



BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

FILED

Order Instituting Rulemaking Regarding Policies,
Procedures and Rules for the California Solar Initiative,
the Self-Generation Incentive Program and Other
Distributed Generation Issues.

12-22-15
Rulemaking 12-11-005 (Filing)
November 8, 2012)

**NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION
AND, IF REQUESTED (and [X]¹ checked), ADMINISTRATIVE LAW JUDGE'S
RULING ON THE SIERRA CLUB'S SHOWING OF SIGNIFICANT FINANCIAL
HARDSHIP**

NOTE: After electronically filing a PDF copy of this Notice of Intent (NOI), please email the document in an MS WORD format to the Intervenor Compensation Program Coordinator at icompcoordinator@cpuc.ca.gov.

Customer (party intending to claim intervenor compensation): Sierra Club		
Assigned Commissioner: Michael Picker		Administrative Law Judge: Regina DeAngelis
I hereby certify that the information I have set forth in Parts I, II, III and IV of this Notice of Intent (NOI) is true to my best knowledge, information and belief.		
Signature:		/s/ Matthew Vespa
Date: Dec. 22, 2015	Printed Name:	Matthew Vespa

PART I: PROCEDURAL ISSUES
(To be completed by the party ("customer") intending to claim intervenor compensation)

A. Status as "customer" (see Pub. Util. Code § 1802(b)): The party claims "customer" status because the party is (check one):	Applies (check)
1. A Category 1 customer is an actual customer whose self-interest in the proceeding arises primarily from his/her role as a customer of the utility and, at the same time, the customer must represent the broader interests of at least some other customers. In addition to describing your own interest in the proceeding you must show how your participation goes beyond just your own self-interest and will benefit other customers.	<input type="checkbox"/>
2. A Category 2 customer is a representative who has been authorized by actual customers to represent them. Category 2 involves a more formal arrangement where a customer or a group of customers selects a more skilled person to	<input type="checkbox"/>

¹ DO NOT CHECK THIS BOX if a finding of significant financial hardship is not needed (in cases where there is a valid rebuttable presumption of eligibility (Part III(A)(3)) or significant financial hardship showing has been deferred to the intervenor compensation claim).

<p>represent the customer's views in a proceeding. A customer or group of customers may also form or authorize a group to represent them, and the group, in turn, may authorize a representative such as an attorney to represent the group.</p> <p>A representative authorized by a customer must identify the residential customer(s) being represented and provide authorization from at least one customer. <i>See</i> D.98-04-059 at 30.</p>	
<p>3. A Category 3 customer is a formally organized group authorized, by its articles of incorporation or bylaws to represent the interests of residential customers or small commercial customers receiving bundled electric service from an electrical corporation.² Certain environmental groups that represent residential customers with concerns for the environment may also qualify as Category 3 customers, even if the above requirement is not specifically met in the articles or bylaws. <i>See</i> D.98-04-059, footnote at 3.</p>	<input checked="" type="checkbox"/>
<p>The party's explanation of its customer status must include the percentage of the intervenors members who are residential ratepayers or the percentage of the intervenors members who are customers receiving bundled electric service from an electrical corporation, and must include supporting documentation: (i.e., articles of incorporation or bylaws).</p> <p>Sierra Club meets the third definition of "customer" provided in Public Utilities Code section 1802(b)(1)(C). Sierra Club is a "representative of a group or organization authorized pursuant to its articles of incorporation or bylaws to represent the interests of residential customers . . ." Sierra Club is a non-profit, member-based, "public benefit" California corporation with over 600,000 members nationwide and more than 140,000 members living in California. Many of Sierra Club's California members are residential customers of the three Investor Owned Utilities ("IOUs"). Sierra Club's membership consists entirely (100%) of residential ratepayers. (Sierra Club, however, does not have easily obtainable data on the percentage of its California members that are IOU customers or customers of POUs such as LADWP and SMUD.)</p> <p>Sierra Club's Articles, Bylaws, Standing Rules and policies authorize and require it to represent the environmental interests of its members – including California IOU customers. Sierra Club's Board of Directors is democratically elected by its members. (See Sierra Club Standing Rule ("S.R.") 4.8.1.) Sierra Club is expressly authorized to participate in environmental legal actions to advance its mission, including lawsuits and administrative proceedings. (See S.R. 5.15.1 and 9.1.1.) For decades, Sierra Club has participated in environmental lawsuits and administrative proceedings, and has appeared many times before the California Public Utilities Commission. For example, Sierra Club was an active participant in SDG&E's</p>	

² Intervenors representing either a group of residential customers or small commercial customers who receive bundled electric service from an electrical corporation, must indicate in Part I, Section A, Item #4 of this form, the percentage of their members who are residential customers or the percentage of their members who receive bundled electric service from an electrical corporation. The NOI may be rejected if this information is omitted.

Application for Approval of the Carlsbad Energy Center PPTA (A.14-07-009) and was recently awarded fees for its substantial contribution to that proceeding. (See D.15-12-044.) Open proceedings Sierra Club is active in include the 2014 LTPP (R.13-12-010), OIR re: Development of a NEM Successor (R.14-07-002), and OIR re: Integration of Distributed Energy Resources (R.14-10-003).

Sierra Club's environmental concerns encompass a broad range of energy and pollution issues. Specifically, Sierra Club is a leader in the effort to reduce California's and the nation's dependence on fossil fuels. The highest current priority of Sierra Club's work is eliminating the need for fossil fuel-fired generation through the development of affordable renewable energy and clean integrating resources. Sierra Club has been active in the Legislature and its committees, as well as in the Governor's office, to accelerate California's transition to a carbon free grid.

The interests of the customers represented by Sierra Club are unique and well suited to this proceeding and are not adequately represented by other parties that have intervened in this proceeding.³ As the Commission has recognized: "With respect to environmental groups, we have concluded they were eligible in the past with the understanding that they represent customers whose environmental interests include the concern that, e.g., regulatory policies encourage the adoption of all cost-effective conservation measures and discourage unnecessary new generating resources that are expensive and environmentally damaging. (D.88-04-066, mimeo at 3). They represent customers who have a concern for the environment which distinguishes their interests from the interests represented by Commission staff, for example." D.98-04-059, at 29 n. 14.

Sierra Club brings to this proceeding its members' unique perspective and experience advancing innovative technical and regulatory solutions to increase renewable energy sources and drastically reduce California's carbon footprint. The Commission has accordingly approved Sierra Club's intervention with entitlement to compensation on several occasions. See, e.g., D.13-12-027, D.15-07-018, D.15-12-044.

Sierra Club, consistent with its governing documents, appropriately represents the environmental and energy conservation interests of its members who are California IOU customers. Sierra Club therefore qualifies as a "customer" as defined in section 1802(b)(1)(C) of the Public Utilities Code and the Commission's decisions applying this section to environmental organizations.

³ See D.07-03-011 at p. 7 ("Section 1801.3(f) requires an intervenor to avoid unnecessary participation that duplicates that of similar interests otherwise adequately represented by another party, or unnecessary for a fair determination of the proceeding. Section 1802.5, however, allows an intervenor to be eligible for full compensation if its participation materially supplements, complements, or contributes to that of another party if that participation makes a substantial contribution to the commission order.").

Identify all attached documents in Part IV.

Attachment 1: Certificate of Service;

Attachment 2: Sierra Club Bylaws and Standing Rules;

Attachment 3: Sierra Club Articles of Incorporation.

Do you have any direct economic interest in outcomes of the proceeding? ⁴

Yes: ☐ No: ☒

If “Yes”, explain:

B. Conflict of Interest (§ 1802.3)	Check
1. Is the customer a representative of a group representing the interests of small commercial customers who receive bundled electric service from an electrical corporation?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. If the answer to the above question is “Yes”, does the customer have a conflict arising from prior representation before the Commission?	<input type="checkbox"/> Yes <input type="checkbox"/> No

C. Timely Filing of Notice of Intent (NOI) (§ 1804(a)(1)):	Check
1. Is the party’s NOI filed within 30 days after a Prehearing Conference? Date of Prehearing Conference: March 13, 2013	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. Is the party’s NOI filed at another time (for example, because no Prehearing Conference was held, the proceeding will take less than 30 days, the schedule did not reasonably allow parties to identify issues within the timeframe normally permitted, or new issues have emerged)? Within 30 days of Dec. 11, 2015 ACR and Scoping Memo.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2a. The party’s description of the reasons for filing its NOI at this other time: Sierra Club was not active in this proceeding at the time of the March 2013 PHC. On December 11, 2015, an Amended ACR and Scoping Memo was issued allowing parties to file an NOI within 30 days. This NOI is within the 30 days allowed under the December 11, 2015 ACR.	
2b. The party’s information on the proceeding number, date, and decision number for any Commission decision, Commissioner ruling, Administrative Law Judge’s ruling, or other document authorizing the filing of NOI at that other time: R.12-11-005, Dec. 11, 2015 Assigned Commissioner’s Amended Ruling and Scoping Memo.	

⁴ See Rule 17.1(e).

PART II: SCOPE OF ANTICIPATED PARTICIPATION
(To be completed by the party (“customer”) intending to claim intervenor compensation)

A. Planned Participation (§ 1804(a)(2)(A)(i)):
<p>The party’s statement of the issues on which it plans to participate: As an organization advocating for the rapid decarbonization of California’s economy, Sierra Club has significant concerns with SGIP’s past and currently continued subsidization of fossil-fuel reliant technologies such as electric-only fuel cells. Sierra Club intends to primarily participate in modifications to SGIP to ensure public funding from this program is directed toward technologies with significant environmental benefit which facilitate decarbonization and achievement of California’s climate goals.</p> <p>The party’s explanation of how it plans to avoid duplication of effort with other parties: To the extent possible, Sierra Club will coordinate its participation with other parties who have similar interests. Sierra Club has coordinated with ORA with regard to the Commission’s decisions on SGIP GHG Emissions Factor and Disbursement of 2016 SGIP funds and intends to continue to do so. As a party with an environmental focus and without an economic interest in SGIP disbursement, Sierra Club believes it can provide a unique contribution to this proceeding.</p> <p>The party’s description of the nature and extent of the party’s planned participation in this proceeding (to the extent that it is possible to describe on the date this NOI is filed). Sierra Club intends to comment on the Staff Proposal on SGIP revisions, participate in any scheduled workshops and comment on a proposed decision on this issue.</p>

B. The party’s itemized estimate of the compensation that the party expects to request, based on the anticipated duration of the proceeding (§ 1804(a)(2)(A)(ii)):				
Item	Hours	Rate \$	Total \$	#
ATTORNEY, EXPERT, AND ADVOCATE FEES				
Matt Vespa (attorney)	50	\$330	\$16,500	1
[Expert 1]				
[Expert 2]				
[Advocate 1]				
[Advocate 2]				
Subtotal: \$ 16,500				
OTHER FEES				
[Person 1]				
[Person 2]				
Subtotal: \$				
COSTS				
[Item 1]				

[Item 2]				
Subtotal: \$				
TOTAL ESTIMATE: \$ 16,500				
Estimated Budget by Issues: Sierra Club intends to focus on SGIP program redesign. Sierra Club may also participate in issues arising in CSI and other DG issues to the extent they implicate Sierra Club's core mission and Sierra Club believes it can contribute significant additional value through its participation.				
Comments/Elaboration (use reference # from above): #1: \$330 is Mr. Vespa's 2015 rate. Mr. Vespa may seek an increase for 2016 hours.				
<i>When entering items, type over bracketed text; add additional rows to table as necessary. Estimate may (but does not need to) include estimated Claim preparation time. Claim preparation time is typically compensated at ½ professional hourly rate.</i>				

PART III: SHOWING OF SIGNIFICANT FINANCIAL HARDSHIP
(To be completed by party ("customer") intending to claim intervenor compensation; see Instructions for options for providing this information)

A. The party claims "significant financial hardship" for its Intervenor Compensation Claim in this proceeding on the following basis:	Applies (check)
1. "[T]he customer cannot afford, without undue hardship, to pay the costs of effective participation, including advocate's fees, expert witness fees, and other reasonable costs of participation" (§ 1802(g)); or	<input type="checkbox"/>
2. "[I]n the case of a group or organization, the economic interest of the Individual members of the group or organization is small in comparison to the costs of effective participation in the proceeding" (§ 1802(g)).	<input checked="" type="checkbox"/>
3. A § 1802(g) finding of significant financial hardship in another proceeding, made within one year prior to the commencement of this proceeding, created a rebuttable presumption in this proceeding (§ 1804(b)(1)). Commission's finding of significant financial hardship made in proceeding number: R 14-02-001 Date of Administrative Law Judge's Ruling (or CPUC Decision) in which the finding of significant financial hardship was made: July 25, 2014	<input checked="" type="checkbox"/>

B. The party's explanation of the factual basis for its claim of "significant financial hardship" (§ 1802(g)) (necessary documentation, if warranted, is attached to the NOI:
Sierra Club last received a ruling of significant financial hardship in R.14-02-001 on July 25,

2014. Because the ruling was over a year ago, Sierra Club seeks a financial hardship finding.

The average utility bill of Sierra Club's California members and the customers it represents continues to be small compared to the costs of effective participation in this proceeding. Sierra Club, therefore, should continue to be entitled to a finding of significant financial hardship pursuant to Public Utilities Code section 1802(g).

Sierra Club does not anticipate any challenge to its eligibility for compensation in this proceeding. If any party does attempt to challenge Sierra Club's eligibility, Sierra Club requests that it be granted the opportunity to reply to such party's allegations within 10 days after the service of such filing.

**PART IV: ATTACHMENTS DOCUMENTING SPECIFIC
ASSERTIONS MADE IN THIS NOTICE**

**(The party ("customer") intending to claim intervenor compensation
identifies and attaches documents; add rows as necessary)**

Attachment No.	Description
1	Certificate of Service
2	Sierra Club Bylaws and Standing Rules
3	Sierra Club Articles of Incorporation

ADMINISTRATIVE LAW JUDGE RULING⁵
(Administrative Law Judge completes)

	Check all that apply
1. The Notice of Intent (NOI) is rejected for the following reasons:	<input type="checkbox"/>
a. The NOI has not demonstrated the party's status as a "customer" for the following reason(s):	<input type="checkbox"/>
b. The NOI has not demonstrated that the NOI was timely filed (Part I(B)) for the following reason(s):	<input type="checkbox"/>
c. The NOI has not adequately described the scope of anticipated participation (Part II, above) for the following reason(s):	<input type="checkbox"/>
2. The NOI has demonstrated significant financial hardship for the reasons set forth in Part III of the NOI (above).	<input type="checkbox"/>
3. The NOI has not demonstrated significant financial hardship for the following reason(s):	<input type="checkbox"/>

⁵ A Ruling needs not be issued unless: (a) the NOI is deficient; (b) the Administrative Law Judge desires to address specific issues raised by the NOI (to point out similar positions, areas of potential duplication in showings, unrealistic expectations for compensation, or other matters that may affect the customer's Intervenor Compensation Claim); or (c) the NOI has included a claim of "significant financial hardship" that requires a finding under § 1802(g).

4. The Administrative Law Judge provides the following additional guidance (see § 1804(b)(2)):	<input type="checkbox"/>

IT IS RULED that:

1. The Notice of Intent is rejected.	<input type="checkbox"/>
2. The customer has satisfied the eligibility requirements of Pub. Util. Code § 1804(a).	<input type="checkbox"/>
3. The customer has shown significant financial hardship.	<input type="checkbox"/>
4. The customer is preliminarily determined to be eligible for intervenor compensation in this proceeding. However, a finding of significant financial hardship in no way ensures compensation.	<input type="checkbox"/>
5. Additional guidance is provided to the customer as set forth above.	<input type="checkbox"/>

Dated _____, at San Francisco, California.

Administrative Law Judge

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking Regarding Policies,
Procedures and Rules for the California Solar Initiative,
the Self-Generation Incentive Program and Other
Distributed Generation Issues.

Rulemaking 12-11-005
(Filed November 8, 2012)

CERTIFICATE OF SERVICE OF SIERRA CLUB

I, Alexa Zimbalist, hereby certify that I have this day served, for proceeding R. 12-11-005, the following documents:

- Sierra Club Notice Of Intent To Claim Intervenor Compensation
- Certificate of Service

These documents were sent via electronic mail to all persons for whom email addresses were listed on the most recently updated service list, and paper copies were sent via USPS to all persons for whom email addresses were not listed. Per the scoping memo, paper copies were also sent today via USPS to the following recipients:

ALJ Karin M. Hieta
California Public Utilities Commission
Division of Administrative Law Judges
Room 5010
505 Van Ness Avenue
San Francisco, California 94102

ALJ Regina DeAngelis
California Public Utilities Commission
Division of Administrative Law Judges
Room 5105
505 Van Ness Avenue
San Francisco, California 94102

Executed on December 22, 2015 at San Francisco, CA.

/s/

Alexa Zimbalist
Legal Assistant
Sierra Club Environmental Law Program
85 2nd Street, 2nd Floor
San Francisco CA, 94105
Office: (415) 977-5649
Fax: (415) 977-5793
alexa.zimbalist@sierraclub.org



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CALIFORNIA PUBLIC UTILITIES COMMISSION

Service Lists

PROCEEDING: R1211005 - CPUC - OIR REGARDING
FILER: CPUC
LIST NAME: LIST
LAST CHANGED: DECEMBER 21, 2015

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Parties

BRAD HEAVNER POLICY DIRECTOR CALIFORNIA SOLAR ENERGY INDUSTRIES ASSN EMAIL ONLY EMAIL ONLY, CA 00000 FOR: CALIFORNIA SOLAR ENERGY INDUSTRIES ASSOCIATION (CALSEIA)	CARMEN L. GIBBS STAFF ATTORNEY CA. DEPT. OF COMMUNITY SVCS. & DEV'T. EMAIL ONLY EMAIL ONLY, CA 00000 FOR: DEPARTMENT OF COMMUNITY SERVICES AND DEVELOPMENT (DCSD)
CURTIS SEYMOUR SR. MANAGER - GOVERNMENT AFFAIRS SUNEDISON LLC EMAIL ONLY EMAIL ON LY, CA 00000 FOR: SUNEDISON LLC	DANIEL W. DOUGLASS DOUGLASS & LIDDELL EMAIL ONLY EMAIL ONLY, CA 00000 FOR: DIRECT ACCESS CUSTOMER COALITION (DACC)
DAVID RUNSTEN POLICY DIRECTOR CALIF. CLIMATE AND AGRICULTURE NETWORK EMAIL ONLY EMAIL ONLY, CA 00000 FOR: CALIFORNIA CLIMATE AND AGRICULTURE NETWORK	EDRIC F. GUISE NATIONAL ENERGY SOLUTIONS, LLC EMAIL ONLY EMAIL ONLY, CA 00000 FOR: NATIONAL ENERGY SOLUTIONS, LLC
FRANCO CASTALDINI PRESIDENT/CO-FOUNDER LEVA ENERGY, INC. EMAIL ONLY EMAIL ONLY, CA 00000 FOR: LEVA ENERGY, INC.	HUGH YAO SOUTHERN CALIFORNIA GAS COMPANY EMAIL ONLY EMAIL ONLY, CA 00000 FOR: SOUTHERN CALIFORNIA GAS COMPANY
JAMES M. QUAN CEO FULL CIRCLE RENEWABLES, LLC EMAIL ONLY EMAIL ONLY, CA 00000 FOR: FULL CIRCLE RENEWABLES, LLC	JODY LONDON JODY LONDON CONSULTING EMAIL ONLY EMAIL ONLY, CA 00000 FOR: SUSTAINABLE CONSERVATION / LOCAL GOVERNMENT SUSTAINABLE ENERGY COALITION
JOHN M. STANTON VP - GOV'T AFFAIRS SOLARCITY CORPORATION EMAIL ONLY EMAIL ONLY, CA 00000 FOR: SOLARCITY CORPORATION	JOHN W. LESLIE, ESQ. ATTORNEY DENTONS US LLP EMAIL ONLY EMAIL ONLY, CA 00000 FOR: SHELL ENERGY NORTH AMERICA
KAREN DZIENKOWSKI PVT SOLAR, INC., EMAIL ONLY EMAIL ONLY, CA 00000 FOR: PVT SOLAR, INC.	KENNETH SAHM WHITE CLEAN COALITION EMAIL ONLY EMAIL ONLY, CA 00000 FOR: CLEAN COALITION

KENT MCCORD DIR. - MARKETING STRATEGY DOOSAN FUEL CELL AMERICA, INC. EMAIL ONLY EMAIL ONLY, CT 00000 FOR: DOOSAN FUEL CELL AMERICA, INC.	LISA ROSEN SECRETARY ENERGY EFFICIENCY SOLAR EMAIL ONLY EMAIL ONLY, CA 00000 FOR: ENERGY EFFICIENCY SOLAR
LYNN M. HAUG ELLISON, SCHNEIDER & HARRIS, L.L.P. EMAIL ONLY EMAIL ONLY, CA 00000 FOR: FUELCELL ENERGY	MATTHEW KOBER PYRAMID SOLAR INC. EMAIL ONLY EMAIL ONLY, CA 00000 FOR: PYRAMID SOLAR
MATTHEW SWINDLE CEO & FOUNDER NLINE ENERGY, INC. EMAIL ONLY EMAIL ONLY, CA 00000 FOR: NLINE ENERGY, INC.	PIERRE BULL NATURAL RESOURCES DEFENSE COUNCIL EMAIL ONLY EMAIL ONLY, CA 00000 FOR: NATURAL RESOURCES DEFENSE COUNCIL (NRDC)
RACHEL SAPERSTEIN MANAGER HYDROVOLTS EMAIL ONLY EMAIL ONLY, WA 00000 FOR: HYDROVOLTS	S. GARY VARGA ATTORNEY AT LAW LAW OFFICES OF S. GARY VARGA EMAIL ONLY EMAIL ONLY, CA 00000 FOR: ALISAL WATER CORPORATION D/B/A ALCO WATER SERVICE / CALIFORNIA UTILITIES SERVICE, INC.
SACHU CONSTANTINE DIR - POLICY CENTER FOR SUSTAINABLE ENERGY EMAIL ONLY EMAIL ONLY, CA 00000 FOR: CENTER FOR SUSTAINABLE ENERGY (FORMERLY CALIFORNIA CENTER FOR SUSTAINABLE ENERGY)	SHIN TANIMOTO SANYO NORTH AMERICA CORPORATION EMAIL ONLY EMAIL ONLY, CA 00000 FOR: SANYO NORTH AMERICA CORPORATION
TAM HUNT HUNT CONSULTING EMAIL ONLY EMAIL ONLY, CA 00000 FOR: COMMUNITY ENVIRONMENTAL COUNCIL/COMMUNITY RENEWABLE SOLUTIONS / RECYCLE	DENNIS HAINES ENVIRONMENTAL POWER CORP. EMAIL ONLY EMAIL ONLY, NY 00000-0000 FOR: MICROGY, INC.
JOSEPH OLDHAM PROGRAM DIRECTOR LOCAL GOVERNMENT COMMISSION EMAIL ONLY EMAIL ONLY, CA 00000-0000 FOR: LOCAL GOVERNMENT COMMISSION	MARTIN HOMEC REDWOOD RENEWABLES/CARE EMAIL ONLY EMAIL ONLY, CA 00000-0000 FOR: WOMEN'S ENERGY MATTERS
JAMES PERET CEO OWL POWER COMPANY 120 MILL ROAD BOYLSTON, MA 01505 FOR: OWL POWER COMPANY	MARK F. BUCKLEY VP - ENVIRONMENTAL AFFAIRS STAPLES, INC. 500 STAPLES DR. FRAMINGTON, MA 01702 FOR: STAPLES, INC.
SATORU FUJIMOTO VP - CORPORATE STRATEGY NTT AMERICA 101 PARK AVE. NEW YORK, NY 10178 FOR: NTT AMERICA	STEVEN HUHMEN MORGAN STANLEY CAPITAL GROUP INC. 2000 WESTCHESTER AVENUE PURCHASE, NY 10577 FOR: MORGAN STANLEY CAPITAL GROUP, INC.
SHARALYN S. CONNER ASSOCIATE GENERAL COUNSEL PLUG POWER INC. 968 ALBANY SHAKER ROAD LATHAM, NY 12110 FOR: PLUG POWER INC.	ETHAN BROWN BALLARD POWER SYSTEMS 2 INDUSTRIAL AVE. LOWELL, MA 018510 FOR: BALLARD POWER SYSTEMS
ROSS ALLEN BUNTROCK ARNALL GOLDEN GREGORY, LLP 1775 PENNSYLVANIA AVE., NW, SUITE 1000 WASHINGTON, DC 20006 FOR: MULTIFAMILY AFFORDABLE SOLAR HOMES COALITION (MASH)	BUD CEFLAVIIS DIRECTOR OF GOVERNMENT AFFAIRS FUEL CELL AND HYDROGEN ENERGY ASSN. 1211 CONNECTICUT AVE., NW, SUITE 600 WASHINGTON, DC 20036 FOR: FUEL CELL AND HYDROGEN ENERGY ASSOCIATION
JENNIFER A. WARREN VP - TECH. POLICIES & REGULATION LOCKHEED MARTIN CORPORATION 2121 CRYSTAL DR., STE. 100 ARLINGTON, VA 22202 FOR: LOCKHEED MARTIN CORPORATION	RAY SIADA CORPORATE ENERGY MANAGER GUARDIAN INDUSTRIES CORP 2300 HARMON ROAD AUBURN HILLS, MI 48326 FOR: GUARDIAN INDUSTRIES CORP.
GARY HILBERG EXECUTIVE VICE PRESIDENT TAS 6110 CULLEN BLVD. HOUSTON, TX 77021	KELSEY M. WALKER TAS ENERGY 6110 CULLEN BLVD. HOUSTON, TX 77021 FOR: HEAT IS POWER

CPUC - Service Lists - R1211005

FOR: TAS / POWER GENERATION / AUGMENTATION. COOLING & HEATING SYSTEMS / INDUSTRIAL PROCESS SYSTEMS	
PETER THOMPSON SALES MANAGER ABENGOA SOLAR IST 11500 WEST 13TH AVENUE LAKEWOOD, CO 80215 FOR: ABENGOA SOLAR IST	LORI A. GLOVER PRESIDENT S.O.L.I.D. USA, INC. 10645 N. TATUM BLVD., SUITE 200-306 PHOENIX, AZ 85028 FOR: S.O.L.I.D. SOLAR
LANCE BELL ORMAT 6225 NEIL ROAD RENO, NV 89511 FOR: ORMAT	KEVIN R. MCSPADDEN ATTORNEY SHOREBREAK ENERGY DEVELOPERS, LLC 2801 BELDEN DRIVE LOS ANGELES, CA 90068 FOR: SHOREBREAK ENERGY DEVELOPERS, LLC
JESSALYN ISHIGO ENVIRONMENTAL BUSINESS DEVELOPMENT OFF. AMERICAN HONDA MOTOR CO., INC. 1919 TORRANCE BLVD. TORRANCE, CA 90501 FOR: AMERICAN HONDA MOTOR CO., INC.	JUSTIN RATHKE CAPSTONE TURBINE CORPORATION 21211 NORDHOFF STREET CHATSWORTH, CA 91311 FOR: CAPSTONE TURBINE CORPORATION
REBECCA MEIERS-DE PASTINO SR. ATTORNEY SOUTHERN CALIFORNIA EDISON COMPANY 2244 WALNUT GROVE AVE., PO BOX 800 ROSEMEAD, CA 91770 FOR: SOUTHERN CALIFORNIA EDISON COMPANY	SCOTT SAREM CO-FOUNDER/CEO EVERYDAY ENERGY 5865 AVENIDA ENCINAS, STE 142A CARLSBAD, CA 92008 FOR: EVERYDAY ENERGY
KENNETH J. FRISBIE MANAGING DIRECTOR BIOFUELS ENERGY, LLC 2211 ENCINITAS BLVD ENCINITAS, CA 92024 FOR: BIOFUELS ENERGY, LLC	SCOTT DEBENHAM DEBENHAM ENERGY LLC 11317 VALLE VISTA ROAD LAKESIDE, CA 92040 FOR: DEBENHAM ENERGY, LLC
DON C. LIDDELL ATTORNEY DOUGLASS & LIDDELL 2928 2ND AVENUE SAN DIEGO, CA 92103 FOR: POWERTREE SERVICES, INC./ ICE ENERGY, INC./ CALIFORNIA ENERGY STORAGE ALLIANCE (CESA)	MICHAEL SHAMES, ESQ. SAN DIEGO CONSUMERS' ACTION NETWORK 6975 CAMINO AMERO SAN DIEGO, CA 92111 FOR: SAN DIEGO CONSUMERS' ACTION NETWORK
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JOSEPH PERRY FLEXENERGY 9400 TOLEDO WAY IRVINE, CA 92618 FOR: FLEXENERGY LLC	SCOTT SAMUELSEN DIRECTOR NATIONAL FUEL CELL RESEARCH CENTER UNIVERISTY OF CALIFORNIA IRVINE, CA 92697-3550 FOR: NATIONAL FUEL CELL RESEARCH CTR / CALIFORNIA STATIONARY FUEL CELL COLLABORATIVE
JAMES K. STEVENS MEMBERS RENEWABLE ENERGY PARTNERS, LLC 13217 JAMBOREE ROAD, NO. 545 TUSTIN, CA 92782 FOR: RENEWABLE ENERGY PARTNERS, LLC	CATHERINE E. VON BURG PRESIDENT & CEO SIMPLIPHI POWER, INC / OES BATTERIES 420 BRYANT CIRCLE, SUITE B OJAI, CA 93023 FOR: SIMPLIPHI POWER, INC.
LEIGH ESTUS CLEARPOWER SYSTEMS, INC. 948 ETTIN AVENUE SIMI VALLEY, CA 93065 FOR: CLEARPOWER SYSTEMS, INC.	CHARLES HEWITT 770 LA BUENA TIERRA SANTA BARBARA, CA 93111 FOR: CHARLES HEWITT
STEVE EASTHAM, PE ELECTRICAL ENGINEER GUARDIAN INDUSTRIES CORP - KINGSBURG 11535 E. MOUNTAIN VIEW KINGSBURG, CA 93631 FOR: GUARDIAN INDUSTRIES CORP.	ADAM SIMPSON FOUNDER ETAGEN, INC. 186 CONSTITUTION DRIVE MENLO PARK, CA 94025 FOR: ETAGEN, INC.
MATTHEW B. WILSON FOUNDATION WINDPOWER 431 BURGESS DR., STE. 200 MENLO PARK, CA 94025-3478 FOR: FOUNDATION WINDPOWER, LLC	TED KO STEM, INC. 100 ROLLINS ROAD MILLBRAE, CA 94030 FOR: STEM INC.
SUZANNE H. EMERSON EMERSON ENVIRONMENTAL, LLC 160 PLYMOUTH AVENUE SAN CARLOS, CA 94070-1621 FOR: EMERSON ENVIRONMENTAL, LLC	MARC D. JOSEPH ADAMS BROADWELL JOSEPH & CARDOZO 601 GATEWAY BLVD. STE 1000 SOUTH SAN FRANCISCO, CA 94080 FOR: COALITION OF CALIFORNIA UTILITY

EMPLOYEES (CCUE)	
JAMES RALPH CALIF PUBLIC UTILITIES COMMISSION LEGAL DIVISION ROOM 5037 505 VAN NESS AVENUE SAN FRANCISCO, CA 94102-3214 FOR: ORA	JEANNE M. SOLE DEPUTY CITY ATTORNEY CITY AND COUNTY OF SAN FRANCISCO 1 DR. CARLTON B. GOODLETT PLACE, RM. 234 SAN FRANCISCO, CA 94102-4682 FOR: CITY AND COUNTY OF SAN FRANCISCO
ADAM LORIMER ALPHABET ENERGY INC. 239 8TH ST., S239 8TH ST., STE. 12 SAN FRANCISCO, CA 94103 FOR: ALPHABET ENERGY INC.	MARCEL HAWIGER ENERGY ATTY THE UTILITY REFORM NETWORK 785 MARKET ST., STE. 1400 SAN FRANCISCO, CA 94103 FOR: TURN
MICHAEL ALCANTAR COUNSEL ALCANTAR & KAHL LLP 345 CALIFORNIA ST., STE. 2450 SAN FRANCISCO, CA 94104 FOR: COGENERATION ASSOCIATION OF CALIFORNIA	NORA SHERIFF ALCANTAR & KAHL LLP 345 CALIFORNIA ST., STE. 2450 SAN FRANCISCO, CA 94104 FOR: BP ENERGY COMPANY
JAMES FINE ENVIRONMENTAL DEFENSE FUND 123 MISSION STREET, 28TH FLOOR SAN FRANCISCO, CA 94105 FOR: ENVIRONMENTAL DEFENSE FUND	MATTHEW VESPA SR. ATTORNEY SIERRA CLUB 85 SECOND ST., 2ND FL SAN FRANCISCO, CA 94105 FOR: SIERRA CLUB
SHERIDAN J. PAUKER, ESQ. REGULATORY COUNSEL WILSON SONSINI GOODRICH & ROSATI ONE MARKET PLAZA, SPEAR TOWER, STE 3300 SAN FRANCISCO, CA 94105 FOR: DISTRIBUTED ENERGY CONSUMER ADVOCATES (DECA) / SUNIBLE, INC.	SHERIDAN PAUKER REGULATORY COUNSEL WILSON SONSINI GOODRICH & ROSATI ONE MARKET PLAZE, SPEAR TOWER, STE. 3300 SAN FRANCISCO, CA 94105 FOR: ROBERT BOSCH LLC
JEANNE B. ARMSTRONG ATTORNEY GOODIN MACBRIDE SQUERI & DAY LLP 505 SANSOME STREET, SUITE 900 SAN FRANCISCO, CA 94111 FOR: SOLAR ENERGY INDUSTRIES ASSOCIATION (SEIA)	JOE KARP ATTORNEY WINSTON & STRAWN LLP 101 CALIFORNIA STREET SAN FRANCISCO, CA 94111 FOR: GRID ALTERNATIVES
VIDHYA PRABHAKARAN DAVIS WRIGHT TREMAINE LLP 505 MONTGOMERY STREET, STE. 800 SAN FRANCISCO, CA 94111 FOR: LIBERTY UTILITIES (FORMERLY CALPECO) LLC	MICHAEL B. DAY ATTORNEY GOODIN MACBRIDE SQUERI DAY & LAMPREY LLP 505 SANSOME STREET, SUITE 900 SAN FRANCISCO, CA 94111-3133 FOR: COMMERCIAL ENERGY
MICHAEL S. HINDUS PILLSBURY WINTHROP SHAW PITTMAN LLP 4 EMBARCADERO CENTER, FLR 22 SAN FRANCISCO, CA 94111-5998 FOR: CHEVRON ENERGY SOLUTIONS COMPANY	JULIA A. SOUDER JAS ENERGIES 825 OAK STREET SAN FRANCISCO, CA 94117-2405 FOR: BALANCE ENERGY, A BAE SYSTEMS INITIATIVE
RANDALL J. LITTENEKER ATTORNEY AT LAW PACIFIC GAS AND ELECTRIC COMPANY PO BOX 7442, B30A SAN FRANCISCO, CA 94120 FOR: PACIFIC GAS AND ELECTRIC COMPANY	SARA STECK MYERS ATTORNEY AT LAW 122 28TH AVENUE SAN FRANCISCO, CA 94121 FOR: CENTER FOR ENERGY EFFICIENCY AND RENEWABLE TECHNOLOGIES (CEERT)
SARAH VAN CLEVE ENERGY POLICY ADVISOR TESLA MOTORS, INC. 3500 DEER CREEK ROAD PALO ALTO, CA 94304 FOR: TESLA MOTORS, INC.	BETH VAUGHAN EXECUTIVE DIRECTOR CALIFORNIA COGENERATION COUNCIL 4391 N. MARSH ELDER COURT CONCORD, CA 94521 FOR: CALIFORNIA COGENERATION COUNCIL
STEPHEN RUMBAUGH MEGAWATT ENERGY DEVELOPMENT 6360 CHATTSWOOD DR. MARTINEZ, CA 94553 FOR: MEGAWATT ENERGY DEVELOPMENT	BILL BROBECK BROBECK SOLAR ENERGY LLC 1125 BOLLINGER CANYON ROAD MORAGA, CA 94556 FOR: BROBECK SOLAR ENERGY LLC
BOB TORRES PRINCIPAL / SVP OF OPER TRINCHERO FAMILY ESTATES 100 SOUTH MAIN STREET ST. HELENA, CA 94574 FOR: SUTTER HOME WINERY	GOPAL SHANKER RECOLTE ENERGY 410 LAFATA STREET, SUITE 102 ST. HELENA, CA 94574 FOR: RECOLTE ENERGY
ROBERT L. KNIGHT BEVILACQUA-KNIGHT INC. 1000 BROADWAY, SUITE 410 OAKLAND, CA 94607 FOR: CALIFORNIA BUILDING PERFORMANCE CONTRACTOR'S ASSOCIATION	CHARLES SILVERMAN FOUNDER & PRINCIPAL SILVERMAN & LIGHT, INC. 1201 PARK AVE., STE. 100 EMERYVILLE, CA 94608 FOR: SILVERMAN & LIGHT, INC.

JASON B. KEYES PARTNER KEYES FOX & WIEDMAN LLP 436 14TH ST., STE.1305 OAKLAND, CA 94612 FOR: INTERSTATE RENEWABLE ENERGY COUNCIL (IREC)	JOSEPH F. WIEDMAN KEYES FOX & WIEDMAN LLP 436 - 14TH STREET, SUITE 1305 OAKLAND, CA 94612 FOR: THE ALLIANCE FOR SOLAR CHOICE (TASC)
JOSHUA HARRIS LAW OFFICES OF STEPHAN C. VOLKER 436 14TH STREET, SUITE 1300 OAKLAND, CA 94612 FOR: CARE	SUSANNAH CHURCHILL ADVOCATE - SOLAR POLICY VOTE SOLAR 360 22ND STREET, SUITE 730 OAKLAND, CA 94612 FOR: VOTE SOLAR
ZEYNEP ERDAL CAL. WASTEWATER CLIMATE CHANGE GROUP 155 GRAND AVE., STE. 800 OAKLAND, CA 94612 FOR: CALIFORNIA WASTEWATER CLIMATE CHANGE GROUP	GREGORY MORRIS DIRECTOR GREEN POWER INSTITUTE 2039 SHATTUCK AVENUE, STE 402 BERKELEY, CA 94704 FOR: GREEN POWER INSTITUTE
REKHA RAO NEXTILITY 2015 SHATTUCK AVE., 5TH FLOOR BERKELEY, CA 94704 FOR: NEXTILITY	STEPHANIE C. CHEN DIR - ENERGY / TELECOMM POLICY THE GREENLINING INSTITUTE 1918 UNIVERSITY AVE., 2ND FL. BERKELEY, CA 94704 FOR: THE GREENLINING INSTITUTE
TIMOTHY LIPMAN US DOE PACIFIC REGION CLEAN ENERGY CTR. 2150 ALLSTON WAY, SUITE 280 BERKELEY, CA 94704 FOR: U.S. DOE PACIFIC REGION CLEAN ENERGY APPLICATION CENTER	CLYDE MURLEY COMMUNITY COLLEGE LEAGUE OF CALIFORNIA 1031 ORDWAY STREET ALBANY, CA 94706 FOR: COMMUNITY COLLEGE LEAGUE OF CALIFORNIA
JAIMIE LEVIN AC TRANSIT 1600 FRANKLIN STREET OAKLAND, CA 94707 FOR: AC TRANSIT	JEAN WOO FOUNDER, CFO CUSTOM POWER SOLAR 1442A WALNUT STREET, NO. 368 BERKELEY, CA 94709 FOR: CUSTOM POWER SOLAR
JOHN PROCTOR PROCTOR ENGINEERING GROUP, LTD 418 MISSION AVENUE SAN RAFAEL, CA 94901 FOR: PROCTOR ENGINEERING GROUP LTD.	ARAM SHUMAVON DISTRIBUTED ENERGY CONSUMER ADVOCATE 516 WHITEWOOD DR. SAN RAFAEL, CA 94903-2455 FOR: DISTRIBUTED ENERGY CONSUMER ADVOCATES
SUSAN E. BROWN ATTORNEY AT LAW A WORLD INSTITUTE FOR SUSTAINABLE HUMANI PO BOX 428 MILL VALLEY, CA 94942 FOR: A WISH	CHRIS ROSS DIRECTOR, GLOBAL SITE OPERATIONS ADOBE SYSTEMS INC. 345 PARK AVENUE SAN JOSE, CA 95110 FOR: ADOBE SYSTEMS, INC.
KELLY DESY SOLFOCUS, INC. 1841 ZANKER RD. SAN JOSE, CA 95112-4213 FOR: SOLFOCUS, INC.	JULIE BLUNDEN SUNPOWER CORPORATION 77 RIO ROBLES SAN JOSE, CA 95134-1859 FOR: SUNPOWER CORPORATION
JON FORTUNE DIR. - REG. & ENERGY SERVICES SUNVERGE ENERGY, INC. 6665 HARDAWAY ROAD STOCKTON, CA 95215 FOR: SUNVERGE ENERGY, INC.	RYAN MCGRAW GENERAL COUNSEL POWERWORKS WIND TURBINES LLC 15850P JESS RANCH ROAD TRACY, CA 95377 FOR: POWERWORKS WIND TURBINES LLC
MICHAEL KYES 7423 SHAUN CT. SEBASTOPOL, CA 95472 FOR: KGA ASSOCIATES LLC	JORDAN PINJUV COUNSEL CALIFORNIA INDEPENDENT SYSTEM OPERATOR 250 OUTCROPPING WAY FOLSOM, CA 95630 FOR: CALIFORONIA ISO
MICHAEL SCHEIBLE DEPUTY EXECUTIVE OFFICER CALIFORNIA AIR RESOURCES BOARD 1001 I STREET SACRAMENTO, CA 95677 FOR: CALIFORNIA AIR RESOURCES BOARD	LON W. HOUSE, PH.D ASSN. OF CALIFORNIA WATER AGENCIES 4901 FLYING C RD. CAMERON PARK, CA 95682 FOR: ASSOCIATION OF CALIFORNIA WATER AGENCIES (ACWA)
NICK GOODWIN SELF GOODWIN SELF ECO CONSULTING, LLC 6480 CAROLINDA DRIVE GRANITE BAY, CA 95746 FOR: GOODWIN SELF ECO CONSULTING, LLC	JIM HAWLEY GEN. COUNSEL & SVP, STATE POLICY TECHNOLOGY NETWORK 1215 K ST., STE. 1900 SACRAMENTO, CA 95814 FOR: TECHNOLOGY NETWORK (TECHNET)
JOSHUA NELSON BEST BEST & KRIEGER LLP	KAREN GRIFFIN EXECUTIVE OFFICE

500 CAPITOL MALL, STE. 1700 SACRAMENTO, CA 95814 FOR: WESTERN MUNICIPAL WATER DISTRICT; TERRA VERDE RENEWABLES PARTNERS, LLC; LEMON GROVE SCHOOL DISTRICT; CITY OF BENICIA; VALLEY CENTER MUNICIPAL WATER DISTRICT; SAN DIEGO UNIFIED SCHOLL DISTRICT; RANCHO CALIFORNIA WATER DISTRICT; PADRE DAM MUNICIPAL WATER DISTRICT	CALIFORNIA ENERGY COMMISSION 1516 9TH STREET, MS 39 SACRAMENTO, CA 95814 FOR: CALIFORNIA ENERGY COMMISSION
MICHAEL BOCCADORO PRESIDENT WEST COAST ADVISORS 925 L STREET, SUITE 800 SACRAMENTO, CA 95814 FOR: AGRICULTURAL ENERGY CONSUMERS ASSOCIATION	ANDREW B. BROWN ATTORNEY AT LAW ELLISON SCHNEIDER & HARRIS, LLP 2600 CAPITAL AVENUE, SUITE 400 SACRAMENTO, CA 95816-5905 FOR: CONSTELLATION NEWENERGY, INC.
JEDEDIAH J. GIBSON ATTORNEY AT LAW ELLISON SCHNEIDER & HARRIS LLP 2600 CAPITOL AVENUE, SUITE 400 SACRAMENTO, CA 95816-5905 FOR: BLOOM ENERGY, INC.	JAMES L. HODGES AND ENERGY SERVICES ASSOCIATION OF CALIFORNIA COMMUNITY 1069 45TH STREET SACRAMENTO, CA 95819 FOR: ASSOCIATION OF CALIFORNIA COMMUNITY AND ENERGY SERVICES (ACCES)
PHIL HENRY PRESIDENT CALIFORNIA GEOTHERMAL HEAT PUMP ASSOC 9343 TECH CENTER DR., STE. 135 SACRAMENTO, CA 95826 FOR: CALIFORNIA GEOTHERMAL HEAT PUMP ASSOCIATION, DBA CALIFORNIAGEO	KAREN NORENE MILLS ATTORNEY CALIFORNIA FARM BUREAU FEDERATION 2300 RIVER PLAZA DRIVE SACRAMENTO, CA 95833 FOR: CALIFORNIA FARM BUREAU FEDERATION
ANN L. TROWBRIDGE DAY CARTER & MURPHY LLP 3620 AMERICAN RIVER DRIVE, SUITE 205 SACRAMENTO, CA 95864 FOR: CALIFORNIA CLEAN DG COALITION	WILLIAM R. MARTINI TECOGEN INC. - WESTERN OFFICE 2245 NW 111TH AVENUE PORTLAND, OR 97229 FOR: TECOGEN INC.
PHILIP UNDERCUFFLER DIR. - PRODUCT MANAGEMENT & STRATEGIES OUTBACK POWER TECHNOLOGIES 17825 9TH AVE., NE, STE. B ARLINGTON, WA 98223 FOR: OUTBACK POWER TECHNOLOGIES	

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KEVIN T. FOX KEYES & FOX LLP EMAIL ONLY EMAIL ONLY, CA 00000 FOR: THE ALLIANCE FOR SOLAR CHOICE	LAURENE PARK THE PUBLIC SUSTAINABILITY PARTNERSHIP EMAIL ONLY EMAIL ONLY, CA 00000
LES NELSON IAPMO EMAIL ONLY EMAIL ONLY, CA 00000	MARK WIEDEMAN EMAIL ONLY EMAIL ONLY, CA 00000
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DAN PERKINS VP-NATIONAL PRESEVATION PARTNERS ENERGYSMARTHOMES.NET EMAIL ONLY EMAIL ONLY, CA 00000-0000 FOR: CLEANTECH ENERGY SOLUTIONS INC.	ERICA MACKIE, P.E. EXECUTIVE DIRECTOR & CO-FOUNDER GRID ALTERNATIVES EMAIL ONLY EMAIL ONLY, CA 00000-0000 FOR: GRID ALTERNATIVES
HELEN LIU PROJECT MANAGER KW ENGINEERING EMAIL ONLY EMAIL ONLY, CA 00000-0000	IRENE M. STILLINGS EXECUTIVE DIRECTOR CALIF. CTR. FOR SUSTAINABLE ENERGY EMAIL ONLY EMAIL ONLY, CA 00000-0000
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LALI NATHAN MERIDIAN ENERGY USA, INC EMAIL ONLY EMAIL ONLY, CA 00000-0000 FOR: CLEANTECH AMERICA	NICK STIMMEL PACIFIC GAS AND ELECTRIC COMPANY EMAIL ONLY EMAIL ONLY, CA 00000-0000
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THOMAS MILLHOFF HELIO MICRO UTILITY, INC. EMAIL ONLY EMAIL ONLY, CA 00000-0000	TIM FRIGON ONLINE CLEAN ENERGY EMAIL ONLY EMAIL ONLY, CA 00000-0000
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MIKE LEVIN DIR - GOVN'T AFFAIRS FUELCELL ENERGY, INC. 3 GREAT PASTURE ROAD DANBURY, CT 06810	PATRICK JOBIN CREDIT SUISSE SECURITIES (USA) LLC ONE MADISON AVENUE NEW YORK, NY 10010
EMILY N. SMITH ATTORNEY AT LAW MCDERMOTT WILL & EMERY LLP	BUD DEFLAVIIS DIRECTOR OF GOVERNMENT AFFAIRS FUEL CELL AND HYDROGEN ENERGY ASSN.

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DELL JONES MANAGER SOLUTION ARCHITECTURE-SOLAR SCHNEIDER ELECTRIC 20751 GROVELINE CT. ESTERO, FL 33928	SVEN L. ANDEN VP SALES AND MARKETING ZEROPEX A.S. 368 WASHINGTON RD. GROSSE POINTE, MI 48230-1616
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MIKE BERGEY PRESIDENT DISTRIBUTED WIND ENERGY ASSOCIATION 2200 INDUSTRIAL BLVD. NORMAN, OK 73069	JAMES HARRIS UPSTAR ENERGY LLC 4131 CENTURION WAY ADDISON, TX 75001
WILSON HARRIS UPSTAR ENERGY LLC 4131 CENTURION WAY ADDISON, TX 75001	KIRBY BOSLEY JP MORGAN VENTURES ENERGY CORP. 700 LOUISIANA STREET, SUITE 1000 HOUSTON, TX 77002
PEARCE HAMMOND SIMMONS & COMPANY 700 LOUISIANA, STE 1900 HOUSTON, TX 77002	BRENT BARKETT SUMMIT BLUE CONSULTING 1375 WALNUT ST., STE. 200 BOULDER, CO 80302-5242
KEVIN COONEY PRINCIPAL/CEO SUMMIT BLUE CORPORATION 1375 WALNUT ST., STE. 200 BOULDER, CO 80302-5242	TIM MERRIGAN NATIONAL RENEWABLE ENERGY LABORATORY 1617 COLE BLVD. M/S 1725 GOLDEN, CO 80401
DANIELLE PRALL GOLDEN POWER PARTNERS 2080 FOOTHILLS ROAD GOLDEN, CO 80401-1721	LORI SMITH SCHELL EMPOWERED ENERGY 174 N. ELK RUN DURANGO, CO 81303
WON HEE PARK MANAGER, STRATEGIC MARKETING OPERATIONS FIRST SOLAR, INC. 350 W. WASHINGTON STREET, SUITE 600 TEMPE, AZ 85281	ROBERT L. PETTINATO L.A. DEPT. OF POWER & WATER-NAT. GAS GRP 111 NORTH HOPE STREET, ROOM 1150 LOS ANGELES, CA 90012-0100
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NORMAN A. PEDERSEN, ESQ. HANNA AND MORTON LLP 444 S. FLOWER STREET, SUITE 1500 LOS ANGELES, CA 90071-2916	LARRY THRALL VIREO VIREO ENERGY 31569 SEA LEVEL DRIVE MALIBU, CA 90262
RICHARD R. KRIETE CALNETIXPS 324 MARINE AVENUE MANHATTAN BEACH, CA 90266	ARLEEN NOVOTNEY SOUTHERN CALIFORNIA FORUM 941 PALMS BLVD. VENICE, CA 90291
YING-NIEN YU, P.E. CONSERVATION TECHNOLOGY 1018 OXFORD AVENUE MARINA DEL REY, CA 90292	RICK RUIZ ZENVIRONMENT 209 MONTANA AVENUE, NO. 307 SANTA MONICA, CA 90403
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STEVE ENDO	FRED STEFANY

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PASADENA DEPARTMENT OF WATER & POWER 150 S.LOS ROBLES AVE., STE. 200 PASADENA, CA 91105	SOLPLICITY 29899 AGOURA RD., STE. 100 AGOURA HILLS, CA 91301
GREGORY KLATT DOUGLASS & LIDDELL 4766 PARK GRANADA, STE. 209 CALABASAS, CA 91302	LINCOLN BLEVEANS POWER RESOURCES MANAGER BURBANK WATER & POWER 164 WEST MAGNOLIA BLVD. BURBANK, CA 91502
MICHAEL TEN EYCK RANCHO CUCAMONGA MUNICIPAL UTILITY 10500 CIVIC CENTER DRIVE RANCHO CUCAMONGA, CA 91730	AILEEN M. LAGBAO SOUTHERN CALIFORNIA EDISON COMPANY 2244 WALNUT GROVE AVE. ROSEMEAD, CA 91770
CASE ADMINISTRATION SOUTHERN CALIFORNIA EDISON COMPANY 2244 WALNUT GROVE AVENUE, RM. 370 ROSEMEAD, CA 91770	GARY BARSLEY SOUTHERN CALIFORNIA EDISON COMPANY 2244 WANUT GROVE AVE., PO BOX 800 ROSEMEAD, CA 91770
MICHAEL D. MONTOYA SOUTHERN CALIFORNIA EDISON COMPANY 2244 WALNUT GROVE AVENUE, PO BOX 800 ROSEMEAD, CA 91770	MICHAEL TOMLIN SOUTHERN CALIFORNIA EDISON COMPANY 2244 WALNUT GROVE AVENUE ROSEMEAD, CA 91770
NATHANAEL GONZALEZ SOUTHERN CALIFORNIA EDISON COMPANY 8631 RUSH STREET ROSEMEAD, CA 91770	NICOLE REICHENBERGER SOUTHERN CALIFORNIA EDISON COMPANY 8631 RUSH STREET ROSEMEAD, CA 91770
SHIELA LINAO SOUTHERN CALIFORNIA EDISON COMPANY 2244 WALNUT GROVE AVENUE ROSEMEAD, CA 91770	WALTER GORDON SOUTHERN CALIFORNIA EDISON COMPANY 2244 WALNUT GROVE AVE. ROSEMEAD, CA 91770
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DHAD CHAHBAZI BAP POWER CORP. D/B/A/CENERGY POWER 3176 LIONSHEAD AVE., NO. 11 CARLSBAD, CA 92010	RICHARD T. SPERBERG ONSITE ENERGY CORPORATION 2701 LOKER AVE. WEST., SUITE 107 CARLSBAD, CA 92010
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JEFF COX 1557 MANDEVILLE PLACE ESCONDIDO, CA 92029	JOE SILVA CALIFORNIA POWER PARTNERS, INC. 13000 DANIELSON ST., STE. J POWAY, CA 92029
ALLEN SELIGSON 13075 OLD WINERY ROAD POWAY, CA 92064	FREDERICK M. ORTLIEB DEPUTY CITY ATTORNEY CITY OF SAN DIEGO 1200 THIRD AVENUE, SUITE 1100 SAN DIEGO, CA 92101
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TRACY TSUI SOLAR EDGETECH 7710 BALBOA AVE., SUITE 218-B SAN DIEGO, CA 92111	SARAH A. STOREY PROJECT DEVELOPER CALIFORNIA SOLAR THERMAL, INC. 4901 MORENA BLVD., STE. 404 SN DIEGO, CA 92117
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LISA BICKER CLEANTECH SAN DIEGO 9191 TOWNE CENTRE DRIVE. STE. 410 SAN DIEGO, CA 92122-1227	CENTRAL FILES SDG&E/SOCALGAS 8330 CENTURY PARK COURT, CP31-E SAN DIEGO, CA 92123
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JOHN PIMENTEL FOUNDATION WINDPOWER 431 BURGESS DR., STE. 200 MENLO PARK, CA 94025-3478	KEVIN HAUCK FOUNDATION WINDPOWER 431 BURGESS DR., STE. 200 MENLO PARK, CA 94025-3478
ANTHONY HARRISON STEM, INC. 100 ROLLINS RD. MILLBRAE, CA 94030	MICHAEL ALTHOFF POWERGETICS, INC. 100 ROLLINS RD. MILLBRAE, CA 94030-3115
MANI THOTHADRI COGENRA SOLAR 365 E. MIDDLEFIELD RD. MOUNTAIN VIEW, CA 94040	BRUCE KARNEY 833 BUSH STREET MOUNTAIN VIEW, CA 94041
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SKY C. STANFIELD SHUTE, MIHALY AND WEINBERGER, LLP 396 HAYES STREET SAN FRANCISCO, CA 94102 FOR: INTERSTATE RENEWABLE ENERGY COUNCIL (IREC)	ANGLEA PATANE S.F. PUC POWER ENTERPRISE 525 GOLDEN GATED AVE. SAN FRANCISCO, CA 94102-3220

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CANDICE YU ASSOCIATE, ADVANCED SOLUTIONS SUNEDISON 44 MONTGOMERY STREET, 2200 SAN FRANCISCO, CA 94104	EVELYN KAHL ALCANTAR & KAHL, LLP 345 CALIFORNIA ST., STE. 2450 SAN FRANCISCO, CA 94104 FOR: ENERGY PRODUCERS AND USERS COALITION
KAREN TERRANOVA ALCANTAR & KAHL 345 CALIFORNIA ST., STE. 2450 SAN FRANCISCO, CA 94104	MIKE KING ENERGY & ENVIRONMENTAL ECONOMICS, INC 101 MONTGOMERY STREET, SUITE 1600 SAN FRANCISCO, CA 94104
WAYNE WAITE POLICY DIRECTOR CALIF. HOUSING PARTNERSHIP CORP. 369 PINE STREET, SUITE 300 SAN FRANCISCO, CA 94104	ARCADY SOSINOV SECRETARY REPURPOSED BATTERY ALLIANCE 403 MAIN ST., NO. 306 SAN FRANCISCO, CA 94105 FOR: REPURPOSED BATTERY ALLIANCE
DEREK JONES NAVIGANT CONSULTING, INC. ONE MARKET ST., SPEAR TOWER, SUITE 1200 SAN FRANCISCO, CA 94105	GAREN GRIGORYAN PACIFIC GAS AND ELECTRIC COMPANY 245 MARKET STREET, RM. 1255D SAN FRANCISCO, CA 94105
GRACE HSU WILSON SONSINI GOODRICH & ROSATI ONE MARKET PLZ, SPEAR TWR,STE.3300 SAN FRANCISCO, CA 94105	JEFFREY KLOMPUS NEWCOMB ANDERSON MCCORMICK 201 MISSION ST., STE. 2000 SAN FRANCISCO, CA 94105
JOSEPHINE WU PACIFIC GAS AND ELECTRIC COMPANY 77 BEALE STREET, MC B9A, RM. 975 SAN FRANCISCO, CA 94105	KARIN CORFEE MANAGING DIRECTOR NAVIGANT CONSULTING INC 1 MARKET ST., SPEAR ST. TWR, ST. 1200 SAN FRANCISCO, CA 94105
KIM NGO PACIFIC GAS & ELECTRIC CO 245 MARKET STREET, MC N7R SAN FRANCISCO, CA 94105	MARDI WALTON SR. REGULATORY ANALYST PACIFIC GAS AND ELECTRIC COMPANY 77 BEALE STREET, MC B10B, RM 1003 SAN FRANCISCO, CA 94105
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STACY W. WALTER PACIFIC GAS AND ELECTRIC COMPANY 77 BEALE STREET, MC B30A SAN FRANCISCO, CA 94105	VI VIEN HOANG PACIFIC GAS AND ELECTRIC COMPANY 77 BEALE STREET, MC B9A SAN FRANCISCO, CA 94105
COLIN EYKAMP TIOGA ENERGY 123 MISSION STREET, FLOOR 89 SAN FRANCISCO, CA 94105-5124	PAUL DETERING TIOGA ENERGY 123 MISSION STREET, FLR. 9 SAN FRANCISCO, CA 94105-5124
CHESTER A. ROAMAN 1180 DE HARO SAN FRANCISCO, CA 94107	JOHN GORMAN ECOPLEXUS, INC 1733 20TH STREET SAN FRANCISCO, CA 94107
MARC KOLB SOLARCITY 444 DE HARO STREET, SUITE 100 SAN FRANCISCO, CA 94107	STEVEN MOSS SAN FRANCISCO COMMUNITY POWER CO-OP 2325 THIRD STREET, STE 344 SAN FRANCISCO, CA 94107
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GERALD T. ROBINSON LAWRENCE BERKLEY NATIONAL LABS ONE CYCLOTRON ROAD BERKLEY, CA 94720	RYAN WISER BERKELEY LAB 1 CYCLOTRON ROAD, MS-90-4000 BERKELEY, CA 94720
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SHAWN KITA PANASONIC INDUSTRIAL DEVICES SALES CO 10900 N. TANTAU AVE., STE. 200 CUPERTINO, CA 95014	NEIL MAGUIRE CEO JUICEBOX ENERGY, INC. 1650 CENTER POINTE DRIVE MILPITAS, CA 95035

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RICH BORBA JKB ENERGY 941 E MONTE VISTA AVE. TURLOCK, CA 95382	PRESTON BOOKER SONOMA ENERGY MANAGEMENT 643 WRIGHT STREET SANTA ROSA, CA 95404
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LINDA KELLY ELECTRICITY ANALYSIS OFFICE CALIFORNIA ENERGY COMMISSION 1516 9TH STREET, MS 20 SACRAMENTO, CA 95614	LIZ MERRY VERVE SOLAR CONSULTING 2402 WESTERNESSE RD. DAVIS, CA 95616
MARK BERMAN DAVIS ENERGY GROUP 123 C STREET DAVIS, CA 95616	RICHARD MCCANN, PH.D M. CUBED 2655 PORTAGE BAY, SUITE 3 DAVIS, CA 95616
ANN PETERSON ITRON, INC. 330 MADSON PLACE DAVIS, CA 95618-6599	GEORGE SIMONS DIRECTOR ITRON, INC. 330 MADSON PLACE DAVIS, CA 95618-6599 FOR: ITRON
SMITA GUPTA SR. ENERGY CONSULTANT ITRON, INC. 330 MADSON PLACE DAVIS, CA 95618-6599	KENNETH SWAIN MANAGING CONSULTANT - ENERGY NAVIGANT CONSULTING, INC. 35 IRON POINT CIRCLE, STE. 225 FOLSOM, CA 95630
LEGAL DEPARTMENT CALIFORNIA ISO 250 OUTCROPPING WAY FOLSOM, CA 95630	STUART CHANG ENERGY SYSTEMS DEVELOPMENT, LLC 5420 DOUGLAS BLVD., STE.F GRANITE BAY, CA 95746
CAROLYN KEHREIN PRINCIPAL ENERGY MANAGEMENT SERVICES 2602 CELEBRATION WAY WOODLAND, CA 95776	GEOF SYPHERS CALIFORNIA INFILL BUILDERS ASSN. COUNCIL 2012 K STREET SACRAMENTO, CA 95811
ASISH GAUTAM CALIFORNIA ENERGY COMMISSION 1516 NINTH STREET, MS-22 SACRAMENTO, CA 95814	AUTUMN BERNSTEIN DIRECTOR CLIMATE PLAN 717 K STREET, SUITE 330 SACRAMENTO, CA 95814
CHUCK WHITE WASTE MANAGEMENT 915 L STREET, STE. 1430 SACRAMENTO, CA 95814	DAN L. CARROLL ATTORNEY AT LAW DOWNEY BRAND, LLP 621 CAPITOL MALL, 18TH FLOOR SACRAMENTO, CA 95814
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GRAHAM NOYES KEYES FOX & WIEDMAN LLP 980 NINTH STREET, 16HT FLOOR SACRAMENTO, CA 95814	JAN MCFARLAND CAEATFA 915 CAPITOL MALL, RM. 468 SACRAMENTO, CA 95814
JOHN SHEARS CEERT 1100 11TH STREET, SUITE 311	MARK A. LOWDER DIR - HOUSING FINANCE CRHMFA HOMEBUYERS FUND

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SACRAMENTO, CA 95814	1215 K STREET, STE. 1650 SACRAMENTO, CA 95814
NICOLE WRIGHT BRAUN BLAISING MCLAUGHLIN & SMITH 915 L STREET, SUITE 1270 SACRAMENTO, CA 95814	PAYAM NARVAND CALIFORNIA ENERGY COMMISSION 1516 NINTH STREET, MS -45 SACRAMENTO, CA 95814
SANDY MILLER CALIFORNIA ENERGY COMMISSION 1516 9TH STREET MS NO.45 SACRAMENTO, CA 95814	STEVEN A. BRINK VP - PUBLIC RESOURCES CALIFORNIA FORESTRY ASSOCIATION 1215 K STREET, SUITE 1830 SACRAMENTO, CA 95814
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DAVID VIDAVER CALIFORNIA ENERGY COMMISSION 1516 NINTH STREET, MS-20 SACRAMENTO, CA 95814-5512	ROD BAYBAYAN CALIFORNIA ENERGY COMMISSION 1516 NINTH STREET SACRAMENTO, CA 95814-5512
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JAYSON WIMBLEY MGR. OF ENERGY AND ENVIRONMENTAL SVCS. DEPT. OF COMMUNITY SERVICES & DEVELOP. 2389 GATEWAY OAKS DRIVE SACRAMENTO, CA 95833	MARC DAVIS BARNUM & CELILLO ELECTRIC, INC. 3900 TAYLOR STREET SACRAMENTO, CA 95838
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JIM BARNETT SACRAMENTO MUNICIPAL UTILITY DISTRICT PO BOX 15852, MS A203 SACRAMENTO, CA 95852-1803	RACHEL HUANG SACRAMENTO MUNICIPAL UTILITY DISTRICT PO BOX 15852, MS A353 SACRAMENTO, CA 95852-1803
STEPHEN FRANTZ SACRAMENTO MUNICIPAL UTILITY DISTRICT PO BOX 15852. MS A353 SACRAMENTO, CA 95852-1803	WADE HUGHES SACRAMENTO MUNICIPAL UTILITY DISTRICT PO BOX 15852, MS A203 SACRAMENTO, CA 95852-1803
CRAIG ANDERSON YOUTH WITH A MISSION ADMINISTRATION 15850 RICHARDSON SPRINGS ROAD CHICO, CA 95973	LIBERTY UTILITIES (FORMERLY CALPECO) LLC 933 ELOISE AVENUE SOUTH LAKE TAHOE, CA 96150
MIKE DOOLEY VP OF MARKETING AE SOLAR ENERGY, INC. PO BOX 7348 BEND, OR 97708-7348	TOM ECKHART CEO CAL-UCONS 10612 NE 46TH STREET KIRKLAND, WA 98033 FOR: CAL-UCONS
JENNIFER HOLMES ENERGY MARKET INNOVATIONS INC. 83 COLUMBIA STREET, SUITE 400 SEATTLE, WA 98104-1416	KURT SCHEUERMAN ITRON, INC. 603 OFFICERS ROW VANCOUVER, WA 98661
BRENDA LATTER ITRON INC. 603 OFFICERS ROW VANCOUVER, WA 98661-3837 FOR: ITRON INC.	

State Service

DAVID B. PECK CPUC ELECTRICITY PRICING & CUSTOMER PROGRAM EMAIL ONLY	HELENA OH CPUC EMAIL ONLY EMAIL ONLY, CA 00000
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EMAIL ONLY, CA 00000	
JASON HOUCK CPUC - ENERGY EMAIL ONLY EMAIL ONLY, CA 00000	LEWIS BICHKOFF CPUC - ENERGY EMAIL ONLY EMAIL ONLY, CA 00000
MICHAEL COLVIN CPUC - SED EMAIL ONLY EMAIL ONLY, CA 00000	NICHOLAS FUGATE SUPPLY ANALSYS OFFICE CALIFORNIA ENERGY COMMISSION EMAIL ONLY EMAIL ONLY, CA 00000
NICOLAS L. CHASET SPECIAL ADVISOR DISTRIBUTED ENERGY RES. CPUC OFFICE OF GOV. ED. G. BROWN, JR. EMAIL ONLY EMAIL ONLY, CA 00000	RONN KAISER CHIEF COUNSEL CA. DEPT. OF COMMUNITY SVCS. & DEV'T. EMAIL ONLY EMAIL ONLY, CA 00000
ROSANNE O'HARA ORA -PUBLIC UTILITY REGULATORY ANALYST CALIFORNIA PUBLIC UTILITIES COMMISSION EMAIL ONLY EMAIL ONLY, CA 00000	SANDY GOLDBERG SR. COUNSEL GOVERNOR'S OFF. OF PLANING & RESEARCH EMAIL ONLY EMAIL ONLY, CA 00000
SARA M. KAMINS CALIFORNIA PUBLIC UTILITIES COMMISSION EMAIL ONLY EMAIL ONLY, CA 00000	SARAH TAHERI CALIFORNIA ENERGY COMMISSION EMAIL ONLY EMAIL ONLY, CA 00000
SCOTT MURTISHAW CPUC - EXEC DIV EMAIL ONLY EMAIL ONLY, CA 00000	SHERRILL NIEDICH RENEWABLE ENERGY OFFICE CALIFORNIA ENERGY COMMISSION EMAIL ONLY EMAIL ONLY, CA 00000
TONY MARINO OFFICE OF SENATOR JERRY HILL EMAIL ONLY EMAIL ONLY, CA 00000	YIKUN LIU CPUC EMAIL ONLY EMAIL ONLY, CA 00000
JAMES LOEWEN CALIF PUBLIC UTILITIES COMMISSION DEMAND RESPONSE, CUSTOMER GENERATION, AN 320 West 4th Street Suite 500 Los Angeles, CA 90013	ANNE E. SIMON CALIF PUBLIC UTILITIES COMMISSION DIVISION OF ADMINISTRATIVE LAW JUDGES ROOM 5104 505 VAN NESS AVENUE SAN FRANCISCO, CA 94102-3214
DIANA L. LEE CALIF PUBLIC UTILITIES COMMISSION LEGAL DIVISION ROOM 4107 505 VAN NESS AVENUE SAN FRANCISCO, CA 94102-3214 FOR: ORA	DOROTHY DUDA CALIF PUBLIC UTILITIES COMMISSION DIVISION OF ADMINISTRATIVE LAW JUDGES ROOM 5110 505 VAN NESS AVENUE SAN FRANCISCO, CA 94102-3214
EDWARD F. RANDOLPH CALIF PUBLIC UTILITIES COMMISSION ENERGY DIVISION ROOM 4004 505 VAN NESS AVENUE SAN FRANCISCO, CA 94102-3214	EHREN SEYBERT CALIF PUBLIC UTILITIES COMMISSION EXECUTIVE DIVISION ROOM 5303 505 VAN NESS AVENUE SAN FRANCISCO, CA 94102-3214
ELIZABETH CURRAN CALIF PUBLIC UTILITIES COMMISSION DEMAND RESPONSE, CUSTOMER GENERATION, AN AREA 4-A 505 VAN NESS AVENUE SAN FRANCISCO, CA 94102-3214	FRANZ CHENG CALIF PUBLIC UTILITIES COMMISSION MARKET STRUCTURE, COSTS AND NATURAL GAS AREA 4-A 505 VAN NESS AVENUE SAN FRANCISCO, CA 94102-3214
GABRIEL PETLIN CALIF PUBLIC UTILITIES COMMISSION INFRASTRUCTURE PLANNING AND PERMITTING B AREA 4-A 505 VAN NESS AVENUE SAN FRANCISCO, CA 94102-3214	JEANNE CLINTON CALIF PUBLIC UTILITIES COMMISSION EXECUTIVE DIVISION ROOM 5221 505 VAN NESS AVENUE SAN FRANCISCO, CA 94102-3214
JEANNE MCKINNEY CALIF PUBLIC UTILITIES COMMISSION DIVISION OF ADMINISTRATIVE LAW JUDGES ROOM 5011 505 VAN NESS AVENUE SAN FRANCISCO, CA 94102-3214	JOE COMO CALIF PUBLIC UTILITIES COMMISSION ORA - ADMINISTRATIVE BRANCH ROOM 4201 505 VAN NESS AVENUE SAN FRANCISCO, CA 94102-3214
KAREN CLOPTON CALIF PUBLIC UTILITIES COMMISSION DIVISION OF ADMINISTRATIVE LAW JUDGES ROOM 5118 505 VAN NESS AVENUE SAN FRANCISCO, CA 94102-3214	LISA PAULO CALIF PUBLIC UTILITIES COMMISSION ENERGY EFFICIENCY BRANCH AREA 4-A 505 VAN NESS AVENUE SAN FRANCISCO, CA 94102-3214
RACHEL ANN PETERSON	RADU CIUPAGEA

CALIF PUBLIC UTILITIES COMMISSION EXECUTIVE DIVISION AREA 4-A 505 VAN NESS AVENUE SAN FRANCISCO, CA 94102-3214	CALIF PUBLIC UTILITIES COMMISSION ELECTRICITY PLANNING & POLICY BRANCH ROOM 4104 505 VAN NESS AVENUE SAN FRANCISCO, CA 94102-3214
RAHMON MOMOH CALIF PUBLIC UTILITIES COMMISSION UTILITY & PAYPHONE ENFORCEMENT BRANCH AREA 2-E 505 VAN NESS AVENUE SAN FRANCISCO, CA 94102-3214	REBECCA TSAI-WEI LEE CALIF PUBLIC UTILITIES COMMISSION POLICY & PLANNING DIVISION ROOM 1250 505 VAN NESS AVENUE SAN FRANCISCO, CA 94102-3214
REGINA DEANGELIS CALIF PUBLIC UTILITIES COMMISSION DIVISION OF ADMINISTRATIVE LAW JUDGES ROOM 5105 505 VAN NESS AVENUE SAN FRANCISCO, CA 94102-3214	ROBERT LEVIN CALIF PUBLIC UTILITIES COMMISSION ENERGY DIVISION ROOM 4102 505 VAN NESS AVENUE SAN FRANCISCO, CA 94102-3214
SHANNON O'ROURKE CALIF PUBLIC UTILITIES COMMISSION DEMAND RESPONSE, CUSTOMER GENERATION, AN AREA 4-A 505 VAN NESS AVENUE SAN FRANCISCO, CA 94102-3214	THOMAS ROBERTS CALIF PUBLIC UTILITIES COMMISSION ENERGY COST OF SERVICE & NATURAL GAS BRA ROOM 4108 505 VAN NESS AVENUE SAN FRANCISCO, CA 94102-3214
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LAWRENCE LINGBLOOM ASSEMBLY NAT. RESOURCES COMMITTEE 1020 N STREET, ROOM 164 SACRAMENTO, CA 95814	LE-QUYEN NGUYEN CALIFORNIA ENERGY COMMISSION 1516 NINTH STREET SACRAMENTO, CA 95814
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Revision: November 16, 2013

BYLAWS & STANDING RULES OF THE SIERRA CLUB

[The current Bylaws are given **in boldface** flush left. They were amended and approved by the membership, April 11, 1981; the numbers in brackets – for example, [5130] – at the end of a Bylaws paragraph reference the relevant sections of the California Nonprofit Corporation Law. Standing Rules are indicated by SR and are in regular type indented.]

SR. 0.1.1: Purpose

These Standing Rules relate to the Club Bylaws. The only membership rights of Club members are the rights specifically provided by the Articles, Bylaws and the Corporation Law. Standing Rules shall be adopted, amended, or repealed by resolution of the Board. As applied to Club employees, the Club's employment policies supersede these Standing Rules in the event of any inconsistencies between them and these Standing Rules.

Adopted 11/21-22/81; amended 05/19-20/06, 02/24/07

SR. 0.1.2: Defined Terms

As used in these Standing Rules, the following terms are defined as follows:

“Board” shall mean the Board of Directors of the Club.

“Club” shall mean the Sierra Club.

“Club Council” shall mean the Club's Council of Club Leaders.

“Corporation Law” shall mean the California Nonprofit Public Benefit Corporation law.

“Executive Committee” shall mean the Executive Committee of the Board.

Adopted 05/19-20/06; revised 05/16/08

Bylaw 1: NAME

1.1. The name of this corporation shall be the SIERRA CLUB.

SR. 1.1.1: One Corporation

The Club, incorporated in the State of California as a Nonprofit Public Benefit Corporation, is the only legally recognized corporate entity of the Club in the United States. All Club chapters, groups, committees, teams, and task forces are subunits of the Club and cannot enter into legal actions without the permission of the Board or those to whom the Board has delegated authority to grant such permission.

Adopted 11/20-21/82; amended 09/19-20/03, 05/19-20/06, 02/24/07,
05/16/08

Bylaw 2: PURPOSES

2.1. The Sierra Club is a nonprofit public benefit corporation and is not organized for the private gain of any person. It is organized under the California Nonprofit Public Benefit Corporation Law for public and charitable purposes. [5130]

2.2. The purposes of the Sierra Club are

To explore, enjoy, and protect the wild places of the Earth; to practice and promote the responsible use of the Earth's ecosystems and resources; to educate and enlist humanity to protect and restore the quality of the natural and human environment; and to use all lawful means to carry out these objectives.

SR. 2.2.1: Civil Disobedience

(a) The Club will not encourage, request or direct any person to violate the law. No chapter, group, or other entity of the Club shall encourage, request or direct any person to violate the law.

(b) The Club recognizes that it cannot control the private actions of its members, and in particular cannot prevent its members from engaging in acts of civil disobedience. However, no member of the Club is authorized to use, display, or invoke the Club's name or logo (including the name of any chapter, group, or other entity of the Club) in connection with committing, or encouraging, requesting or directing any other person to commit, any violation of the law.

(c) The Club recognizes that some of its members have become closely identified with the Club in the minds of the public. The mere involvement of such members, either individually or collectively, in an act of civil disobedience or other violation of law, without any effort on their part to use, display, or invoke the Club's name, or logo in connection with that act, shall not be deemed a violation of this Standing Rule. Members shall take all reasonable precautions to avoid confusion over whether the Club is involved in such acts.

(d) If there is a coalition event such as a march, rally, protest etc. that is peaceful and lawful, but where a subset of the participants plan to participate in an act of civil disobedience in association with the event; the Sierra Club may endorse, organize support for, and participate in the event, but it may not use Club resources to promote participation specifically in the civil disobedience activity.

Resolution of 11/15/92; amended and adopted as a SR. 05/2/93;
amended 05/19-20/06, 02/24/07, 11/16/2013

SR. 2.2.2: Representing the Club

(a) No Club member, present or former leader, or member of the staff shall make a statement or take a public position in the name of the Club that is contrary to, or creates a misimpression of a policy or position established by the Board, the duly authorized chapter, group, committee or other Club entity, or the Club membership through referendum. When speaking or taking a public position on their own behalf, or on the behalf of organizations other than the Club, members shall avoid giving the impression that they are representing the Club and endeavor to correct any misimpression in this regard.

Adopted 03/01-02/97; amended 11/14-15/98, 05/19-20/06, 02/24/07

(b) No Club member shall give permission for her/his membership or position in the Club to be used in any manner, including "for identification purposes only," on the letterhead or in any other official publications or documents of any other organization unless such use has been expressly approved by the relevant Club unit.

Adopted 12/2/84; amended 05/19-20/06, 02/24/07

SR. 2.2.3: Defense of Name

If the Club is criticized or attacked in the public media on any issue, including, but not restricted to ballot issues or procedures, the Board or its designees are free to respond fully and publicly, addressing any point raised. Any Board-authorized communications in response may utilize Club funds and any internal communication media or system, including electronic mail.

Adopted 02/19-20/94; amended 05/19-20/06

SR. 2.2.4: Club Assets

National, chapter, group, and other Club entities are authorized to use assets that are made available to them for delivery of current programs, including coalition building, fundraising, and administrative activities necessary to carry out the mission and achieve the goals of the Club. However, it is within the exclusive powers of the Board to restrict, lien, hypothecate, lend, encumber, transfer to foundations, trusts or other third parties without consideration, the assets of the Club. This exclusive Board power does not annul restrictions imposed by donors.

Adopted as a policy 09/26-27/98; amended and adopted as a Standing Rule 02/20-21/2000; amended 05/19-20/06, 02/24/07

SR. 2.2.5: Conflicts of Interest

(a) Preamble. Every person elected or appointed to a position of authority in an organization has a duty of loyalty to, and must act in the interests of, that organization. A conflict of interest is a situation that exists when someone's loyalty may be divided between the first organization and a second person or

organization. No one should be faulted merely because a conflict of interest situation exists. A problem arises only when someone takes action related to the conflict. A person in a conflict of interest situation may act appropriately by respecting his/her duty of loyalty, or may act inappropriately by violating it. It is the action – the behavior – that is or is not appropriate.

(b) General Policy. As part of their duty of loyalty to the Club, volunteers and staff have an obligation and responsibility (i) to disclose any conflict or potential conflict of interest on any issue promptly as such conflict arises, (ii) to abstain from participation in FINAL deliberations and decisions concerning that issue, and (iii) to abstain from public comment upon that issue.

(c) Definition.

(i) A conflict of interest situation exists when any volunteer or staff member, or said person's immediate family, or any party, group or organization to which said person has allegiance, has a direct or indirect financial or other material interest in a proposed contract, transaction, or arrangement with the Club, or in a policy or position of in the Club.

(ii) An interest in holding an elected or appointed Club volunteer leadership position does not constitute or create the appearance of a conflict of interest. A person seeking appointment or election to such a position may properly deliberate and vote on the setting of rules of general application for the appointment or election process, endorsements for the position, and on the appointment or election itself.

(iii) Club volunteer leaders are responsible for self-identifying those individuals that the volunteer considers to be "immediate family members" in this policy.

(d) Applicability. This policy applies to all volunteers, including volunteer leaders who are authorized to vote in the decision of any Club entity at the group, chapter, committee or national level, to all volunteers who are authorized to speak on behalf of the Club, and to all staff, including staff of chapters, groups or committees, and including all independent contractors.

(e) Existence of a Conflict of Interest Situation.

(i) When there is a doubt as to whether a conflict of interest situation exists, the matter shall be resolved by a vote of the authorized voting members of the Club entity involved, with the person concerning whose situation the doubt has arisen present, but not voting or, in the case of any staff member, by the Executive Director. The Board of Directors is the final arbiter on all matters involving conflict of interest situations.

(ii) When there is disagreement on whether a conflict of interest exists, the Club entity involved in the decision making process resolves that question by a separate vote on each matter and each individual who is argued to have a conflict. If more than one individual is argued to have a factually indistinguishable conflict of interest, the Club entity may resolve the question by a single vote on whether a conflict exists as to all such individuals. A conflict of interest will be found to exist only if a majority of the members of the Club entity who were present at the meeting when the disagreement arose votes that such a conflict exists.

(f) **Obligation to Disclose.** Disclosure shall be to the Club entity (group or chapter executive committee, internal or issue committee, or Board or other national entity) most directly involved or, in the case of staff, to the Executive Director. At least annually, or at the time the situation arises, all volunteer leaders and staff shall disclose any conflict of interest situation. At least annually, all volunteer leaders and staff members shall disclose any direct or indirect benefits that they are receiving or will receive as a result of agreements between the Club and any outside party. However, existence of a minor interest in pension fund investments and third party-managed funds shall not constitute a conflict of interest.

(g) **Obligation to Abstain from Deliberations.** When any such conflict of interest situation is relevant to a matter requiring action by any Club entity within which, or over which, the person concerned has any authority, decision-making role, or voice, the interested person shall call it to the attention of that entity and shall retire from the room in which the Club entity is meeting and shall not participate in the final deliberations regarding the matter. However, that person has the right to, and should, upon request, provide the Club entity with any and all relevant information they may have concerning the matter. Final deliberation means a discussion on the merits of a matter pending by motion before a Club entity.

(h) **Obligation to Abstain from Decision.** In any conflict of interest situation, the person concerned shall not vote or otherwise participate in any decision concerning that matter.

(i) **Documentation.** The minutes of the meeting of the Club entity shall reflect that the conflict of interest was disclosed and that the interested person was not present during the final deliberation or vote and did not vote.

(j) **Obligation to Abstain from Public Statement.** No volunteer or staff member shall make any public statement, as a Club spokesperson, on any issue (internal or external) regarding which they may have a possible conflict of interest. All volunteers and staff shall refrain from public comment, as a Club spokesperson, about conflict of interest issues except as authorized by the President.

(k) **Notice and Review of Policy.** A copy of this conflict of interest policy shall be furnished to each volunteer leader and staff member who is presently serving the

Club, or who may hereafter become associated with it. This policy shall be reviewed annually as a part of a meeting of each Club entity for the information and guidance of volunteer leaders, and any new volunteer leaders shall be advised of the policy upon undertaking the duties of their office. This policy shall be prominently included in the employment manual for all existing and new staff members.

[Notes: This Standing Rule does not apply to concerns arising from attendance and participation at meetings by Club members who are not voting members of the Club entity at issue. For information on that topic, see Bylaw 5.14 and chapter and group bylaws regarding open meetings. For Guidelines in the implementation of this policy, see Board Policies document.]

Adopted 11/10-11/90, amended 11/19-20/04, 05/19-20/06, 05/16/09

SR. 2.2.6: Standards of Conduct

(a) Affirmative Standards of Conduct

(i) Serving in an appointed to elected position of leadership is a privilege that can be lost either by ignoring the duty of loyalty expected of all Club leaders or by violating the following affirmative standards of conduct.

(ii) Club leaders have an obligation to meet the following affirmative standards of conduct, and to hold other leaders accountable to them as well, in all Club interactions with others, including in person, in writing, on email, or on the phone.

(A) Communicate and work together with common courtesy and collegial respect; disagree without being disagreeable.

(B) Create a welcoming environment for new members, visitors, guests, staff and volunteers. Avoid cliquishness, behavior that fosters an “insider” vs. “outsider” culture and language or behavior that offends others. Seek to welcome and engage people who reflect the diversity of the community.

(C) Always represent the Club and its mission in a positive and professional manner; keep disagreements within the Club.

(D) Accurately present the Club’s policies and positions when communicating on behalf of the Club; don’t use a Club leadership role or title to advance personal views that are not the Club’s position.

(E) Respect your obligation to the Club’s members; use member lists and information about members for Club purposes only.

(F) Use Club resources wisely and in keeping with the fiduciary responsibility of all leaders.

(G) Foster an open democratic decision-making process; respect decisions once they are made.

(H) When speaking of other Club leaders praise publicly, criticize privately and tactfully.

(I) Seek to resolve differences with other Club leaders, avoid fractionalism and behavior that exacerbates or prolongs conflict.

(J) Respect the policies and procedures that have been established by and for members engaged in specific Club activities; when in doubt, ask.

(b) Misconduct. The following actions constitute misconduct:

(A) Physical or sexual assault or violent threats toward others.

(B) Embezzling or misdirecting Club funds, membership lists or other assets for activities not authorized by the responsible entity.

(C) Use of slurs, epithets, threats, intimidations, negative stereotyping or other derogatory language regarding gender, race, ethnic or national origin, color, ancestry, medical condition, religion, age, sexual orientation, or physical or mental disability. Actions or behavior that denigrates, threatens, shows hostility or aversion towards, or seeks to exclude an individual or group from participation because of these characteristics.

(D) Fraud, libel, defamation or illegal activity of any kind in the conduct of Club business.

(E) Illegal or unethical professional conduct outside the Club if that misconduct could significantly damage the Club, its staff, its members or its assets.

(F) Harassment, threats or any action directed toward Club employees that violate Club employment policies or are covered by law.

(c) Dealing with Disruptive Personal Behavior

(i) The chair of the relevant Club entity has an obligation to deal quickly and decisively with violations of the affirmative standards of conduct or actions constituting misconduct. All disputes over personal behavior that may violate the affirmative standards of conduct or may constitute misconduct should be resolved at the most local level, and informally whenever possible. Disputes over personal behavior may also warrant the removal, suspension or barring the member from leadership positions or participation in certain activities.

(ii) Formal actions under Standing Rule 5.10.2 can be taken to remove, suspend or bar members from leadership positions (except members of the Board of Directors) or participation in certain activities.

(iii) Immediate Suspension

A. The Executive Director, Board President, and the Chair of the Board Volunteer Leadership Advisory Committee, or their acting designee, together have authority to immediately suspend a member from leadership positions (except members of the Board of Directors) or from participation in specific Club activities for misconduct. Any Club member who believes that a member has engaged in misconduct can make a written request to the Club's Executive Office for the immediate suspension of that member from a leadership position (excepting members of the Board of Directors) or from participation in specific Club activities.

B. Any action to immediately suspend a member for misconduct must be based on a fair assessment (clear documentation, multiple reports, direct communication with those involved) that creates strong reason to believe that misconduct occurred.

C. In cases of the immediate suspension of elected leaders, the process for Termination of Membership or Suspension of Member Privileges (Standing Rule 5.10.2), or the process for resolving conflicts between volunteers and staff must be used to determine whether the suspension should be reversed, extended for a specific period of time, or made permanent. One of these processes must be initiated within three weeks of a suspension.

(d) Resolving Disputes

(i) Policy Disputes. When there is a dispute regarding interpretation, application or disregard for Club Bylaws, these Standing Rules, policies, guidelines or other governing procedures, leaders should seek clarification from the relevant staff entity, for referral or appeal if necessary to the appropriate Board Advisory Committee or the Executive Committee. No leader should act in violation of a policy interpretation that has been provided by the appropriate staff entity. If the leader believes the interpretation is incorrect, he or she should appeal or seek clarification from the appropriate Board Advisory Committee or the Executive Committee, but shall not act in violation of the interpretation the leader has received.

(ii) Decision-Making Disputes

(A) All Club leaders involved in a contentious decision-making process are nevertheless expected to behave according to these Standards of Conduct. This includes decisions regarding priorities for action, strategies and tactics, and the allocation of resources where differences of opinion can be heated.

(B) All disputes among volunteers should be resolved at the most local level possible. If these disputes cannot be resolved locally, the Office of Volunteer and Activist Services shall provide assistance in resolving disputes.

(e) Authority is delegated to the Board Volunteer Leadership Advisory Committee to develop and adapt, as needed, guidelines for resolving disputes over these Standards of Conduct.

(f) Board Discretion. These procedures shall not deprive the Board, at any point in the process, from taking such actions as it may deem necessary or advisable for the best interests of the Club.

Earlier version adopted as a policy 03/17-18/90; this version adopted as a
SR 11/15-16/02; amended 09/10-11/04, 05/19-20/06, 02/24/07, 05/16/08,
11/20/10

SR. 2.2.7: Sexual Harassment

(a) Sexual harassment of Club employees or in Club workplaces is prohibited as provided by law and as governed by Club employment policies and contracts. Any complaints or concerns about sexual harassment of Club staff, or in Club offices, should be reported to a staff supervisor and to the Director of Human Resources.

(b) Sexual harassment of Club members, volunteers or others who participate in Club-sponsored activities is also prohibited. This includes: (i) repeated, unwelcome sexual suggestions or physical contact at any time during Club-sponsored activities or directly related to them; (ii) sexual language or images that create an offensive environment at Club meetings or other Club-sponsored activities; (iii) use of Club contact information to make repeated, unwelcome personal or sexual suggestions outside of Club-sponsored activities; or (iv) demands for sexual favors made explicitly or implicitly a condition for support of a volunteer appointment or volunteer request.

(c) All complaints of sexual harassment are to be treated seriously by relevant Club staff and volunteer leaders, in confidence, and without retaliation or hostility toward the individual complaining.

(d) Sexual harassment can be grounds for termination of Club membership in accordance with SR.5.10.2, Removal of Members from Leadership or from the Club, or termination of employment as governed by Club employment policies and contracts. Sexual assault is considered serious misconduct, as governed by SR. 2.2.6, Standards of Conduct.

Adopted 03/15/92; amended 09/24-25/94, 02/16/06, 05/19-20/06

[Any complaint regarding sexual harassment that involves volunteer leaders or activities should be directed to the Office of Volunteer and Activist Services for further guidance and action if needed. Complaints or concerns about sexual harassment that involve Club employees should be reported to the Director of Human Resources.]

Bylaw 3: PRINCIPAL OFFICE

3.1. The principal office of the Sierra Club shall be fixed and located at such place as the Board of Directors shall determine. The Board is granted full power and authority to change the principal office from one location to another.

Bylaw 4: MEMBERSHIP

Section 1: Classification, Application, and Dues

4.1. Any person interested in advancing the purposes of the Sierra Club may become a member. There is no limitation on the number of members or memberships authorized. [5310]

SR. 4.1.1: Rights of Members

In accordance with Corporation Law section 5057, the only membership rights of members of the Club are the rights specifically provided by the Articles, Bylaws, and the Corporation Law. All other privileges or opportunities granted to members of the Club under its Standing Rules, policies, or the bylaws or rules of Club subentities are not rights of membership in the Club for purposes of Corporation Law section 5057.

Adopted 07/20/02, 05/19-20/06, 02/24/07

SR 4.1.2: Access to Membership List

(a) A Club member in good standing may request access to the names and postal addresses of Club members for a purpose reasonably related to that member's interest as a Club member. All requests must: (i) be made in writing; (ii) include the Club member's name, address and, if known, Club membership number; (iii) be directed to the Club Secretary, care of the Executive Office; (iv) specify the entire list or that portion of it, based solely on criteria discernable from postal address and/or voting rights, being requested; and (v) clearly state the purpose for which access is requested. To assist in showing that the request is made for a purpose reasonably related to the member's interest as a Club member, a copy of the material to be mailed may be submitted with the request. In any event, a copy of the material must be sent to the Executive Office at the time it is mailed to Club members.

(b) Access to the membership list will be provided through a Club-approved mailing house for one-time use. The Club will charge a fee for its cost of compiling and supplying the requested list to the mailing house. All other costs associated with the mailing, including printing and mailing house fees, are the sole responsibility of the Club member and should be arranged with and paid directly to the mailing house. [6330]

Adopted 11/19-20/04, 05/19-20/06, 02/24/07

4.2. There shall be several classes of membership: Regular, Life, and such other special classes as the Board of Directors may establish. The Board may discontinue any membership class it previously established; any member in a discontinued class shall be transferred to another class with equivalent privileges and without increase in dues until that member's next membership anniversary. [5330]

SR 4.2.1: Membership Classes

(a) In addition to the Regular and Life membership classes established in Bylaw 4.2, the Board of Directors establishes an Introductory (Affiliate) class of membership. Regular and Introductory (Affiliate) classes are further categorized as Standard, Supporting, Contributing, Student, Senior (60 years or older), or Limited Income. Each of the three membership classes may also be further categorized as a joint membership for two persons residing at the same address.

(b) The dues for each class and category of membership shall be set by the Board annually in adopting the Club operating budget or more frequently by separate resolution.

(c) A person qualifies to become a Life Member upon written application and payment of the dues set for the Life membership class. A person qualifies to become a Regular Member upon written application, payment of the prescribed dues, and demonstration of an interest in advancing the purposes of the Club by having been affiliated with the Club as an Introductory (Affiliate) Member.

(d) An Introductory (Affiliate) Member shall have all the rights, privileges, preferences, restrictions and conditions of Club membership under its articles, bylaws, standing rules, and policies, except that Introductory (Affiliate) Members shall not be entitled to vote on Club matters put to the national vote of members. An Introductory (Affiliate) Member is not a "member" of the Club as defined in the Corporation Law section 5056. Once the Club has accepted an Introductory (Affiliate) Member's renewal of Club membership, that person shall become a Regular Member.

(e) Subsections (c) and (d) of this Standing Rule shall be effective for all persons who join the Club after February 1, 2006.

Adopted 11/21-22/81; amended 11/15-16/86, 02/21-22/98,
09/26-27/98, 07/17/99, 07/22/00, 11/19-20/05, 05/19-20/06

4.3. Membership shall be granted upon written application, submitted in the form and manner specified by the Secretary of the Club. The application shall be accompanied by such dues or fees as have been set for the class of membership for which application is made. The application shall contain such information as the Secretary may reasonably require.

SR.4.3.1: Club Membership Requirement for Leadership Positions

In order for a person to hold any elected or appointed volunteer leadership position at any level of the Club – including membership on a national committee, Club Council, or chapter, group or section committee – that person must be a Club member. No individual shall be added to the Club's leadership roster until he or she has become a member of record.

Adopted 09/18-19/93; amended 05/19-20/06, 02/24/07

4.4. The annual dues for each class of membership shall be set by the Board of Directors. The Board may exempt any class or any member from dues.

4.5. A portion of the annual dues from each membership shall be specified by the Board of Directors as a subscription price to the Sierra Club Bulletin and appropriate regional, chapter, and local group publications.

4.6. No member may transfer to another person a membership or any right arising therefrom. Membership shall terminate upon the death or resignation of the person or persons holding the membership or for nonpayment of the annual dues after the grace period, if any, set by the Board. No member shall have any property right by virtue of membership. [5320, 5340]

Section 2: Meetings and Voting

4.7. Chapter delegates to the Sierra Club Council are designated to represent the membership as delegates to an annual meeting of the Club for the purpose of discussing the activities and operation of the Club and making recommendations to the Board of Directors. This meeting shall be held in conjunction with the annual meeting of the Board or at such other time and place as are designated by the Board. The Secretary of the Club shall provide for notice of this meeting to be sent to all delegates and alternates at least 30 days in advance of the meeting. [5152, 5510-5512]

SR. 4.7.1: Meetings

Members may attend any meeting of the Board or of any committee thereof (i.e., any committee consisting solely of Board members), except as provided in Bylaw 5, paragraph 5.14, and Standing Rule 5.13.1. Members may attend meetings of the Club Council, chapters and groups, except as provided by their respective bylaws. All other subunits of the Club may, but are not required to, allow members to attend their meetings. When so ordered by the President or the chair of the meeting or by resolution of the meeting body, attendance by the general public at any meeting may be restricted without affecting the authority of the actions taken at the meeting.

Adopted 11/20-21/82, 05/19-20/06, 02/24/07

SR. 4.7.2: Meetings – Rules of Order

Meetings of the Board and the Executive Committee shall be conducted according to Robert's Rules of Order, Revised, or such other rules of order as are adopted by the meeting and are consistent with the Bylaws of the Club, these Standing Rules, and the Corporation Law.

Adopted 11/20-21/82; amended 05/19-20/06, 02/24/07

SR. 4.7.3: Votes by Electronic Mail

Club entities may conduct votes by electronic mail, if the minimum requirements listed below are met. As used in this Standing Rule, “Club entity(ies)” means the Club Council, chapters, groups and all other Club subunits, but not the Board itself or any committees thereof (i.e., any committee consisting solely of Board members). Minimum requirements for electronic mail votes are:

- (a) the Club entity has authorized voting by electronic mail in advance;
- (b) voting members of the Club entity all receive the same information, including each member’s vote;
- (c) a date and time is set for the start and end of each electronic mail vote;
- (d) a member may change his or her vote at any time prior to the final date and time set for the end of each electronic vote;
- (e) only a discrete main motion may be voted on by electronic mail;
- (f) no motion is approved by less than a majority of the current voting members of the entity, excluding vacancies; and
- (g) votes by electronic mail are recorded in the minutes of the next regular meeting.

Adopted 02/24/07; amended 07/19/07

SR. 4.7.4: Meetings – No Smoking

There shall be no smoking indoors at meetings of the Club.

Adopted 11/20-21/82; amended 05/19-20/06, 02/24/07

SR. 4.7.5: Access to Club Meetings and Activities to the Disabled

(a) Meeting Facilities. All meetings of the Club, including the Board, chapters, groups, committees, task forces and subcommittees, will be held in locations that fully meet the physical requirements for access by the mobility impaired. The only exceptions will be:

- (i) Meetings that are confidential or for other Club-business related reasons are not open to people outside the meeting. However, all member participants of that meeting must be accommodated with access.
- (ii) Meetings which are called for an emergency situation with only five days or less advance notice. In any event, an effort should be made to find an accessible location first, but if one cannot be found, then an emergency meeting may be held in a location that may not be fully accessible.
- (iii) Communities where there are no accessible public meeting facilities available that would not place a financial burden on the entity. In this event, a location may be used that meets the specific accessibility needs of members who might attend, but may not fully meet all requirements for public facilities.

(b) Club Events and Activities. All general membership events, events sponsored or cosponsored by any Club entity, and events where a Club employee or member works and that use the Club's name will be held in facilities that are fully accessible to disabled people. The only exception will be an activity that involves natural, rather than human-made, barriers, such as a Club-sponsored hike. However, anyone who is safely able to participate in the activity will be permitted to do so.

(c) Club Offices. Upon the expiration of existing leases, all Club offices will be located in fully accessible facilities. No lease should be renewed unless the space meets all accessibility requirements for public facilities.

Adopted 05/7-8/94; amended 05/19-20/06, 02/24/07

4.8. All actions requiring a vote of the membership shall be decided by written ballot as provided for in Bylaw 5, Section 2, and Bylaw 11. A quorum for any ballot or for any meeting of the members shall be five percent (5%) of the membership on the date of record set by the Board of Directors in accordance with law. Each person who is a member on the date of record shall be eligible to vote and shall have one vote on any issue presented to the membership except as provided in Paragraph 5.7. Voting by proxy shall not be permitted. [5512, 5513, 5610, 5611, 5613]

SR. 4.8.1: Voting by Members

All Regular and Life members of record on January 31 shall be sent ballots for the annual election of Directors, as provided in the Bylaws, paragraphs 4.8 and 5.6 and Standing Rule 4.2.1. Each such individual member shall be sent one ballot; joint memberships shall receive two ballots.

Adopted 11/21-22/81; amended 05/19-20/06, 02/24/07

Section 3: Liabilities of Members

4.9. Members, as such, shall not be personally liable for any debts, liabilities, or obligations of the Club, and any and all creditors shall look only to the assets of the Club for payment. [5350]

Bylaw 5: BOARD OF DIRECTORS

Section 1: Number and Powers of Directors

5.1. Subject to the powers of the members as provided by law or these Bylaws, the activities and affairs of the Club shall be conducted and all corporate powers shall be exercised by or under the direction of a Board of Directors of fifteen (15) members of the Club. A majority of the Directors then in office, but not less than three (3), shall constitute a quorum for the transaction of business by the Board. The Board may delegate management of the activities of the Club to any person or persons or committee, however composed, provided that the activities and affairs of

the Club shall be managed and all corporate powers shall be exercised under the ultimate direction of the Board. [5151, 5210, 5211]

SR. 5.1.1: Indemnification and Insurance

(a) The Club shall, to the maximum extent permitted by the Corporation Law, indemnify its Directors and officers against expenses, judgments, fines, settlements, and other amounts actually and reasonably incurred in connection with any threatened, pending or completed action or proceeding, whether civil, criminal, administrative or investigative, arising by reason or fact that any such person is or was an officer or Director of the Club, and shall advance to such officer or Director expenses in preparing for or defending any such action or proceeding to the maximum extent permitted by law. For purposes of this section, a “Director” or “officer” of the Club shall mean any person who is a Director or officer of the Club, or is serving at the request of the Club as a Director or officer of another corporation or enterprise. The Board may, in its discretion, provide by resolution for the indemnification of, or advancement of expenses to, other corporate “agents,” as that term is used in Section 5238(a) of the Corporation Law, and may likewise refuse to provide for indemnification or advancement of expenses except to the extent any such indemnification is mandatory thereunder or under Section 2802 of the Labor Code of the State of California.

(b) The Club shall, to the extent practicable and permitted by the Corporation Law, maintain insurance on behalf of its Directors and officers against any expenses, judgments, fines, settlements and other amounts actually and reasonable incurred by such Directors and officers in their capacity as such as a result of any threatened lawsuit, pending or completed action or proceeding, whether civil, criminal, administrative or investigative.

Adopted 05/2-3/87; amended 05/19-20/06, 02/24/07

Section 2: Nomination, Election, and Term of Office

5.2. The Board shall provide for the appointment, at least six months before the annual election, of seven members of the Club, none of whom shall then be a Director, to constitute a Nominating Committee. This committee shall nominate at least seven candidates for election as Directors for the ensuing term. [5521]

SR. 5.2.1: Close of Nominations

The close of nominations shall occur on the second Wednesday in January.

Adopted 09/26-27/98

SR. 5.2.2: Nominating Committee Appointments

The President shall appoint the members of the Nominating Committee, subject to confirmation by the Executive Committee. Terms of appointment will be for three years, with yearly appointments made on a 3-2-2 rotation. At least one year's absence from the committee shall occur before a member is eligible for reappointment. The president shall annually designate one of the continuing members as chair of the committee. All appointments shall be made and confirmed by March 31.

Adopted 11/20-21/82; amended 05/19-20/06, 02/24/07, 11/21/09

SR. 5.2.3: Eligibility of Employees and Former Employees for Nomination

Club employees are ineligible for nomination as Director. Former employees shall remain ineligible for a period of two years after the last date of their employment. Former temporary employees who have worked for the Club less than six months in the previous two years shall be eligible for nomination as a Director three months after their last day of employment. Persons who are paid by the Club as independent contractors or consultants rather than employees are not subject to the two-year period of ineligibility, but may not continue the financial relationship with the Club after being nominated either by the Nominating Committee or by petition.

Adopted 11/20-21/82; amended 11/15-16/97, 05/19-20/06, 2/24/07

Bylaw 5 (cont.)

5.3. Members of the Club comprising one-twentieth of one percent (1/20% or 0.0005) of the membership, but not less than 100 or more than 500, may also nominate one or more candidates for Director by a petition signed within eleven (11) months preceding the next election and delivered to the principal office of the Club by the date set for the close of nominations. [5521]

SR. 5.3.1: Nominations – Petitions

(a) Before petitions are circulated for nomination of a Director, the Secretary must be notified of each proposed nominee in writing by mail, fax or e-mail, in care of the Executive Office in San Francisco, by noon Pacific time on the last business day in November. The written consent of each proposed nominee must be received before petitions for them are circulated.

(b) All Regular and Life members of record on April 30 shall be counted for determining the number of signatures required on a petition to nominate a candidate for Director. On the date the petition is signed, the signer must have been a member of the Club in any membership class for at least 60 days.

(c) Members for whom nomination petitions are being circulated shall be called "petitioners." Petitioners become "candidates" and "nominees" after the Secretary

certifies that their petitions meet the requirements of the Bylaws and Standing Rules. The provisions of Standing Rules 5.2.1 through 5.6.2 apply equally to petitioners and nominees (candidates).

(d) Petitions must use the signature forms created by the Executive Office or full-sized copies thereof, but the top may carry a short promotional paragraph about the petitioner, the back may be used for biographical material, and the bottom may specify mailing directly to the Executive Office or some other place. Separate forms must be used for each petitioner. Each signature must be accompanied by a legible printed name, the date of signing, and the membership number and/or address of the signer. No signature dated earlier than 11 months before the date of the election, dated before a petitioner has notified the Secretary of their candidacy, or any undated signature will be counted. Signed petitions shall be delivered in original, facsimile, or by electronic transmission capable of being printed in clearly legible tangible form to the Executive Office by noon Pacific time on the date set for the close of nominations. Acceptance by a regulated carrier that commits to delivery by the deadline shall constitute timely delivery, provided that actual delivery does not occur more than one day late.

(e) Petitions shall be retained by the Executive Office for four months after the close of nominations.

Adopted 11/20-21/82; amended 02/1-2/86, 11/11-12/89, 09/21-22/96, 09/26-27/98, 11/14-15/98, 11/13-14/99, 11/16-18/01, 09/19-20/03, 05/19-20/06

5.4. All nominees must be members of the Club in good standing, must have been members of the Club in good standing continuously for one year prior to the date set for the close of nominations, and must agree to accept the nomination. Nominations shall be closed on December 30, or such later date as is fifteen (15) weeks preceding the date set for counting the ballots. The Nominating Committee shall request the nominees individually to submit a statement on behalf of their candidacy no later than two (2) weeks after the close of nominations. The committee shall then file the nominations and statements with the Secretary, with the nominations arranged in an order determined by lot. The form of the statement shall be established by the Nominating Committee, which shall decide on any questions of compliance with any standards that the committee may establish with respect to such form. [5522]

SR. 5.4.1: One-Year Requirement

Nominees must have been members of the Club in any membership class continuously for one year prior to the date set for the close of nominations.

Adopted February 24, 2007

5.5. The Board shall appoint from the membership of the Club three (3) Inspectors of Election and a number of alternates, who shall supervise the election, oversee the counting of ballots, tabulate the results, and report to the President and the

Secretary in writing the number of votes for each candidate and the names of those elected to serve as Directors. No Director or nominee may serve as an Inspector of Election or alternate. [5615]

5.6. At least four (4) weeks before the date set for counting the ballots, a ballot containing the names of the nominees, in the order presented by the Nominating Committee, shall be mailed to each member of the Club eligible to vote. The ballot shall be accompanied by the statement of each nominee. If no statement has been received from a nominee, it shall be so indicated, but the nominee's name shall remain on the ballot. [5513]

SR. 5.6.1: Promotion of Candidates

(a) General Matters. (i) Candidates for Director shall be provided reasonable opportunity to solicit votes and promote their views, and members shall have reasonable opportunity to exchange views freely.

(ii) As used in this Standing Rule, “Club entity(ies)” means any chapter, group, section, committee or other body operating under the authority of the Board, but not the Board itself.

(iii) Without authorization of the Board by resolution or except as provided in the Bylaws and these Standing Rules, no Club funds or other resources, including those of Club entities, shall be used to support or oppose any candidate for Director, including activities related to circulation of petitions. Resources include official publications and other forums, such as newsletters and web pages, but do not include the Club President, even if he or she receives a stipend.

(iv) Any Club entity may expend Club funds to carry out its designated duties in connection with the election. Any Club entity may expend Club funds to publicize the election, its timing, or to urge members to exercise their right to vote, or to inform members about the election procedures and rules, but no expenditure made under this subsection shall mention or provide support for or opposition to any candidate or group of candidates in the election.

(b) Candidate Statements. (i) A statement from each nominee shall be distributed with the ballot mailed to each Regular or Life member. Statements and photographs, if they are to be included in the ballot materials, shall be delivered to the Club’s Executive Office by noon Pacific time on a date set by the Nominating Committee, not more than two weeks after the close of nominations.

(ii) The Nominating Committee shall prescribe the form of the statements, including the number of words and of paragraphs or indentations, the use of bullets or other printer’s marks and specific information (for example, length of membership, offices held and other experience in the Club) that the committee may require of all

candidates. Candidates must submit with their statements evidence that each listed endorser has agreed to be so listed.

(iii) Candidate statements shall be reviewed for length, form and significant errors of fact about the Club by a Ballot Statement Review Committee. The committee shall consist of three Club members who are neither Directors, candidates for Director, nor members of the Nominating Committee, appointed annually and jointly by the Nominating Committee and Board of Directors or its Executive Committee. No change in a statement shall be made without the nominee's specific consent, except to conform to the prescribed format (no substantive wording changes) or to delete any words beyond the limit. If the candidate does not make the statement conform to the prescribed format and/or word limit within five days of a request, the committee shall change the statement to do so. If a candidate, on request of the committee, refuses to remove significant errors of fact (but not differences of opinion) about the Club or any candidate from the statement, the Secretary, at the request of the committee, shall cause a correction or note to be published in the ballot materials, subject to an appeal to the Inspectors. An asterisk or other mark in the candidate's statement may be included to make the correction clear.

(iv) The introductory material that accompanies the candidates' statements for the election of Directors shall indicate whether the candidate was nominated by the Nominating Committee or by petition. There shall also be indication after each candidate's statement and/or under each candidate's photograph, as well as on the ballot, as to whether the candidate was nominated by the Nominating Committee or by petition.

(c) Articles. (i) No articles or messages by or about individual candidates shall be published in *SIERRA*, Club newsletters, web pages, or other Club publications between the close of nominations and the date set for counting Club ballots, except (A) for routine articles or messages (defined below), or (B) if all candidates are given at least seven days written notice, through the Club's Executive Office, to submit an article or message of equal length to be published with equal prominence in the same publication.

(ii) An article or message is "about" a nominee or petition candidate if it either mentions the fact that the member is a candidate or has as its principal focus the candidate, as opposed to an incidental reference. An article or message is not "about a candidate" if it merely discusses the Club's elections, the functioning of the Board, or issues presented by the election without mentioning the names of any individual candidate or expressly advocating that members vote for or against any identifiable subset of candidates. An article or message is "routine" if it (A) does not mention the fact that the author or subject is a candidate, (B) does not mention the election, (C) relates to the candidate's performance of duties in an elected or appointed Club capacity, (D) is timely for Club purposes, and (E) is sent or published only to members who would normally receive similar articles or messages. Periodic reports

by the Club President to leaders and activists are routine even if the President is a candidate for reelection, so long as these reports do not mention the Club election.

(iii) During the nominating and election process, the Nominating Committee, in cooperation with the Chief Inspector of the Election, shall distribute to appropriate chapter and group leaders and editors memos in which the following matters are discussed:

- (A) the nature of the nominating process and the criteria used;
- (B) the availability of the petition process and a description of the procedures;
- (C) a statement of this Standing Rule on Promotion of Candidates;
- (D) a plea for orderly process in elections, asking that members vote for the candidates that in their opinion would best serve the overall interests of the Club and its members.

The Secretary is authorized to include items (A) and (D), above, in an introduction to the candidates' statements distributed with the ballot, so long as no reference is made to any individual candidate or groups of candidates other than all candidates nominated by the Nominating Committee as a class. If any issues are also on the ballot, these materials should cover the rules about electioneering about them as well (SR. 11.2.2).

(d) Advertising. No Club publication, including chapter and group newsletters, web pages and electronic bulletin board systems, shall carry advertising for or against a candidate.

(e) Forums & Discussion Lists. (i) The Club may have a forum for Director candidates to answer questions selected by a Forum Questions Committee appointed by the Volunteer Leadership Advisory Committee. This committee shall consist of three representatives of the Council of Club Leaders and three other members. Germane discussion of Board candidates (for example, discussing forestry aspects of a candidacy on a forestry list) may take place on any other Club discussion list, subject to the usual rules of the list and unless barred by the sponsor/owner of the list. The rules may limit the length and frequency of messages from a discussant. The poster of a message about a candidate shall send a copy of the message to the candidate.

(ii) Under the rules issued by Inspectors of the Election, the Club may have a Club-sponsored election information website to provide links to election-related sites of the candidates' choosing.

(f) Meetings. Candidates or their proxies may speak to groups of Club members about their candidacy at regularly scheduled meetings and outings as long as no additional Club funds are spent. Candidates or proxies who travel to meetings at Club expense may not discuss their candidacy on the floor of the meeting other than a brief announcement that the member is a candidate. Club entities may hold scheduled candidate forums provided that all candidates are given adequate notice and an opportunity to participate.

(g) Chapter Endorsements. Chapters, but not groups or other Club entities, may vote to recommend one or more candidates in the election to the Board. Such a chapter recommendation must be adopted in a regular or special meeting by a two-thirds majority of the number of executive committee members of the chapter then in office. All candidates shall be given reasonable notice of any meeting at which such a recommendation is to be considered and provided an opportunity to make written materials relevant to their candidacy available at the meeting, at no cost to the chapter, for consideration by the executive committee. Chapters and groups may expend Club funds to communicate such a recommendation by the publication of the following statement in the newsletters and websites of the chapter and its own groups. “The [insert chapter name] recommends a vote for [insert names of supported candidates] in the upcoming election for the Sierra Club’s Board of Directors.”

(h) Mailings. (i) A member’s request for access to the membership list to communicate with other Club members about candidates in a Club election is a purpose reasonably related to that member’s interest as a Club member. [see SR 4.1.2]. A copy of such communication and a description of the members to which it was sent must be sent to each candidate in the election and to the Executive Office at the time it is first sent to Club members.

(ii) The Executive Office will notify all candidates in the Club election of requests when all required information and fees are received (“Valid Requests”). Valid Requests for access to the membership list to communicate about candidates in a Club election must be received at least 40 days before the date set for counting the ballots in that Club election. If any such Valid Request is received, other such Valid Requests may be made until 30 days before the date set for counting ballots in that same Club election.

(iii) A Club member in good standing may use published Club lists, including the Leader Directory, to communicate with Club leaders about Club elections. However, e-mail addresses and telephone numbers from the Leader Directory may not be used by a Club member for fundraising of any kind.

(i) Candidate Websites. Individual candidates or groups of candidates may have their own promotional websites. To avoid any misunderstanding, the opening page of any such site must say “This site is not sponsored or supported by the Sierra Club.”

(j) Records and Reporting. (i) For six months after the election, candidates shall keep records of (A) contributions aggregating \$100 or more from one person (including such contributions from the candidate), which records shall include the identity (name, address and telephone number) of the contributor, date, amount of contribution, and aggregate number of that person's contributions, and (B) expenditures of \$100 or more, including recipient, amount, date and purpose.

(ii) Each candidate shall report this information to the Inspectors of Election and to the Executive Office (A) 40 days before the date set for the counting the ballots and (B) within five days of receipt of a request for the information from the Inspectors of Election or the Executive Office. The reports shall be available for inspection and copying by any member.

Adopted 09/10-11/83; amended 09/13-14/86, 11/11-12/89, 09/18-19/93, 09/24-25/94, 11/18-19/95, 09/21-22/96, 11/15-16/97, 09/26-27/98, 11/14-15/98, 11/13-14/99, 11/16-18/01, 09/19-20/03, 11/19-20/04, 07/16/05, 11/19-20/05, 05/19-20/06, 11/19/06, 02/24/07, 09/29/07, 05/16/08, 10/16/08, 09/25/10, 10/20/11

SR. 5.6.2: Complaints, Appeals, Remedies & Sanctions

(a) Complaints. Once the election process has begun, any Club member may complain to the Inspectors of Election about a violation of these Standing Rules, the Bylaws or applicable law governing the conduct of the Club's annual election by any person or entity, or the Inspectors may consider a potential violation on their own. The election process will begin at the following time (i) for elections to the Board, when the Nominating Committee has made its report to the Board, or when a petitioner for Director has notified the Secretary of an intention to circulate petitions, whichever occurs sooner; or (ii) for ballot issues when the Secretary has approved a resolution and petition for circulation. To guarantee review, a complaint must be received within 10 days of an alleged violation, but the Inspectors may entertain a complaint made later. Except for complaints received within five days of an alleged violation or about the vote counting process, no new complaints will be considered if made later than five days after the date set for counting the ballots. The Inspectors may also make advisory rulings before a proposed action is taken. Decisions shall be based on the Club's Bylaws and Standing Rules, in conformance with California law, to ensure a fair election.

(b) Remedies and Sanctions. The Inspectors may take such action as may be proper to conduct the election or vote with fairness to all members, including, but not limited to requiring a Club entity or member to remedy any violation through (i) an expenditure to remedy the violation or (ii) repayment to the Club of the value of any resources used.

(c) Content and Availability of Rulings

(i) Written rulings of the Inspectors on complaints must state the reason(s) for the ruling, including summaries of written documents relied on by the Inspectors to support the ruling. These written rulings will be made available to the complainant and on the Club's extranet as soon as practicable, accompanied on the Club extranet by the complaint leading to such ruling, if received by the Inspectors in writing.

(ii) In their discretion, the Inspectors also may make available on the Club's extranet other written documents related to their ruling or may make such documents available to the complainant prior to their ruling, except those documents designated as attorney work-product or privileged. This subsection (ii) shall not be the basis for any complaint or appeal to the Board.

(d) Appeals to Board

(i). A party aggrieved by any decision of the Inspectors may appeal to the Board by filing a written statement setting forth the basis of the appeal delivered by ordinary mail, email, or fax transmission to the Secretary in care of the Executive Office, with a copy to the Inspectors, within five days of notice from the Inspectors to the complainant of the Inspectors' decision, or afterwards if good cause for the delay is shown. The Board may entertain appeals at its discretion, but must decide all appeals it elects to consider within 20 days following the date set for counting the ballots. Board decisions on appeals will be transmitted in writing to the appellant and the Inspectors by the Secretary as soon as practicable.

(ii) If the Board entertains an appeal and finds that the Inspectors have erred as to the meaning of the Bylaws or Standing Rules, the Board shall state the proper meaning and remand the ruling to the Inspectors for reconsideration. If the Board entertains an appeal and finds credible and sufficient evidence that the Inspectors have erred as to a material fact supporting the ruling, the Board shall remand the ruling to the Inspectors for further investigation and reconsideration. If the Board entertains an appeal and finds that the Inspectors have not so erred, it shall affirm the ruling.

(iii) If a Director is alleged to have committed an election violation, the Director may remain present during the deliberations and the vote on an appeal from a ruling of the Inspectors about the alleged violation, but the Director shall not vote on whether to entertain the appeal or on its merits. Directors also shall not vote on an appeal involving a transaction between the Director and the Club in which the Director has a material financial interest. No vote on an appeal is the act of the Board unless a majority of the Board members who are present at the meeting vote to take such action.

(e) Certification of Election. Unless an appeal of a decision made by the Inspectors is pending before the Board, the Inspectors may certify the election results and officially report them to the Secretary at the end of the fifth day after the date set for counting of the ballots. If an appeal of a decision made by the Inspectors is pending before the Board, the Inspectors may certify the election results and officially report them to the Secretary promptly after the Board declines to hear the appeal or the Board decides the appeal, or at the end of the twentieth day after the date set for counting of the ballots.

Adopted 11/18-19/95, 11/14-15/98, 09/19-20/03, 11/19-20/04
05/19-20/06

5.7. Each voter shall be allowed to vote for up to five (5) candidates; a voter may not cumulate votes for any candidate. Ballots shall be returned to the principal office of the Club or to such other place as is designated by the Inspectors of Election. Ballots shall be counted on the second Saturday of April or on such later date, which shall be no later than June 1, as is set by the Board of Directors. No ballot shall be counted if received later than 12:00 o'clock noon on the date set for counting the ballots. The five (5) candidates receiving the highest number of votes shall be elected. Upon receipt of the report of the Inspectors of Election, the Secretary shall notify in writing the members elected. [5616]

5.8. Each Director shall be elected for a term of three (3) years. A Director may serve for an unlimited number of terms, providing that a minimum period of one year's absence from the Board shall occur after any two (2) consecutive full three-year terms. The Directors shall enter upon their term of office at the annual meeting of the Board of Directors and shall hold office until their successors have been elected and qualified. [5220]

5.9. A vacancy on the Board shall occur on the death, incapacity, resignation, or removal of any Director, or otherwise as provided by law. A majority of the remaining Directors or Director then in office may elect any member in good standing to fill any vacancy for the remainder of the term, except as restricted by Paragraph 5.8. [5220, 5224]

5.10. Any Director or other officer of the Club may be removed from office by a majority vote of all ballots cast in a special ballot of the Club, called by a petition signed by five percent (5%) of the members and conducted as provided in Paragraph 11.3. The petition shall individually name each Director or officer whose removal is being requested. Any Director who misses three (3) consecutive meetings of the Board of Directors may be removed from office by vote of the remaining Directors. [5221, 5222, 5510]

SR. 5.10.1: Removal – Petitions

All Regular and Life members of record on April 30 shall be counted for determining the number of signatures required on a petition to call a vote to remove any Director or other officer of the Club. On the date the petition is signed, the signer must have been a member of the Club in any membership class for at least 60 days.

Adopted 02/24/07

SR. 5.10.2: Termination of Membership or Suspension of Member Privileges

(a) The Board has an obligation to protect the Club from harm, ensure a safe and productive working environment for members and staff, and foster a Club in which people want to participate in its mission. To assist in fulfilling this obligation, the Board delegates the authority for termination of Club membership or suspension of

member privileges, including the privilege of serving in elected or appointed Club leadership positions, to the Executive Director, Club President, and chair of the Board Volunteer Leadership Advisory Committee. This delegation does not impair the authority of the Board or any Club officer to take action required in an emergency or by law.

(b) Any Club member may request to terminate a membership or suspend a member's privileges by submitting such a request to the Club's Executive Office. The reason for such a request must be that the actions of the member:

- (i) constitute Misconduct as defined by Standing Rule 2.2.6;
- (ii) constitute Sexual Harassment as defined by Standing Rule 2.2.7;
- (iii) significantly undermine the work of volunteers or staff by repeatedly creating a public misimpression about the Club, its positions or policies;
- (iv) are repeatedly hostile or harassing of others – in meetings, at Club activities or offices, or in public venues – so that others become fearful, apprehensive, or reluctant or unwilling to participate in Club activities with that member; or,
- (v) have significantly disrupted or impaired the work of the Club, or will significantly disrupt or impair it if the actions continue.

The request should include a description of the ways in which the Club is, or may be harmed by the actions of the member; contact information for individuals who have been affected by the actions of the member and who have information relevant to the request; and a statement, if applicable, describing prior efforts to resolve these concerns.

(c) Upon receipt of a request, the Executive Director, President and chair of the Board Volunteer Leadership Advisory Committee have the discretion to determine that the request appears to be premature, of an insignificant nature, merely a personal grievance, or possessing some other circumstance that should be dealt with more appropriately by other means. They shall not be obligated to take any further action on such requests other than to inform those who have requested such action of that determination.

(d) (i) If the Executive Director, President and Board Volunteer Leadership Advisory Committee chair determine the request may warrant action, they will inform the member and those who have requested the investigation of that determination. The Executive Director, working with staff, shall then conduct an investigation, including contact with the member who is the subject of the request and with others who have knowledge about the situation. The results of that investigation must be presented by staff to the Executive Director, the President and chair of the Board Volunteer Leadership Advisory Committee ("Panel") and they must reach consensus on appropriate action, if any.

(ii) If they agree to take action, they will notify the member in writing of this decision, the reasons for it, and the effective date of the action. The action will become effective 15 days after notice is given by registered mail, or other method reasonably calculated to provide actual notice, sent to the last address of the member shown on the Club's records. Copies of this notice must be sent to the chair of the

member's chapter and group, to the leader, member or entity initiating the request, the chairs of any other affected entities, if known, and to the Board. This notice shall inform the member that the termination of membership or suspension of member privileges may be appealed in writing to the Volunteer Leadership Advisory Committee, c/o Sierra Club Executive Office, 85 Second Street, 2nd Floor, San Francisco CA 94105, sent not less than 5 days before the effective date of the decision.

(e) The Volunteer Leadership Advisory Committee ~~to~~ shall review all timely appeals from members and decide whether to overturn the Panel's decision or let it stand. Pending review of such an appeal, suspension of member privileges becomes effective as per the notice; termination of membership only upon Volunteer Leadership Advisory Committee action to let the decision stand.

(f) This rule, and the rules cited herein, apply to Directors only to the extent allowed by law and the Club's Articles and Bylaws, including Bylaw 5.10.

Adopted as a policy 03/1-2/97; amended and adopted as a Standing Rule 10/15-16/97; amended 11/16-18/01; amended 02/22/03. 05/20-21/05, 05/19-20/06, 06/15/06, 02/24/07, 05/16/08, 11/20/10

Bylaw 5 (cont.)

Section 3: Meetings

5.11. The Board of Directors shall hold its annual meeting for the purpose of electing officers, appointing the members of the Executive Committee, and transacting such other business as may come before it at the principal office of the Club on the first Saturday in May, or at such other place and on such other date after the new Directors are elected and qualified as are set by the Board, but in no case shall the date be later than sixty (60) days following the election. [5211]

5.12. Regular meetings of the Board of Directors may be set by the Board. Special meetings of the Board for any purpose or purposes may be called at any time by the President or by any five (5) Directors. [5211]

5.13. The Secretary shall provide for notice of the time and place of each meeting of the Board of Directors and each meeting of the Executive Committee. Such notice shall be sent by first class mail to each Director at least two (2) weeks in advance of the meeting or communicated in person, by phone, or by telegram at least one (1) week in advance of the meeting. Notice of any regular meeting may be dispensed with by the Board if the time and place of the meeting are set at a previous meeting of the Board. [5015, 5211]

SR. 5.13.1: Board Meeting Procedures

(a) If an emergency special meeting of the Board is held under the waiver of notice provisions of Section 5211 of the Corporation Law, a reasonable attempt

shall be made to contact all Directors in advance, even if they cannot be present, to inform them of the purpose of the meeting.

(b) Directors may participate in any meeting of the Board through use of conference telephone or similar communications equipment, so long as all members participating in the meeting can hear one another and the requirements of Corporation Law are met. Such participation constitutes presence in person at the meeting. Members may attend such meetings by using equipment located at the principal office of the Club.

(c) These provisions shall also apply to the Executive Committee and any other committees of the Board.

Adopted 11/20-21/82; amended 05/19-20/06, 02/24/07

5.14. All meetings of the Board of Directors or of any executive committee or of any committee thereof shall be open to attendance by any member of the Club in good standing, but nothing herein shall prevent the Board or any committee from convening in private session for the consideration of any matter; provided, however, the vote or final action shall be taken in open session.

Section 4: Executive Committee and Committees of the Board of Directors

5.15. The Board of Directors, by a majority vote of its members, shall annually appoint the members of an Executive Committee, consisting of the President, Vice President, and three (3) other Directors, and may establish and appoint such other committees of at least two (2) Directors as it deems appropriate. The Board may appoint one or more Directors as alternate members of any such committee, who may replace any absent member at any meeting of the committee. These committees shall have the power and authority to act for the Board on such matters as the Board may delegate, except as prohibited by law or these Bylaws. By majority vote of its members, the Board may at any time revoke any or all of the authority so granted. The committees shall keep regular minutes of their proceedings and report the same from time to time as the Board may require. A majority of the members of each committee shall constitute a quorum for the transaction of business by that committee. [5212]

SR. 5.15.1: Executive Committee Membership

(a) The Executive Committee consists of the President and Vice President, as required by Bylaw 5.15, the Secretary, the Treasurer, and the Fifth Officer.

(b) Pursuant to Bylaw 5, paragraph 5.15, the Board hereby delegates to the Executive Committee the authority:

(i) to act for the Board in case of emergency, or when it is impracticable to convene the entire Board;

- (ii) to supervise conservation-related legal actions to be filed in the name of the Club, and to exercise supervisory authority over the Litigation Committee.
- (iii) to conduct regular performance evaluations for and to set the salary of the Executive Director, with the appointment of the Executive Director reserved to the full Board;
- (iv) to approve the President's appointments of members of committees that report directly to the Board, including: Nominating, Ballot Statement Review, and Advancement Committees, with the memberships of the Board Advisory Committees, Investment Committee, and Inspectors of the Election being reserved for the full Board;
- (v) to approve recipients of national volunteer Club awards;
- (vi) to appoint the auditors for the annual audit of the Club's financial records;
- (vii) to assist the President in planning and evaluating Board meetings, working sessions, and retreats;
- (viii) to remove members from leadership positions or from the Club, under the limited circumstances provided in these Standing Rules;
- (ix) to approve variations in the Club's logo text; and
- (x) to exercise the Board's discretion with respect to indemnification and advancement of defense costs to other corporate "agents" as provided in SR. 5.1.1.

Adopted 09/10-11/83; amended 09/24-25/94, 02/22/02; 05/16-17/03, 09/19-20/03, 05/19-20/06, 02/24/07, 05/16/08

Bylaw 6: OFFICERS

6.1. The officers of the Club shall be a President, Vice President, Secretary, and Treasurer (Chief Financial Officer), elected annually by the Board of Directors, an Executive Director, appointed by the Board, and such other officers as the Board may annually appoint or authorize the President or Executive Committee to appoint. When the duties do not conflict, a person, other than the President, may hold more than one office. Officers other than the President, Vice President, Secretary, and Treasurer need not be Directors. The Board may, by unanimous vote, elect annually an Honorary President and Honorary Vice Presidents, who shall become members of the Club exempt from payment of dues. All officers shall serve at the pleasure of the Board and other appointing authority, if any, subject, however, to the rights of any officer under a contract of employment. [5213]

SR. 6.1.2: Use of Officer Titles

In order to protect their distinctiveness and stature, the following titles, when used to designate any officer or staff member of the Club, may be used only as designated in the Bylaws or with the approval of the Board; no subunit of the Club may use these titles:

President, Honorary President, Vice President, Honorary Vice President, Vice President for [function or region], Director, Executive Director,

Chairman of the Sierra Club, Director of [department], Conservation
Director

Adopted 09/26-27/87; amended 05/19-20/06

6.2. The President shall preside at all meetings of the Club, the Board of Directors, and the Executive Committee. The President shall exercise general supervision over the affairs of the Club and shall have such other powers and duties as are prescribed by law, by these Bylaws, or by the Board.

6.3. In the absence or disability of the President, the Vice President shall perform all the duties of the President, and in so acting shall have all the powers of the President. The Vice President shall have such other duties as may be prescribed from time to time by the Board of Directors.

6.4. The Secretary shall keep a full and complete record of the proceedings of the Board of Directors and shall discharge such other duties as pertain to the office or are prescribed by law, by these Bylaws, or by the Board. In the absence of both the President and Vice President from any meeting, the Secretary shall call the meeting to order, and an acting president shall be elected by the meeting.

6.5. The Treasurer shall be the Chief Financial Officer of the Club and shall have such powers and duties as are prescribed by law, by these Bylaws, or by the Board.
[5213]

6.6. The Executive Director shall be selected by and accountable to the Board of Directors. The Executive Director shall be the general manager and chief executive officer of the Club, subject to the supervision of the President and the Board. The Executive Director shall be responsible for the employment and direction of staff to advance the objectives of the Club in coordination with the activities of the members, shall report from time to time to the Board on the activities of the Club and its financial condition, and shall have such other duties as are prescribed from time to time by the Board. [5213]

Bylaw 7: SIERRA CLUB COUNCIL

7.1. The Sierra Club Council shall be composed of one delegate from each chapter and one delegate from each committee authorized by the Board of Directors to appoint a delegate. Chapter delegates and alternates either shall be appointed by the executive committee of the chapter from among the elected members of that committee or shall be elected directly by the membership of the chapter, as specified in the chapter's bylaws. Committee delegates and alternates shall be appointed by the committee from its membership. The alternate delegate shall serve in the absence of the delegate. Each delegate and alternate shall serve at the will of the appointing body and must be a member of the Club in good standing.

SR. 7.1.1: Club Council

The Sierra Student Coalition is authorized to appoint a delegate to the Club Council.

Adopted 11/21-22/81; amended 09/24-25/94, 05/18/02, 05/19-20/06

7.2. No Director shall be eligible to serve as a member of the Council.

7.3. The Council may make recommendations to the Board or any appropriate committee on any matter affecting the Club and may act upon matters delegated to it by the Board or these Bylaws.

7.4. The Council shall elect its own officers and establish its own rules of procedure.

Bylaw 8: CHAPTERS

8.1. Members of the Club who reside in the same region may, with the approval of the Board, form a chapter of the Sierra Club. No chapter shall be approved unless an application has been filed with the Board. The application shall be signed by at least fifty (50) members of the Club in good standing who are residents of the designated region. The application shall state the proposed boundaries and name chosen by the applicants for the chapter.

8.2. As soon as the formation of a chapter has been approved by the Board, the Secretary of the Club shall send a notice to all members of the Club who reside in the designated territory announcing the action of the Board and setting the schedule for election of the first executive committee of the chapter and for adoption of bylaws. The notice shall name three of the members who signed the application as temporary officers.

8.3. The election of an executive committee to manage the affairs of the chapter and the adoption of bylaws shall be carried out through procedures established by the Sierra Club Council. The bylaws of a chapter shall not contain anything that is at variance with the expressed purposes of the Club or with these Bylaws and shall be approved as specified by the Board before becoming effective. A chapter may not change its name, its boundaries, or its bylaws without approval as specified by the Board.

SR. 8.3.1: Chapter Subentities

Chapters may create and dissolve subentities to carry out the purposes of the Club, including but not limited to groups, sections, and committees.

(a) Groups

(i) Where established by chapters, groups are fundamental organizing units of the Club, responsible to the Club and their chapters for acting in furtherance of Club

policies and rules, and to their members for providing effective opportunities for local participation in carrying out the Club's mission.

(ii) Chapter members residing in a contiguous area may petition the chapter executive committee to form a group, subject to chapter approval of the formation and chapter and Club approval of the group's bylaws. No member shall belong to more than one chapter and group. Chapters are not required to establish groups in any particular area of their jurisdiction.

(iii) The election of an executive committee to manage the affairs of a group and the adoption of bylaws shall be carried out through procedures established by the Club Council. The bylaws of a group shall not contain anything that is at variance with the expressed purposes of the Club or with the Club or chapter bylaws, and shall be approved as specified by the Board before becoming effective. Each group shall have at least one voting representative on the chapter executive committee.

(iv) Groups must meet the following minimum standards:

- (A) Have a fully functioning executive committee, which holds regular meetings, keeps minutes and holds regular elections.
- (B) Meet standards for fiduciary responsibility and adhere to Club policies.
- (C) Offer a range of current opportunities for member participation.
- (D) Engage in one or more active conservation campaigns.
- (E) Communicate regularly with group members.
- (F) Build Club visibility in the group's community.

(b) Sections – Chapter or group members interested in special activities consistent with Club purposes may petition the chapter or group executive committee to form sections, subject to chapter or group approval of section operating procedures or bylaws.

(c) Chapter subentities may be dissolved according to procedures established by the Club Council.

Adopted 05/19-20/01; amended 07/20/02, 05/19-20/06

8.4. The Board may, by affirmative vote of at least nine (9) Directors, suspend or annul a chapter if, in the judgment of the Board, such action is in the best interest of the Club. Such action shall not affect the standing of the individual members as members of the Club. The Board shall not suspend or annul a chapter until the following conditions are met: (1) written specification of the ground or grounds upon which the proposed action is to be based shall have been furnished to the members of the chapter involved and to the officers of the Sierra Club Council; (2) a reasonable opportunity shall have been provided for members of the chapter to present evidence in opposition to the proposed action with a full opportunity to be heard thereon; and (3) the advice of the Sierra Club Council on the proposed action shall have been received.

8.5. Any member of the Club who resides within the territorial limits of a chapter shall be considered to be a member of that chapter and shall be entitled to its privileges. No member shall belong to more than one chapter. Any member may, upon written application to the principal office of the Club, become a member of the chapter of the member's choice.

8.6. No dues shall be assessed or collected by a chapter; however, consistent with the policies of the Board, chapters may conduct fundraising and other activities which require members, as well as others, to pay a fee in order to participate. Each chapter shall be entitled to receive from the Club a portion of the dues collected from the membership, such amount to be determined in a manner specified by the Board of Directors. Such amounts shall be payable to the treasurers of the chapters quarterly as collected. Nothing in this section shall prevent the Board from allotting additional funds to chapters for specific purposes.

S.R. 8.6.1: Bank, Savings, and Investments Accounts

Club chapter subentities within the United States having any bank, savings or investment account, must have on that account the signature of an officer, generally the treasurer or chair, of that chapter.

Adopted 03/01-02/97; amended 09/20-21/97, 05/19-20/06

8.7. A chapter cannot borrow money or own real estate. The Board may, however, place the management of any of the Club's property in the hands of a chapter. All members of the Club shall have equal privileges on such property.

8.8. Each chapter is authorized to undertake such activities as are consistent with the purposes of the Club and are not prohibited by the Board by a general rule applicable alike to all chapters. Chapters shall act on questions of public policy only in pursuance of policies of the Board of Directors or in a manner consistent with them.

Bylaw 9: COMMITTEES

9.1. The Board of Directors may provide for the establishment and appointment of such standing or special advisory committees as it deems necessary and appropriate to advance the purposes of the Club. All members of the Club shall be eligible for membership upon all committees so established.

SR. 9.1.1: Litigation Committee

The Litigation Committee has the authority to approve and oversee conservation-related legal actions, subject to supervision, including reversal, by the Board or the Executive Committee. The Litigation Committee shall be composed of seven members appointed by the President and confirmed by the Executive Committee. The Litigation Committee shall adopt approval procedures for Club participation

in formal legal actions, including lawsuits, formal administrative proceedings, and settlements, and shall recommend for adoptions by the Board procedures permitting Club subunits and Club staff to initiate informal legal actions.

Adopted 09/19-20/03; amended 11/19-20/04, 05/19-20/06

SR. 9.1.2: Investment Committee

The Investment Committee is composed of the Treasurer as chair, the President, a third Director to be elected by the full Board, and the Chair of the Investment Advisory Committee. The Chief Financial Executive and the Investment Advisory Committee shall serve as advisors to the Investment Committee. The Investment Committee shall have authority to direct the investment of Club funds according to the general investment policies adopted from time to time by the Board. The Investment Committee shall report at least annually to the Executive Committee on the state of the Club's investment portfolios.

Adopted 02/4-5/84; amended 05/19-20/06, 02/24/07, 09/29/07,
05/16/08

9.2. Regional committees, made up of delegates from two or more adjacent chapters, may be established by the Board of Directors and shall have such authority to act on matters within their respective regions as is delegated to them by the Board.

Bylaw 10: ENDOWMENT FUND

10.1. All moneys received for life memberships, and such other funds as may be received or appropriated by the Board of Directors for permanent investment, shall be separately and securely invested as an Endowment Fund, of which only the income may be appropriated for expenditure; provided, however, the Fund may be used as collateral to borrow money for limited periods of time to advance the purposes of the Club when such a policy is approved by a majority of the Board. [5240]

Bylaw 11: BALLOTS OF THE CLUB

11.1. Whenever the Board of Directors or the President shall decide that any question is of such importance that it should be submitted to a vote of the membership of the Club, or whenever such a vote is required by law or these Bylaws, the Board shall certify to the Secretary the form in which such question shall be submitted to the membership. [5510, 5513]

11.2. Except as provided in Bylaw 5.10, whenever a number of members of the Club equal at least to two percent (2%) of the number of ballots cast at the immediately preceding annual election for Directors shall request in writing that a resolution be adopted by the Club, the Board may adopt the resolution by majority vote, unless the petition specifically requests a vote of the membership or such a vote is required by law or these Bylaws; if the resolution is not so adopted, the Board shall certify it

to the Secretary for a vote of the members. The Board shall specify the procedure for the initiation and circulation of such petitions, including approval of the wording to assure that it is properly framed.

SR. 11.2.1: Petitions on Ballot Issues

(a) Issues Under Consideration for Petitions. Club resources, such as chapter and group newsletters or websites, may cover issues that might be the subject of future petitions. Newsletter editors and website managers, if they are aware that a petition drive is contemplated, shall make every effort to ensure balanced coverage of such topics by featuring alternative views. Such coverage shall ensure that draft issue petitions that have not been approved by the Secretary are not confused with any that have been so approved.

(b) Content of Resolution. A resolution presented by petition (i) may seek to amend the Bylaws, contingent on approval by the Board, pursuant to Bylaw 13.1, (ii) if it seeks to change policy, shall be restricted to a single subject and may not restate existing policy except to show how the proposed policy differs and (iii) if it proposes to amend the Bylaws, shall follow the form of the Bylaws.

(c) Contents and Form of Petition. The petition shall contain the full wording of the resolution, as approved by the Secretary, at the top. Bylaws that would be amended shall be set forth in the petition. Existing policy, programs or priorities that would be changed by a resolution shall be stated or summarized in the petition, to show the change. Petitions must use the signature forms created by the Executive Office or full-sized copies thereof. The back of the petition may be used for additional background material, and the bottom may specify mailing directly to the Executive Office or some other place.

(d) Petitioners. The petition shall designate between one and three members as lead petitioners, including name, address and membership number, which shall appear on each copy of the petition circulated.

(e) Approval. The petition shall be submitted to the Secretary at the Executive Office of the Club before being circulated. The Secretary shall respond within 20 days, either (i) approving the resolution and petition, (ii) disapproving the resolution as violating this Standing Rule, Club Bylaws, or law, or (iii) recommending changes (A) to make the form of the resolution or petition conform to Club rules, (B) to clarify the meaning of the resolution, or (C) to compose the resolution properly without changing its intent.

(f) Signatures and Use of Club Resources in Circulating Petitions. Each signature on a petition shall be accompanied by the date of signing and the membership number and/or address of the signer. On the date the petition is signed, the signer must have been a member of the Club in any membership class for at least 60 days and must have signed the petition within six months of the date of its

submission. Without authorization of the Board, or except as provided for in the Bylaws or these Standing Rules, no Club funds or other resources, including those of Club entities, shall be used for the circulation or solicitation of signatures on approved petitions, except that newsletters and websites may carry a brief news item to inform readers that a petition question has been approved for circulation, the text of that question, and contact information for the lead petitioner. If and when an opposing position to the proposed question emerges, newsletters and websites should also provide similar contact information.

(g) Submission of Petitions. Petitions proposing a resolution for adoption by the Board of Directors or the membership of the Club may be submitted at any time. Signed petitions shall be submitted to the Executive Office. Petitions that may require a vote of the membership shall be delivered in original, facsimile, or by electronic transmission capable of being printed in clearly legible tangible form to the Secretary in care of the Club's Executive Office by noon Pacific time on the last business day four weeks before the last regular meeting of the Board before the closing date for nominations for Director to assure qualification to the annual ballot. Acceptance by a regulated carrier that commits to delivery by the deadline shall constitute timely delivery, provided that actual delivery occurs not more than one day late.

(h) Retention. Petitions shall be retained by the Executive Office for one month after counting of the ballots.

SR. 11.2.2: Structure of the Ballot and Ballot Materials: The Secretary shall prepare the ballot and accompanying materials relating to ballot questions in a manner that clearly presents the question or questions posed and, if changes or amendments to existing policy or procedures are proposed, the current provision(s), or a summary thereof, shall also be stated for comparison. If more than one alternative to existing policy is proposed, members shall be given a choice among them and a "none-of-the-above" option. The ballot shall state that this option would preserve existing policy. Any ballot issue must receive a majority of the votes cast to prevail, provided that a quorum votes on the issue. The ballot pamphlet and ballot itself shall make clear the recommendation of the Board, if any is made, on any ballot measure.

Adopted 12/10-11/94; amended 11/14-15/98, 11/16-18/01, 05/19-20/06,
02/24/07, 02/27/10

SR. 11.2.3: Complaints, Appeals, Remedies & Sanctions: The provisions of Standing Rule 5.6.2 apply to ballot issues.

Adopted 11/14-15/98, 05/19-20/06

11.3. The Secretary shall have the question or questions, certified according to Paragraph 11.1 or 11.2 above, printed for mailing at the next annual balloting of members for the election of Directors or at such special vote of the members as the Board or President shall request. A written petition submitting a resolution must be

delivered to the principal office of the Club by the date set by the Board of Directors in order for it to be qualified for presentation on the annual ballot. The ballot shall be printed so as to enable the members to express approval or disapproval of each resolution. The mailing of the ballot and the counting of the votes shall be conducted in the same manner as for the election of Directors (Bylaw 5, Section 2). The ballot shall be accompanied by a statement setting forth arguments for and against the question and stating the number of approvals necessary to pass the measure submitted. [5513]

SR. 11.3.1: Promotion of Positions on Ballot Issues

(a) Ballot Statements

(i) Coordinators. One statement each in support of and in opposition to each ballot issue shall be distributed with the ballot mailed to each member. The petitioners shall designate, in writing (by letter, fax or e-mail) to the Secretary in care of the Executive Office, a position coordinator to be responsible for overseeing the preparation and submission of the statement in favor of the ballot issue. To identify position coordinators for any other required opposing or supporting statements, the Secretary shall consult with potential opponents or supporters of the ballot issue and designate position coordinators to be responsible for overseeing the preparation and submission of these statements. No coordinator shall be a candidate for the Board in the same election. If no statement supporting or opposing a ballot question is received by the deadline provided in these rules, the Secretary shall inform the Chief Inspector of Election and President, and then the President, or the President's delegee, will prepare a statement that provides a summary of arguments supporting or opposing the question, identifies the preparer, and indicates that no other statement was received.

(ii) Requirements.

(A) Each position statement, pro and con, shall have a maximum of 400 words, including the names and affiliations of the signers. Coordinators must submit with all statements evidence that any listed endorsers have agreed to be so listed. No candidate for Director shall be shown as a signer of this or of either of the statements provided for in subsection (b) of this Standing Rule.

(B) The Secretary shall prescribe the form of the statements, considering such issues of form as are set forth in subsection (b) of Standing Rule 5.6.1. The Secretary shall review each statement for form and significant errors of fact about the Club or the resolution. No change in a statement shall be made without the coordinator's specific consent, except to conform to the prescribed format (no substantive wording changes) or to delete any words beyond the limit. If the coordinator does not make the statement conform to the prescribed format and/or word limit within five days of a request, the Secretary shall change the statement to do so. If a coordinator refuses to remove significant errors of fact (but not differences of opinion) about the Club or

the resolution, the Secretary shall cause a correction to be published in the ballot materials, with an asterisk or other mark in the position statement as may be necessary to make the correction clear.

(C) Deadline. The deadline for receipt of statements for or against ballot issues at the Club Executive Office in original, facsimile or e-mail shall be noon Pacific time on the last business day on or before the Friday after the last regular meeting of the Board before the close of nominations, unless the Board has put an alternative question on the same subject on the ballot, in which case the deadline shall be noon Pacific time on the last business day on or before the fourth Friday after this meeting. If a ballot question is initiated by the Board at its last regular meeting before the close of nominations, the deadline for receipt of statements for or against it is noon Pacific time on the third Friday following that Board meeting.

(b) Promotion of Positions (Electioneering)

(i) SIERRA Statements. If time and space permit, the promoters of each position shall be allocated equal space in an issue of *SIERRA* that is distributed in advance of the election to expand the arguments presented in the ballot statements. The names and principal identifications of the signers of the statement shall be included in the space allotment. Excepting questions of legality (libel, fraud, etc.), *SIERRA* shall not exercise editorial control over the material submitted. The Executive Director shall determine the appropriateness of timing and amount of space available. Due to time and space limitations, there shall be no exchange of statements and no rebuttals of the opposing statement except as arranged by the two coordinators between themselves.

(ii) Statements for Newsletters. Additional statements of no more than 750 words, including the names and principal identifications of the signers, expanding on the ballot statements may be submitted to the Executive Office in original, facsimile, or e-mail by noon Pacific time on the last business day on or before the third Friday after the last regular meeting of the Board before the closing date for nominations, unless the Board has put an alternative question on the same subject on the ballot, in which case the deadline shall be noon Pacific time on the last business day on or before the fifth Friday after this meeting.

(A) These statements shall be distributed to the editors of all Club newsletters of record in the volunteer leadership file. Due to time and space limitations, there shall be no exchange of statements and no rebuttals of the opposing statement except as arranged by the position coordinators.

(B) Newsletters and other Club publications, including web pages, may publish these or any other official statements, including the *SIERRA* statements, if they publish the statements on both sides. They may also publish matched opinion pieces on both sides of approximately equal length written for this purpose, by their local members or by others.

(iii) Editorial Positions. Editorial positions taken in chapter and group newsletters on ballot questions must represent the position of the respective chapter or group executive committee as adopted in a regular or special meeting.

(iv) Letters to the Editor. Letters to the editor on ballot questions, if any are published, shall, as a whole, reflect a balance of positions on the issue insofar as possible. Letters must be signed.

(v) Advertising. No advertising may be accepted promoting a position on a ballot issue in a Club newsletter.

(vi) Web Page Links. Any mention in a Club publication, including a web page, of, or link to, a web page formally designated by one side of a ballot issue must be matched by a corresponding mention of or link to a page designated by the other side of a ballot issue, unless the other side has not responded with a web page address to a request for it from the publisher of the reference or the Club Secretary or webmaster.

(vii) Use of Club Resources. Without authorization of the Board of Directors, no Club funds or other resources, such as official publications and other forums or means of communication, including newsletters and web pages, and including those of chapters, groups and other entities, shall be used in support of or opposition to any ballot issue, unless both sides have the same opportunity.

(viii) Mailing Lists.

(A) A member's request for access to the membership list to communicate with other Club members about a ballot issue in a Club election is a purpose reasonably related to that member's interest as a Club member.

(B) The Executive Office will notify the position coordinators in the Club election of requests when all required information and fees are received ("Valid Requests"). Valid Requests for access to the membership list to communicate about a ballot issue in a Club election must be received at least 40 days before the date set for counting the ballots in that Club election. If any such Valid Request is received, other such Valid Requests may be made until 30 days before the date set for counting ballots in that same Club election.

(C) Leader Directory. A Club member in good standing may use published Club lists, including the Leader Directory, to communicate with Club leaders about Club elections. However, e-mail addresses and telephone numbers from the Leader Directory may not be used by a Club member for fundraising of any kind.

(ix) Forum.

(A) Under rules issued by the Inspectors of the Election, the Club may have a forum for discussion of each ballot issue or each set of alternative ballot issues. The rules may limit the length and frequency of messages from a discussant.

(B) The Inspectors of the Election may issue rules for a ballot question information website to provide links to election-related sites of the position coordinators' choosing.

(x) Records and Reporting.

(A) For six months after the election, petitioners and position coordinators shall keep records of contributions aggregating \$100 or more from one person, including identity (name, address and telephone number) of the contributor, date, amount of contribution and aggregate amount of that person's contributions; and expenditures over \$100, including recipient, amount, date and purpose. A coordinator shall provide this information to the Inspectors of election within (1) five days of receipt of a request for the information by e-mail, fax or delivery (add three days for mail) within 60 days before or 30 days after the date set for counting the ballots; or (2) 10 days at other times.

(B) Coordinators shall report the aggregate amount of contributions and expenditures 45 days before the date set for counting the ballots and 15 days after that date. Individual contributions and expenditures of \$100 or more, including the identity of the contributor or recipient, shall be reported to the Executive Office within 10 days of receipt and within 15 days before the date set for counting the ballots. The reports shall be available for inspection and copying by any member.

Adopted 05/2-3/81 & 09/13-14/86; amended 09/20-21/97, 09/26-27/98,
11/14-15/98, 11/13-14/99, 11/16-18/01, 09/19-20/03, 11/19-20/04,
07/16/05, 05/19-20/06, 05/16/08

11.4. A majority of all the ballots cast on each question shall decide the question except as otherwise provided in these Bylaws, provided that such votes represent at least a majority of the votes required for a quorum. [5512, 5513]

Bylaw 12: CONSTRUCTION OF BYLAWS

12.1. On all questions as to the construction or meaning of these Bylaws and the rules of the Club, the decision of the Board of Directors shall be final, unless rescinded by the Club by a vote as provided for in Bylaw 11.

Bylaw 13: AMENDMENTS TO BYLAWS

13.1. These Bylaws are fundamental and shall not be added to, amended, or repealed except by a resolution approved by the Board of Directors and approved

by the affirmative votes of two-thirds (2/3) of the members voting on a given matter or group of related matters as specified in Paragraph 11.3, provided that such affirmative votes represent at least two-thirds (2/3) of the votes required for a quorum. The approval of the members may be before or after the approval by the Board. When permitted by law, however, the Board may, by affirmative vote of two-thirds (2/3) of the Directors and with the concurrence of the Sierra Club Council, amend the Bylaws to conform to law. [5150]

13.2. Bylaws 1 and 2 cannot be amended without concurrent amendment of the corresponding Articles of Incorporation, as provided by law. [5810-5812]

by the affirmative votes of two-thirds (2/3) of the members voting on a given matter or group of related matters as specified in Paragraph 11.3, provided that such affirmative votes represent at least two-thirds (2/3) of the votes required for a quorum. The approval of the members may be before or after the approval by the Board. When permitted by law, however, the Board may, by affirmative vote of two-thirds (2/3) of the Directors and with the concurrence of the Sierra Club Council, amend the Bylaws to conform to law. [5150]

13.2. Bylaws 1 and 2 cannot be amended without concurrent amendment of the corresponding Articles of Incorporation, as provided by law. [5810-5812]

Articles of Incorporation

ORIGINAL VERSION (JUNE 4, 1892)

KNOW ALL MEN BY THESE PRESENTS

That we, the undersigned, a majority of whom are citizens and residents of the State of California, have this day voluntarily associated ourselves together for the purpose of forming a corporation under the laws of the State of California.

AND WE HEREBY CERTIFY AS FOLLOWS, TO WIT:

I. That the name of said Corporation shall be the SIERRA CLUB.

II. That the said Association is made, and the said Corporation is formed, not for pecuniary profit.

III. That the purposes for which this corporation is formed are as follows:

To explore, enjoy and render accessible the mountain regions of the Pacific Coast; to publish authentic information concerning them; to enlist the support and cooperation of the people and government in preserving the forests and other natural features of the Sierra Nevada Mountains; to take, acquire, purchase, hold, sell and convey real and personal property, and to mortgage or pledge the same for the purpose of securing any indebtedness which the corporation may incur, and to make and enter into any and all obligations, contracts and agreements concerning or relating to the business or affairs of the corporation or the management of its property.

IV. That the place where the principal business of said corporation is to be transacted is the City and County of San Francisco, State of California.

V. That the term for which said corporation is to exist is fifty years from and after the date of its incorporation..

VI. That the number of Directors of said corporation shall be nine (9) and that the names and residences of the Directors and Trustees who are appointed for the first year to serve until the election and qualification of their successors, are as follows, to witt:

- John Muir, Martinez, California
- Warren Olney, Oakland, California
- J. H. Senger, San Francisco, California
- Wm. D. Armes, Oakland, California
- David S. Jordan, Palo Alto, California

- R. M. Price, Berkeley, California
- Mark Brickell Kerr, Golden Gate, Alameda Co.
- Willard D. Johnson, Berkeley, California
- John C. Branner, Palo Alto, California

VII. That the said Corporation has and shall have, no Capital Stock.

And we FURTHER CERTIFY AND DECLARE: That the above-named Directors of the Corporation were duly elected Directors thereof by the members of said Corporation, at an election for Directors held at #101 Sansome Street in the City and County of San Francisco, State of California, at eleven A.M. on this 4th day of June, 1892, and that a majority of the members of said Association and Corporation were present and voted at said election, and that at such election each of the said Directors received the votes of a majority of the members of the Corporation present at such election; as more fully appears from the Certificate of the two Tellers of Election hereunto annexed and hereby referred to and made a part hereof.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 4th day of June, A.D 1892.

- W. H. Beatty
- Ralph C. Harrison
- George C. Perkins
- G. B. Bayley
- John Muir
- J. H. Senger
- Wm. D. Armes
- Mark Brickell Kerr
- John C. Branner
- Dorville Libby
- James O. Griffin
- Charles A. Bailey
- Willard D. Johnson
- C. D. Robinson
- Josiah Keep
- C. B. Bradley
- Hermann Kower
- Fred S. Pheby
- Hubert P. Dyer
- Charles G. Harker
- W. H. Henry
- R. M. Price

- L. de F. Bartlett
 - Will Denman
 - W. L. Jepson, Jr.
 - Warren Gregory
 - Warren Olney
-

SECOND VERSION (MAY 6, 1922)

[Board announces its intention to change number of directors changed from 9 to 15 through a change in the Articles of Incorporation; exact wording unknown. By Dec. 9, 1922, there were 15 Directors. However, this action was evidently never filed with the State of California]

THIRD VERSION (AUG. 21, 1941)

The following change was made:

[original Section V. replaced with the following]:

V. This Corporation shall have perpetual existence

FOURTH VERSION (FEBRUARY 17, 1951)

[Art. II augmented, as follows]:

II. That the said Association is made and the said Corporation is formed, not for pecuniary profit. No part of the assets or net earnings of this corporation shall be distributed to or shall inure to the benefit of any member, officer or director; provided, however, that payment of reasonable compensation for services rendered and expenses incurred may be made.

[Art. III changed, as follows]:

III. That the purposes for which this corporation is formed are as follows:

To explore, enjoy, and preserve the Sierra Nevada and other scenic resources of the United States and its forests, waters, wildlife, and wilderness; to undertake and to publish scientific, literary, and educational studies concerning them; to educate people with regard to the national and

state forests, parks, monuments, and other natural resources of especial scenic beauty and to enlist public interest and cooperation in protecting them.

[Art. VI changed to catch up with the actual number of Directors in office since 1922]:

VI. That the number of Directors of said corporation shall be 15; provided, however, that the number of Directors may be changed by the By-Laws from time to time, but there shall be not less than 3 nor more than 25 Directors.

FIFTH VERSION (JAN. 24, 1973)

[Purposes changed as follows]:

III. That the purposes for which this corporation is formed are as follows:

To enhance and protect by all lawful means the natural resources and human environment of the United States and the Earth in general; to explore, enjoy, and preserve the scenic resources of the United States and its forests, waters, wildlife, and wilderness; to undertake and to publish scientific, literary, and educational studies concerning them; to educate the people with regard to the national and state forests, parks, monuments, and other natural resources of especial scenic beauty and to enlist public interest and cooperation in protecting them.

SIXTH VERSION: COMPLETE RESTATEMENT OF ARTICLES OF INCORPORATION, (JUNE 20, 1981)

I. The name of the corporation is Sierra Club.

II. This corporation is a nonprofit public benefit corporation and is not organized for the private gain of any person. It is organized under the Nonprofit Public Benefit Corporation Law for public and charitable purposes.

The said association is made and the said corporation is formed, not for pecuniary profit. No part of the assets or net earnings of this corporation shall be distributed to or shall inure to the benefit of any member, officer or

director; provided, however, that payment of reasonable compensation for services rendered and expenses incurred may be made.

III. The purposes of the Sierra Club are to explore, enjoy, and protect the wild places of the earth; to practice and promote the responsible use of the earth's ecosystems and resources; to educate and enlist humanity to protect and restore the quality of the natural and human environment; and to use all lawful means to carry out these objectives.

IV. This corporation shall have perpetual existence.

V. The said corporation has and shall have, no Capital Stock.

VI. The corporation elects to be governed by all of the provisions of the Nonprofit Public Benefit Law not otherwise applicable to it under Part 5 of Division 2 of Title 1 of the California Corporations Code.