

SAN JOSE CLEAN ENERGY
(An Enterprise Fund of the City of San José)

Independent Accountant's Report on
Applying Agreed-Upon Procedures

For the Year Ended June 30, 2025

SAN JOSE CLEAN ENERGY
(An Enterprise Fund of the City of San José)
For the Year Ended June 30, 2025

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Independent Accountant's Report

City Manager and
Risk Oversight Committee
San José, California

We have performed the procedures enumerated below, related to San Jose Clean Energy's (SJCE), an enterprise fund of the City of San José (City), compliance with the Energy Risk Management Regulations (RMR) effective July 1, 2024, for the year ended June 30, 2025. The City's management is responsible for the City's compliance with those requirements.

The City and the Energy Department (CED), City Attorney's Office, and the Office of the City Auditor have agreed to and acknowledged that the procedures performed are appropriate to meet the intended purpose of determining the City's compliance with the RMR effective July 1, 2024, for the year ended June 30, 2025. This report may not be suitable for any other purpose. The procedures performed may not address all items of interest to a user of this report and may not meet the needs of all users of this report and, as such, users are responsible for determining whether the procedures performed are appropriate for their purposes.

The procedures and the associated findings are as follows:

1. Obtain the Counterparty Concentration Report as of December 31, 2024, and June 30, 2025. Inspect the short-term and medium-term energy confirmations for counterparties with a concentration rate of 10% or higher to confirm whether the City adhered to the concentration limits identified in section 14.3 of the RMR, effective July 1, 2024, as amended from time to time, for short-term and medium-term agreements at the time of agreement execution.

Findings: No deviations were found as a result of applying the procedure.

2. Obtain the Finance Approved Counterparty Log and the Finance Counterparty Credit Analysis Procedures (Procedures) as of June 30, 2025. Select four samples from the Finance Approved Counterparty Log to inspect the Credit Analysis by Counterparty Report, along with the transmittal sheet for Counterparty credit analysis, and the City Memorandum submitted for approval to the appropriate authority. Determine whether the counterparty credit assessment and monitoring were performed in accordance with the established Procedures.

Finding: No deviations were found as a result of applying the procedure.

3. Select the individual confirmation transmittal forms for seven Energy and three Resource Adequacy contracts, based on the largest dollar amount in each quarter of the year ended June 30, 2025, to determine whether:
 - a. Transactions fall within term limits, as authorized in Appendix 4 of the RMR, effective July 1, 2024, as amended from time to time.
 - b. Transactions are duly authorized, and do not exceed individual counterparty credit limits, where applicable.

- c. Transactions are executed and documented in accordance with standardized procedures.
- d. Transactions were approved as to form by the City Attorney's Office.

Finding: MGO reviewed the two Energy contracts executed for the quarters ended December 31, 2024, and four Energy contracts executed for the quarter ended March 31, 2025, as those were the only Energy contracts executed in those quarters. MGO reviewed zero Energy contracts for the quarter ended September 30, 2024, as there were no Energy contracts executed in the quarter.

No deviations were found as a result of applying the procedure.

- 4. Based on the sample of transactions selected in procedure #3 above, identify any unauthorized transactions. In such cases, confirm these unauthorized transactions were tied to the appropriate exceptions report as required by Section 5.4 of the RMR, effective July 1, 2024, as amended from time to time.

Finding: There were no unauthorized transactions as result of applying procedure 3 above.

- 5. Obtain the Revolving Credit Agreement with JP Morgan Bank, along with any relevant amendments, and the Quarterly Debt Service Calculation Ratio Compliance Certificates, where applicable, to ensure the City has complied with its covenant(s) in the credit facility, thereby supporting the cash flow needs for SJCE.

Finding: No deviations were found as a result of applying the procedure.

- 6. Obtain all long-term power purchase agreements (PPA) that were executed during the year ended June 30, 2025, ensuring (a) agreements have been approved as to form by the City Attorney and (b) at the time of agreement execution, did not lead to exceeding applicable concentration limits specified in section 14.3 of the RMR, effective July 1, 2024, as amended from time to time.

Finding: No deviations were found as a result of applying the procedure.

- 7. Obtain a copy of the Power Contract Tracking Report for the months of December 2024 and June 2025. and compare those reports to the Recommended Coverage levels (Appendix 9 of the RMR, effective July 1, 2024, as amended from time to time) and approved variances to determine whether SJCE is complying with the coverage requirements for Energy.

Finding: No deviations were found as a result of applying the procedure.

- 8. Confirm the types of Approved Products listed in the Power Contract Tracking Workbook for transactions executed during the year ended June 30, 2025, are in accordance with the guidelines specified in Appendix 6 of the RMR, effective July 1, 2024, as amended from time to time.

Finding: No deviations were found as a result of applying the procedure.

- 9. Compare reports issued by CED management to fulfill the reporting requirements for SJCE as specified in the RMR, effective July 1, 2024, as amended from time to time, and the Management Reports listed in Appendix 7 of the RMR, effective July 1, 2024, as amended from time to time, for the last month of each quarter, to determine whether CED complied with the reporting requirements, report frequency, primary responsibility, and approval.

Finding: The following listed Management Reports from Appendix 7 of the RMR, effective July 1, 2024, as amended from time to time, were not applicable because there were no exceptions or violations to be reported and the Integrated Resource Plan was not required for the year ended June 30, 2025.

Report	Frequency
Exceptions Report	As needed
Integrated Resource Plan	As needed

No deviations were found as a result of applying the procedure.

10. Sample an individual transaction with the largest dollar amount executed in each quarter from the Power Contracts Tracking Workbook and determine whether the transaction has documentation as follows:
 - a. Competitive bidding or an approved variance authorizing bilateral negotiations.
 - i. CED front office manages a Request for Offer (RFO) inbox for the purposes of capturing bid solicitations.
 - b. Written commitment to the transaction.
 - i. CED front office manages an RFO inbox for the purposes of capturing bid solicitations.
 - c. Transaction confirmation with the counterparty with a written and executed confirmation.
 - i. All transactions with the counterparty are memorialized with a written and executed confirmation.
 - d. Authorization/Approval
 - i. Each confirmation includes a confirmation transmittal form to ensure appropriate authorization/approvals are in place.

Finding: No deviations were found as a result of applying the procedure.

11. Sample an individual transaction with the largest dollar amount delivered in each quarter from the Expected Power Costs Workbook and determine whether:
 - a. Prior to CED submitting invoices for payment, the Northern California Power Agency (NCPA) confirmed in writing the quantities and delivery of products on the invoice, if applicable.
 - b. The invoiced amounts are reconciled with the quantities delivered and contract price to ensure accuracy.

Finding: No deviations were found as a result of applying the procedure.

12. Obtain a listing of all City employees who were engaged in approved product transactions and consultants who provided services for Energy Department throughout the year ended June 30, 2025, and confirm the respective employees and consultants have filed the Form 700 – Community Energy Classifications annual conflict of interest filings as required.

Finding: No deviations were found as a result of applying the procedure.

We were engaged by the City to perform this agreed-upon procedures engagement and conducted our engagement in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to and did not conduct an examination or review engagement, the objective of which would be the expression of an opinion or conclusion, respectively, on the City's compliance with the Energy Risk Management Regulations effective July 1, 2024, for the year ended June 30, 2025. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We are required to be independent of the City and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.

This report is intended solely for the information and use of the City Council, City Manager, Risk Oversight Committee, the City Auditor, and Finance Department and is not intended to be, and should not be, used by anyone other than the specified parties.

A handwritten signature in black ink that reads "Macias Gini E O'Connell LPA". The signature is written in a cursive style with a large, stylized "LPA" at the end.

Walnut Creek, California
October 24, 2025

SAN JOSE CLEAN ENERGY
(An Enterprise Fund of the City of San José)
Schedule A
For the Year Ended June 30, 2025

ENERGY RISK MANAGEMENT REGULATIONS APPENDIX 7
MANAGEMENT REPORTS

1. Management Reports

The following energy risk management reports shall be developed and presented as further described in the following table:

Report Audience: **ROC**

Management Report		Primary Responsibility			Report Frequency				Approval
		Front	Middle	Back	Monthly	Quarterly	Annual	As Needed	
a.	Concentration Balance		X		X				ED Division Manager of Risk Management and Contracts Administration
b.	Portfolio Performance (MTM)		X		X				ED Division Manager of Risk Management and Contracts Administration
c.	Exceptions Report		X					X	ED Division Manager of Risk Management and Contracts Administration
d.	Annual Regulations Update		X					X	City Manager or designee
e.	Credit Limit Status by Counterparty and Master Agreements		X		X				ED Division Manager of Risk Management and Contracts Administration
f.	Coverage Ratio – Procurement Report	X			X				ED Deputy Director of Power Resources
g.	Integrated Resource Plan	X	X	X				X	ED Deputy Director of Power Resources
h.	Credit Exposure to LOC Issuers		X		X				ED Division Manager of Risk Management and Contracts Administration
i.	Power Transactions		X			X			ED Division Manager of Risk Management and Contracts Administration
j.	Bilateral Transactions Report	X			X				ED Deputy Director of Power Resources
k.	Variance Report		X		X				ED Division Manager of Risk Management and Contracts Administration

SAN JOSE CLEAN ENERGY
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Schedule A
For the Year Ended June 30, 2025

1.1. Description of Management Reports

- a. Concentration Balance: The Middle Office reports concentration by counterparty in terms of total covered portfolio, expected costs, and expected load.
- b. Portfolio Performance (MTM): A Middle Office report comparing the cost of the portfolio of contracts to the current market value of the portfolio (tracking what SJCE paid for the contract to what it is worth now). This is also known as MTM and is used to monitor collateral needs.
- c. Exceptions Report: A Middle Office report summarizing current exception and violation reports.
- d. Annual Regulations Update: A Middle Office report providing an annual review of the Energy Risk Management Regulations and recommendations for needed updates. Revisions to the ERMR are approved by the City Manager or designee.
- e. Credit Limit Status by Counterparty and Master Agreements: A Middle Office report showing counterparty credit limits, credit used, credit remaining, as well as current set of approved master agreements. Special flagging of counterparties nearing their credit limits should also be included.
- f. Coverage Ratio – Procurement Report: A Front Office report detailing the load forecast and coverage ratio for periods as outlined in Appendix 9.
- g. Integrated Resource Plan: This is a plan prepared every few years that shows long-term supply and resources plan.
- h. Credit Exposure and Credit Quality to LOC Issuers: A Middle Office report tracking credit exposure and credit quality to LOC issuers at the portfolio level.
- i. Power Transactions: A Middle Office quarterly report submitted to the Council of all transactions carried out since the last submitted quarterly report.
- j. Bilateral Transactions: A Front Office report setting forth transactions entered into pursuant to bilateral discussions.
- k. Variance Report: A Middle Office report summarizing the variances approved by the City Manager or designee with respect to use of competitive solicitations, coverage thresholds, concentration limits, relaxation of underwriting standards, credit limits, and credit enhancements.