

Measure on energy draws fire

By [Margot Roosevelt](#)

April 08, 2008

Should two Arizona billionaires tell California, arguably the nation's greenest state, how to run its electricity business?

They're going to try.

University of Phoenix founder John Sperling and his son, Peter, are backing a ballot initiative that would force the state to more than quadruple its production of solar, wind and other alternative energy sources by 2025.

But the state's major alternative-energy companies and environmental groups say the [Solar and Clean Energy Act of 2008](#) is poorly drafted and riddled with loopholes, and they plan to oppose it.

"It could slam the brakes on renewable energy development in the state," asserts a letter signed by the California Solar Energy Industries Assn., the American Wind Energy Assn., labor unions and environmentalists.

"John Sperling is genuinely well-intentioned and wants to do something about global warming," said Ralph Cavanagh, a Natural Resources Defense Council expert who met with the 87-year-old billionaire. "But the initiative was put together by people who didn't know what they were doing."

Sperling, best known for founding the highly profitable and predominantly online university, has funded ballot initiatives promoting medical marijuana and drug sentence reform. He also founded two animal cloning businesses and garnered publicity for reportedly spending \$2.3 million on a failed effort to clone his dog in Texas.

Peter Sperling, 48, senior vice president of the Apollo Group, his father's holding company, did not attend California meetings to promote the initiative, but he is listed on government forms as putting up \$1.8 million for the campaign so far.

California gets about 11% of its electricity from solar, wind, geothermal and other renewable sources. State law already requires utilities to ratchet up their renewable energy to 20% by 2010, among the most aggressive statutes in the country.

Gov. [Arnold Schwarzenegger](#) has set a further target of 33% by 2020, well below the ballot initiative's targets of 40% by 2020 and 50% by 2025.

Legislation is pending to lock the current 33% target into law, and environmentalists are seeking to revise what they call archaic regulations governing renewable development.

“The initiative locks all the dysfunctional complexity into place and would require a two-thirds vote of the Legislature to change it,” said V. John White, director of the Sacramento-based Center for Energy Efficiency and Renewable Technologies.

But political consultant Jim Gonzalez, a former San Francisco supervisor who leads the initiative campaign said, “Twenty percent is where the utilities would like to stop, and that would let them continue their addiction to coal. This is the opportunity for California to do something visionary.”

Gonzalez said he has collected 735,000 signatures; only 433,971 are required to qualify it for the ballot. It will take about two months for counties to certify the signatures and for the secretary of state to place the measure on the November ballot.

The initiative, drafted by the law firm Manatt, Phelps & Philipps, would require the California Energy Commission to identify solar and clean energy zones, primarily in the desert, to jump-start clean power plants.

It also promotes fast-track approval for renewable plant construction, forcing governments to finish the permit process within 100 days. It sets a cap on what utilities must spend on renewables, which, Gonzalez says, ensures that consumers’ electricity bills will rise no more than 3%.

Although the initiative raises the total amount a utility can be fined for failing to meet renewable requirements, overall it would reduce many fines by as much as 80%, according to opponents.

Opponents say the initiative’s fast-track provision would limit public participation at a time when efforts are underway to clear the path for new transmission lines and new siting of plants. “It is crazy to give local governments only 100 days to comment,” Cavanagh said. “That takes a critical constituency and backhands them when they need to support” new renewable plants.

The 3% cap on utility rates would put tighter constraints on renewables than on natural gas or other traditional energy sources, opponents said.

Proponents of the initiative include renowned NASA climate scientist James Hansen, environmental activist Randall Hayes and labor organizer Dolores Huerta, and sponsors say their polling shows 75% public approval for the measure.

Renewable-energy companies opposed to the measure include BrightSource Energy, PPM Energy, Horizon Wind Energy and Schott Solar. Environmental opponents include the California League of Conservation Voters, the Environmental Defense Fund and the Union of Concerned Scientists, along with the California Coalition of Utility Employees and five locals of the International Brotherhood of Electrical Workers.

margot.roosevelt@latimes.com