wildlife. However, because fracking produces natural gas, it is often wrongly perceived as a cleaner alternative to oil and other fossil fuels. While it might burn cleaner than fossil fuels, it is certainly not clean. The only clean energies are renewable ones, like solar, wind, and hydropower.

If fracking development is happening in your backyard, your ECJ Committee or team can follow this legislative advocacy guide to start advancing anti-fracking legislation in your community.

1. Research how fracking is affecting your community, including its impact on local wildlife, public health concerns, etc. Your ECJ team should have a comprehensive understanding of the issue before bringing it to lawmakers.
   a. Fracking policies can vary drastically from state to state, so familiarize yourself with both local and state regulations before moving forward. The FracFocus Chemical Disclosure Registry (https://fracfocus.org) provides state contacts for oil and gas/groundwater matters along with links to each state's hydraulic fracturing regulations.
   b. In addition to researching your state's policies on fracking development, it's also important to research how your state regulates fracking fluid. Fracking fluid is the chemical mixture that’s
injected into wells to increase the release of gas, and can contain highly toxic chemicals. Some states require chemical disclosures to FracFocus, some require disclosure to state agencies, and some require no disclosure at all.

c. Understand who the opponents are and what the arguments against anti-fracking policies are in your state (i.e. it’ll lose jobs and hurt the local economy).

2. Connect with grassroots organizations in your community and state who are working on anti-fracking issues. Organizations like the Community Environmental Defense Council (http://www.cedclaw.org/) have chapters in fracking communities throughout the U.S and can be great resources in pushing for anti-fracking legislation. The National Resource Defense Council also has a Community Fracking Defense Campaign in 6 states where they support local community members in passing anti-fracking legislation: https://www.nrdc.org/sites/default/files/fracking-community-defense-FS.pdf.

3. Familiarize yourself with the legislators in your state who are in favor of ending fracking and gather support from them. Establish regular contact with legislative staff and other influencers by:
   - Inviting them to attend town halls and roundtables about advancing anti-fracking legislation.
   - Attending their weekly or monthly meetings that are open to the public.
   - Continuous yet productive contact: e-mail, write letters, and call your representatives with your final goal of passing a fracking ban in mind.

4. Define your goals for the anti-fracking policy. When talking with decision makers, clearly communicate the health and environmental risks of fracking, as well as the benefits of renewable energy alternatives for job stimulus and energy production.

5. Write a draft of the anti-fracking legislation and then recruit legislators to sponsor it. Your team can use the Maryland fracking ban as an example, which is included in the resources section of this module.

6. Arrange a meeting with your lawmaker.
   a. When meeting with the lawmaker, recruit a small group of community members and grassroots organizers to share their personal perspectives on this legislation and how it will benefit them.
   b. Be sure to research the legislator beforehand and understand the issues they care about. If they are passionate about the economy or
health, focus on the health risks of fracking and the economic benefits of transitioning to renewable energy development.

c. Most importantly, provide a packet/fact sheet of information about the dangers of fracking and the potential for renewable energy alternatives legislation to your legislator.

How to Oppose Fixed Charge Bills

Fixed charges are unchanged fees that your utility company charges you every month. Sometimes called availability charges, the charge is typically between $15 and $20 dollars a month and covers the costs utility companies spend providing energy. The charge is meant to cover the costs of the poles, powerlines, supposed maintenance costs, and other energy grid expenses. An example of a fixed charge would be the meter on your house and/or its monthly expense. Fixed charges disproportionately affect homes powered by solar energy, as utility companies charge users for the assumed loss of revenue caused from homes going off the energy grid. The charge can climb all the way to $50 a month in some cases.

How does opposing fixed charge bills help advance energy justice?

Opposing fixed charge bills help advance energy justice because fixed energy costs are unfair, inequitable, and exploitative of utility customers. The high cost discourages people from pursuing renewable energy sources like solar; decreases cost-effectiveness; and disproportionately affects low-income populations. While fixed charges are meant to compensate for users going off the grid, in reality homes powered by solar energy actually decrease systems costs for utility companies. Advocating against fixed charge legislation in your community could help make solar more affordable and accessible, increase energy efficiency, and help create safer, cleaner, and more equitable energy production.

If your ECJ team is interested in advocating against fixed charge bills in your community, look to see which groups are advocating around this issue locally and get involved. Testifying in front of your state’s Public Service Commission (or Utility Regulatory Commission) is a great way to make sure your voice as an energy consumer is being heard. Your team can also reach out to the NAACP Indiana State Area Conference to learn about how they successfully advocated against fixed charges in their advancement of energy democracy.

Refer to the legislative process guide at the beginning of the module to start opposing fixed charge legislation in your community.
Conclusion

By advancing legislative advocacy to pass energy efficiency bills, advocate for renewable energy, counter regressive energy bills, and advance economic justice policies, your Environmental and Climate Justice Committee or team can help make your community a safer, cleaner, and more equitable place. Communities of color across the United States are greatly impacted by energy injustice and legislative advocacy can create long-term, sustainable change for our communities. We need our NAACP units to be on the forefront of this social, economic, and environmental revolution for a sustainable energy democracy.
Resources

**ACEEE: Arizona's successful EERS bill**

*American Council for an Energy Efficient Economy* acts as a catalyst to advance energy efficiency policies, programs, technologies, investments, and behaviors. Learn more: [http://aceee.org/](http://aceee.org/)

In 2010, Arizona's state government passed the Electricity Energy Efficiency Resource Standard for Investor Owned Utility Companies and Electric Cooperatives. This EERS mandated that by 2020, each investor-owned utility had to achieve electricity savings of 22% of its retail electric sales by implementing cost-effective energy efficiency programs.


**Blue Sky East / Bull Hill DP 4886 Community Benefits Agreement**

Citizen Advocacy Center
Citizen Advocacy Center’s mission is to build democracy for the 21st Century by strengthening the citizenry's capacities, resources, and institutions for self-governance. They created a detailed resource entitled, How to Draft a Bill, that provides step by step instructions. Learn more: [http://www.citizenadvocacycenter.org/](http://www.citizenadvocacycenter.org/)


Climate Justice Alliance
A collaborative of over 50 community-based organizations uniting frontline communities, outlines how to publicize your energy justice campaign, recruit supporters, engage with the EPA and other regulatory officials, and more. Once your ECIJ team has decided which energy justice policies you want to advance, this guide, *Our Power Plan Day of Action Toolkit*, can be a helpful tool in getting your campaign off the ground:


Community Environmental Legal Defense Fund
The Community Environmental Legal Defense Fund offers free and low-cost legal support to communities facing environmental injustice. They provide samples of Bill of Rights Ordinances on their website. These ordinances prioritize community rights over corporate ones, and rest on the Declaration of Independence’s affirmation that our government must derive power from the consent of the governed. If you’re interested in working with the CELDF on this issue, they work with communities nationally and can be reached on their website at [www.celdf.org](http://www.celdf.org).

Community Toolbox
The Community Tool Box is a free, online resource for those working to build healthier communities and bring about social change. Our mission is to promote community health and development by connecting people, ideas, and resources. They created several resources on how to work on legislative campaigning: [http://ctb.ku.edu/en/table-of-contents/advocacy/direct-action/legislative-advocacy/main](http://ctb.ku.edu/en/table-of-contents/advocacy/direct-action/legislative-advocacy/main) or go to [http://ctb.ku.edu/en](http://ctb.ku.edu/en) then Table of Contents » Organizing
Detroit People's Platform, a grassroots organizing group based in Detroit, Michigan, is a great model for organizing a Community Benefit Agreement (CBA) in your own community. Your ECJ team can learn about how Detroit organizers passed a CBA with local government and developers by visiting their website, www.detroitpeoplesplatform.org and clicking on their "Community Benefit Agreement" link under the Current Topics section. Learn more: http://www.detroitpeoplesplatform.org/resources/community-benefit-agreements/.

EarthJustice
EarthJustice is a nonprofit environmental law organization that has created an interactive map where you can look for fracking development in your community. The map also traces “fraccidents,” or fracking-related accidents that negatively affected the health and environment of local populations and wildlife. Learn more: www.earthjustice.org
Find the resource: Under their "fracking" tab, scroll down until you see the Fracking Across the United States map featured under "Spotlights." Or, visit this link: https://earthjustice.org/features/campaigns/fracking-across-the-united-states

Florida’s Public Service Commission
It varies from state to state, but here’s a helpful guide from Florida’s Public Service Commission, When to Call the PSC, on what type of issues you can bring to your local Public Service Commission: www.psc.state.fl.us.

The guide is found under “Publications” or you can visit this link: http://www.psc.state.fl.us/Files/PDF/Publications/Consumer/Brochure/When_to_Call_the_PSC.pdf.

FrackTracker Alliance
FracTracker Alliance studies, maps, and communicates the risks of oil and gas development to protect our planet and support the renewable energy transformation. Their website is loaded with information on fracking and how it affects the environmental health of your community. Learn more: www.fractracker.org/

Freeing the Grid
Freeing the Grid takes the guesswork out of designing effective net metering and interconnection policies. The information on these pages is intended to serve as a
roadmap for moving each state toward an “A” grade and build our nation’s cleaner, safer, more prosperous energy future. To learn more please go to freeingthegrid.org.

General Assembly of Maryland
In 2017, the state of Maryland passed a temporary ban on fracking development in the state. This legislation, enacted under Article II, section 17(c) of the Maryland constitution, can serve as model for halting fracking in your state. Learn more: http://mgaleg.maryland.gov/webmga/frm1st.aspx?tab=home
Find the resource: http://mgaleg.maryland.gov/webmga/frmMain.aspx?pid=billpage&stab=01&id=sb0409&tab=subject3&ys=2015rs

Indivisible Guide
Indivisible Guide works to fuel a progressive grassroots network of local groups. They created an advocacy and organizing that gives you tips on how to successfully present your issue at a town hall. Learn more: Go to indivisibleguide.com, click on "resources", then "local organizing" or follow this link https://www.indivisibleguide.com/resource/successful-town-hall-tips/

Island Institute
Community benefit agreements or ordinances are a great way to ensure that your community is benefitting from the development of offshore wind energy. Find information about how New England communities advocated for Community Benefit Agreements with offshore wind developers by visiting the Island Institute, an organization dedicated to sustaining Maine's coastal communities. Learn more: www.islandinstitute.org

NAACP’s Environmental & Climate Justice Program
This guide from the NAACP’s ECJ Program provides an overview on public utility/public service commissions and how they can help your team advance energy justice: http://www.naacp.org/latest/why-public-utilities-service-commissions-are-important-to-the-naacp/.

The guide also includes tips on how to engage directly with your state's PUC/PSC, which is linked at the bottom of the document: http://www.naacp.org/wp-content/uploads/2016/04//Just%20Energy%20Policy%20Campaign%20PUC-PSC%20Guidance%20Document%20FINAL.pdf
National Employment Law Project
The National Employment Law Project, an advocacy organization serving low wage workers and the unemployed, provides an overview on how to pass fair chance policies in your community. Their guide, Fair Chance Ban the Box: Best Practices, provides insight into fair hiring models.
Learn more: www.nelp.org

National Renewable Energy Laboratory
National Renewable Energy Laboratory, a lab of the U.S. Department of Energy, advances the science and engineering of energy efficiency, sustainable transportation, and renewable power technologies and provides knowledge to integrate and optimize energy systems. They created a resource for those who want to develop community shared solar projects titled, A Guide to Community Shared Solar.
Learn more: www.nrel.gov

Pennsylvania Community Rights Network
The Pennsylvania Community Rights Network is a statewide community advocacy organization that helps communities pass locally drafted Bill of Rights that protect the community’s right to clean air and water. They also have samples of Bill of Rights ordinances or self-government initiatives that could be a useful tool in helping your community fight fracking.
Learn more: www.pacommunityrights.org
Find the resource: Clicking on "Resources", and visiting their "Sample Ordinances" page or follow this link: http://pacommunityrights.org/resources/sample-ordinances/

The PCRN also has sample state legislation, which can be reached under the "Resources" tab by clicking on their "Model State Legislation" page or at this link: http://pacommunityrights.org/74-50-52-129.quickpreview.ca/wp-content/uploads/2014/09/State_Legislative_Center_PA.pdf.

The Fracking Chemical Disclosure Registry
The FracFocus Chemical Disclosure Registry, managed by the Ground Water Protection Council and Interstate Oil and Gas Compact Commission, provides state contacts for oil and gas/groundwater matters along with links to each state's hydraulic fracturing regulations.
Learn more: www.fracfocus.org
The State and Local Government
The State and Local Government Internet directory provides convenient one-stop access to the websites of thousands of state agencies and city and county governments. Use the drop-down menus on the left to view directory pages for:

- **States**: State Government Offices - View all the websites in a given state -- from a state's home page or governor's site to the smallest counties or townships.

- **Topics**: The websites of state government constitutional officers, state legislatures, state judiciaries and departments across ALL states.

Learn more: [http://www.statelocalgov.net/](http://www.statelocalgov.net/)

USA.gov
USA.gov is an official guide to government information and services. The federal government provides a webpage where your ECJ team can find and contact your federal, state, and local elected officials. The page can be reached at www.usa.gov (navigate to "Elected Officials") or by going to [https://www.usa.gov/elected-officials](https://www.usa.gov/elected-officials)

Learn more: [www.usa.gov](http://www.usa.gov)

U.S. Department of Energy


Vote Solar
*Vote Solar* works at the state level all across the country to support the policies and programs needed to repower our grid with clean energy. Learn more: votesolar.org.

Renewable Portfolio Standards

A Renewable Portfolio Standard, or an RPS, is a state policy that sets a regulatory mandate on the production of energy from renewable resources. The given standard defines which specific energy sources qualify as a renewable energy source and also identifies what kinds of energy suppliers are responsible for meeting the mandate.

The NAACP recommended standard is that states mandate minimally 25% renewable energy by 2025. Definition includes renewable electric energy sources, which naturally replenish over a human, rather than geological, period. The clean energy sources the NAACP supports are wind, solar, geothermal, and small-scale hydroelectricity and tidal.

Energy Efficiency Resource Standards

An Energy Efficiency Resource Standard, or an EERS, is a state policy that requires utility companies to meet annual and cumulative energy savings targets by implementing practices that increase energy efficiency. Energy efficiency programs reduce demand for energy by promoting energy conservation or by improving energy efficiency through new technologies or building weatherization.

The NAACP recommended standard is that states mandate, minimally 2% annual reduction of each previous year’s retail electricity sales.

Net Metering Standards

Net Metering Standards require electric utility companies to provide retail-rate credit for net energy produced by a consumer. Net metering usually applies to rooftop solar owners who produce their own energy through personal solar arrays, and send excess energy back to the grid. Net metering standards are a policy-solution that enable distributed generation, which is the production of electricity at or near the place where it is used.

The NAACP recommended standard is that utility companies be mandated to provide compensation at the retail-rate, for systems with minimally a capacity of 2,000kW.
Local Hire Provisions
Local Hire Provisions require that employment practices are based, at least in part, on hiring “local people” or people who live near the place of work. States, counties, and municipalities can make policies that require contractors with publically funded projects recruit a specified proportion of local residents as workers on the project.

The NAACP recommends the following provision components: extra renewable energy credit multipliers for in-state installation and in-state manufactured content; renewable energy credits for a utility providing incentives to build a plant in-state; renewable energy credits for a utility that makes an investment in a plant located in-state; quota for government assisted construction project employers to hire a percentage of workers locally; bidding preferences for companies that hire a percentage of their employees in-state for state-funded public works projects/service contracts.

Disadvantaged Business Enterprise Provisions
Disadvantaged Business Enterprise Provisions help ensure that people of color, women and socially or other economically disadvantaged business enterprises (DBE) get a fair opportunity to win business contracts. DBEs can be self-identified, but are typically certified by city, state, or federal agencies. Often publically funded projects set a requirement or goal to source DBEs as suppliers.

The NAACP recommends that policy makers incorporate DBE provisions into renewable energy and energy efficiency policies in order to facilitate the inclusion of these groups into the new energy economy.
Challenges in Renewable Energy Policy Development

Current energy policies tend to focus on rewarding individuals for conserving energy, paying for energy upgrades, and living lower carbon lifestyles. Unfortunately, a large percentage of people cannot take advantage of such policies. A number of challenges prevent the widespread adoption of renewable energy, especially in low to moderate-income communities and in communities of color.

Most ownership opportunities favor homeowners
Most incentives and tax credits that help make renewable energy affordable are only available to homeowners, which excludes over 50% of people of color who live in multifamily or rental units. Multifamily rental tenants usually do not have access to the roof to install rooftop solar or an ability to invest in the long-term benefits of renewable energy systems.

Exclusionary customer eligibility requirements
Most individual and shared renewable energy projects set exclusionary credit requirements that limit low-income participation. Even low-income homeowners and renters who are able to make energy upgrades often lack access to financing tools due to high credit score requirements, complicated payback programs, and other barriers.

Lack of access and availability of policy and program information
Communities often lack access to information regarding renewable energy technologies, practices, and policies. Even when data is available, it is difficult to understand for the average person who might not be familiar with the technical language. Without this information, a community’s ability to participate in local energy planning is limited.

Fixed charges increasingly applied to utility bills
It is increasingly common for utility companies to charge high mandatory fees on customers’ bills to discourage customers from pursuing energy efficiency and renewable energy projects that might threaten revenue. Rate design that focuses on fixed charges undermines consumers’ ability to control electricity costs through energy efficiency or conservation.

People of color lack access to financing support for green businesses
Since 2012, equity for person-of-color owned businesses plummeted by more than 50%, weakening the ability to leverage assets for private capital. Additionally, wealth inequality has continued to widen across racial lines; the wealth of white households is 13 times the median wealth of black households.

TO LEARN MORE:
Center for Social Inclusion, Energy Democracy
www.centerforsocialinclusion.org/idea/energy-democracy
National Consumer Law Center, Utility Rate Design
www.nclc.org/energy-utilities-communications/utility-rate-design
Clean Energy States Alliance, Bringing the Benefits of Solar Energy to Low-Income Consumers
Advocating
Your Concerns to Congress

There are many ways in which you, as a member of the electorate, can contact your federally elected representatives to let them know of your concerns, priorities, needs and desires. Regardless of which method you choose to contact them, always remember to be polite, make a cogent and assertive (yet respectful) argument, and always ask for a reply or response. It also helps to always transmit something in writing, so that they have a record of your interests and ask for a written response in return so you have an indisputable record of their positions and promises.

Personal Visit
For most members of the House and Senate, the best way to communicate with them is a personal visit. A face-to-face meeting may be the most effective way to communicate your concerns to legislators. You can visit alone, but because it's more enjoyable and effective to visit with others, the description below assumes that you're visiting with one or more other people.

How Frequently Should You Visit?
Once or twice a year is probably as much as a Member of Congress will see you. State legislators are more accessible. If you represent an active group of voters, all legislators are more likely to see you than if you go alone. It is more effective to help other people to visit than to try to go frequently yourself.

How Many People Should Go On a Visit?
You can go alone, although two to five people will fit comfortably in most D.C. and local offices. Fewer people allow more discussion; large groups tend to allow the legislator to dominate and give speeches.

How to Visit
Five steps to remember when planning your visit are: make the appointment, prepare, visit, de-brief, follow-up.

STEP 1: MAKE THE APPOINTMENT
Call the legislator’s office and make an appointment: Get the local office number from the telephone book (look under the legislator's name). Get a Member of Congress' D.C. number by calling the Capitol Switchboard in D.C. (202-224-3121). Ask to speak to the appointment secretary. Ask for a meeting. State the issue you want to discuss, how many people will be coming, whether you represent a group, preferred dates for visiting, and how long you want to speak with the Member. Most Members of Congress will also ask that a letter be faxed or mailed to their office with the same information, so you may want to have that letter prepared in advance.
THE EARLIER YOU CALL, THE MORE LIKELY YOU ARE TO GET A DATE YOU WANT. It often takes weeks to get an appointment with a Member of Congress. Most visits run between 10 and 30 minutes, but don’t hesitate to ask for more, especially if you’re visiting the lawmaker during a work day in their office. Write down the appointment secretary’s name for future use. You may be told that the lawmaker cannot meet with you, or cannot see you for months. Just repeat your request. Say, “That seems like a very long time. Could you please arrange an earlier date?” They may say they’ll call you back. Call back in a week if you haven’t heard from them. If after several calls you still didn’t have an appointment, find several community leaders, such as clergy, business or labor leaders, or professionals, to join you. Have them call or write using letterhead to request a meeting.

If this doesn’t work, ask to speak to the Administrative Assistant (the Legislator’s right-hand staff person). Be polite, no matter how abrupt or rude staff are. In fact, their rudeness increases your leverage: they’ve done you wrong, and owe it to you to give you some time. As a last resort, write a letter to the editor of your local newspaper to draw attention to the lawmaker’s inaccessibility for average voters. (Be cautious; this could antagonize the lawmaker. Just state the facts and express your dismay that the legislator will not make time to see constituents who advocate for the public good.)

You can visit lawmakers either in Washington, D.C. or in a local office. The legislator may be more available back home, and more people can participate. However, there’s nothing like a visit to the capital to de-mystify the legislature and help people overcome their fear of advocacy. Furthermore, staff who work on the issues are at the legislature, and building a relationship with them may be a key to success.

If a trip to Washington is not in your future, you can try to meet with your Congressperson at home: many members go home for most weekends, and there are traditional “district work periods” around most holidays (i.e., Memorial Day, Labor Day and the Fourth of July) in the early spring and for the month of August. Many members can also be found in their home districts after Congress adjourns for the year, usually in October or November. Many members also hold “town meetings” in their districts throughout the year; you can call their district offices to ask if one is planned for your area, and if so when it will be.

**STEP 2: PREPARE**

1. **ESTABLISH A PROFILE OF THE MEMBER YOU ARE GOING TO MEET.** Review the legislator’s voting record, look up the committees and subcommittees the lawmaker serves on. If you have access to the Internet, look up his or her web site (www.house.gov or www.senate.gov) and review the past press releases. The press releases will give you a sense of what he or she has been doing to date; the committee and subcommittee assignments should give you insight into the issues the lawmaker tends to be more involved in. Can you relate your concerns to the committee assignments?

2. **DECIDE WHAT YOUR MESSAGE WILL BE.** Choose no more than two issues. Make a list of “key points” and include ways that constituents are affected.

3. **DECIDE WHO WILL SAY WHAT.**
   - Who will start the meeting to say why you’ve come?
   - Who will state each key point?
   - Who will ask which questions?
   - Who will ask the lawmaker to take specific action?
   - Who will thank the lawmaker at the end of the visit?
People don't have to talk in order to go on the visit, but it's better to share the communicating—it shows the Member that everyone thinks for themselves. Be prepared to explain (in one sentence) any bills you refer to; the Member may not be familiar with the bill or when it is scheduled for a vote.

Do a dry run, with each person briefly stating their part of the message. You'll discover where there is confusion and overlap of points.

Visits may be cut short. Be prepared to state your message and make your request in a few minutes.

4. PREPARE RESPONSES. How do you expect the legislator to respond? Prepare answers.

5. TAKE A FACT SHEET, NEWSPAPER ARTICLE OR ANY SUPPORTING INFORMATION THAT SUPPORTS YOUR VIEW. Give it to the legislator at the end of the meeting.

6. DECIDE WHAT SPECIFIC ACTION YOU WANT.

STEP 3: VISIT
1. TAKE THE INITIATIVE. Say why you're there. Everyone introduce themselves. Mention your profession, background, and any experience on the issue. Mention organizations that you belong to.

2. THANK THE LEGISLATOR FOR SOMETHING—a vote, a speech, an electoral promise or their willingness to hear constituents' views.

3. MENTION A PAST VOTE ON YOUR ISSUE. This shows that you follow how they vote and know that votes count, not promises! If no vote has been taken, try to determine if the legislator has ever taken a position on your issue (such as co-sponsoring legislation, etc.)

4. STATE YOUR MESSAGE BRIEFLY AND SUCCINCTLY. State your view, your reasons for having that view ("key points"), and other constituents who share your view (including organizations). [Lobbyists use a single page of "talking points" to help them state key points briefly.]

5. ASK FOR A SPECIFIC ACTION. Be sure to ask how they plan to vote. If they say that the bill is being rewritten or amended, ask for the legislator's position on the bill as originally written. KEEP ASKING UNTIL YOU GET SOME ANSWER. If they don't have a position, ask how they plan to decide.

6. If time, ASK FOR INFORMATION.
Sample Questions: When you visit a legislator, try to learn about their attitudes and who is lobbying them.

- Are you hearing from people who disagree with our position? Who? What are their arguments? How much pressure are they putting on you?
- What do you consider when deciding how to vote on this issue. What sources of information do you rely on?
- We have found the following sources of information useful. Do you see them as credible? If not, why?
- What would lead you to change your mind on this issue?
- Would you take leadership on this issue if you had more support from constituents?

VISITORS TO D.C.: ASK TO MEET STAFF WHO WORK ON ISSUES YOU FOLLOW. Use time waiting for the Member to get to know issue staff. If the Member is unable to meet with you, carry on the meeting with the staff person. They are worth your time! They help the Member decide how to vote.

STEP 4: DE-BRIEF
Learn from the visit and decide what to do next. If you visited as a group, go to a place where you can sit together and talk. (Do it now while everything is fresh!)
Quick Impressions: Each person takes a turn filling in the sentence, "I feel about the meeting because __________." If some people dominate, say, "You're saying important things, but let's hear from everyone quickly."

- What went well? Make a list together. No negative comments!
- How did the Legislator or staff person respond to the group? Non-committal, bored, interested, hostile, encouraging, defensive, uncomfortable...? How can you tell? (Body language? Words? Tone of voice? Short meeting?)
- What did you learn about the legislator? Any insights into their "world view," motivation to be in politics, feelings about your issues, feelings about you as constituents, reliance on staff for information, or methods for handling meetings with constituents? [If you met with staff, did she/he give you insights about the legislator? Did staff tell you about the legislator's views or voting behavior?]
- What should the next step be? (Letters? Media? Another visit?)
- Who will send a follow-up letter to the legislator or staff to thank them for the meeting and restate key points?

STEP 5: FOLLOW-UP
Write a letter to the legislator or staff person, thanking them for the meeting, briefly restating key points and reminding them of commitments they made. If you promised to do something, do it. It’s important to your credibility. Report on the visit to your organization, congregation, or other interested group. Ask people to write a letter (mentioning that you briefed them). Bring paper, envelopes, stamps, and pens. Call local media groups to report what happened in your visit.

If a meeting with a legislator is not in your future, there are other ways to contact your elected representatives:

WRITE A LETTER
Because office visits are sometimes difficult to schedule, especially in a timely manner, letter writing is usually the next best option. There are several ways of communicating through the mail with your elected representative; a hand written letter, a form letter, a post card or a petition. Hand written (or personalized typed / computer written) letters are usually the best, since they convey to your elected representative that this issue is important enough to you that you took the time to write a personal letter. Short of that, a form letter is also effective. Postcards and petitions can also be useful in making a point, especially if you have large numbers of people sending in the same postcards or signing the petition.

When writing to your Representative, you should address the letter to:
The Honorable ________________
U.S. House of Representatives
Washington, DC  20515

NOTE: when writing to members of the House of Representatives in Washington, all you need is their name and the zip code “20515.” Room numbers and street addresses are not that useful, as the mail sorters do not use them since Members tend to move offices frequently.

When writing to your Senators, you should address the letter to:
The Honorable ________________
United States Senate
Washington, DC  20510

NOTE: When writing to members of the US Senate in Washington, all you need is their name and the zip code “20510.” Room numbers and street addresses are not that useful, as the mail sorters do not use them since Members tend to move offices frequently.

For all your written correspondence it is usually a good idea to put a reference line (i.e., RE: SUPPORT
FOR HATE CRIMES PREVENTION LEGISLATION) near the top of your letter (above the salutation), so the subject of your letter is never in doubt. Also, you should always ask for a response near the end of your letter indicating the member’s position on the issue, and what they intend to do.

ON ALL WRITTEN CORRESPONDENCE, YOU SHOULD ALSO ALWAYS BE SURE TO INCLUDE A SIGNATURE AND PRINT YOUR NAME LEGIBLY, AS WELL AS YOUR ADDRESS SO THAT YOU CAN RECEIVE A RESPONSE.

Unfortunately, in these days of anthrax and other types of terrorism, it can take up to two weeks for letters to reach members of Congress, since each letter must first be irradiated and cleared. Thus, if you are writing about an urgent matter, it might be a good idea to also fax your letter, make a phone call, or send an e-mail as well.

MAKE A PHONE CALL
To contact your Representatives/Senators in their district offices, you can begin by looking up their phone number in the phone book, usually in the blue section under “US Government Offices.” You can also look on the internet at www.house.gov or www.senate.gov. To contact your Representatives/Senators in their Washington, DC office, you can dial the Capitol Switchboard at (202) 224-3121 and ask to be patched through to your Senator/Representative.

In every case, when you call your Representative or Senators, you should always be polite, speak clearly, and leave your name and address and ask for a response.

SEND AN E-MAIL
While not all Representatives/Senators have e-mail addresses, and some still do not consider e-mails an important form of constituent correspondence, many are becoming more and more responsive to e-mails and their constituents who use them. To find out if your Representative has an e-mail address go to www.house.gov and click on either “Member offices” at the top of the page or “Contact your Representative” at the bottom. This will also help you identify your representative if you are in doubt.

To send an e-mail to your Senators, go to www.senate.gov and click on Senators. This will allow you to go to your Senators web site either alphabetically or by state, so it is easy to identify both your Senators. You can also use the websites listed above to look up your Representative’s and Senators’ district office addresses and phone numbers, their biographies, and see their press releases and statements to get a better understanding of what they are working on in Congress.

SEND A FAX
To send a fax, see the “write a letter” section above. After you have written a letter, you can contact your Representative, Senators or the President via phone (see the “make a phone call” section above) or over the internet (see the “send an e-mail” section above) for their fax numbers. While not all members and senators list their fax numbers publicly, almost all will give them out to constituents if you call and ask for them.
Advocacy Quick Planner
How to Make the Most
of Your Congressional Advocacy Visit

After you have made an appointment with your federally elected representative, there are a few things you can do to ensure you are as effective as possible during your meeting.

Prepare for Your Visit
Know something about the district/state represented by the person you are about to meet:
- What are the largest cities;
- Where do they hail from;
- What are the largest industries in the area your Congressperson/Senator represents?
- All this information can usually be found by looking at your Senator / Representative’s website

Know something about the work of the Member of Congress you are meeting with:
- What Committees do they serve on?
- What issues has the Senator/Representative focused on during their tenure in Congress?
- How long has the Senator/Representative been in Congress?
- When are they up for re-election?
- What did the Senator/Representative do prior to first being elected to Congress?
- All this information can usually be found by looking at your Senator / Representative’s website

How did the Senator / Representative score on the last few NAACP report cards? This information can be found at www.NAACP.org or by contacting the NAACP Washington Bureau

Review the issue(s) you wish to discuss: limit the number of issues to no more than 3 per visit.

Prepare a one-page summary of your position to leave with your Senator / Representative. Include examples of the problem from the district/state if possible.

Make a plan for your visit
- Chose a spokesperson for the introductions
- Decide who will say what
- Identify who will provide any follow-up information requested during the meeting
During Your Visit

- Dress for success in business attire and be on time!
- Leave a summary of your position on the issue(s) you discussed.
- Explain who you are, why you are there, and be certain to explain that you are a constituent (let them know what town / area you live in)
- Have each person introduce him-or herself by sharing their name and where they are from. Also talk a little about the group you represent (how many members, frequency of meetings)
- Be clear, concise, compelling and credible.
- Remember that there is often a strict time limit to these meetings!
- Be polite yet firm in explaining your position; try to avoid direct criticism. Bring the message back to your issue if it goes off track.
- Use personal examples or examples that you know of from the Senators state / district if you can.
- Be clear about what you want the Senator / Representative to do.
- Record key points of the conversation as well as any questions that you can’t answer; promise to get back with a response within one week.

Follow Up on Your Visit

- Write a note to the Senator/Representative within 72 hours thank them for the visit and reiterating your conversation
- Send any answers to questions that were posed during the meeting as quickly as possible
- Be certain to talk among your group to ensure that you all have similar memories of the visit
- Continue to contact your Senator/Representative to maintain an open dialogue on the issue(s) that are important to you.
Just Energy Policies and Practices Action Toolkit
National Association for the Advancement of Colored People (NAACP)
Environmental and Climate Justice Program
www.naacp.org/issues/environmental-justice
ecjp@naacpnet.org