



**Town of Windsor**  
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**Councilmember**  
Esther Lemus

**Town Manager**  
Ken MacNab

December 28, 2020

Mr. David Hochschild, Chair  
California Energy Commission  
1516 Ninth Street, MS-32  
Sacramento, CA 95814

**RE: Lawsuit Against Town of Windsor All-electric Reach Code**

Dear Mr. Hochschild:

This is to bring your attention to the Town of Windsor's plight in defending its all-electric reach code against a lawsuit by developer interests and to request that the California Energy Commission adopt an all-electric baseline for all building types in the 2022 code cycle.

The small town of Windsor, located in Sonoma County, was one of the first California jurisdictions to adopt an all-electric reach code in October 2019. Windsor took this action to help fight climate change and improve indoor air quality by curbing expansion of natural gas use in new buildings. At least twenty-five other California jurisdictions have now adopted similar all-electric reach codes.

In November 2019, two local developers filed suit against Windsor alleging the CEQA analysis used to support Windsor's reach code is flawed. Windsor is confident of its case but as a small jurisdiction is challenged by the high cost of defending its reach code in court.

We understand that many parties are now requesting the California Energy Commission to adopt an all-electric baseline for all building types in the 2022 code cycle. We strongly support this approach as it is both inefficient and time consuming to expect each of California's 540 jurisdictions to figure out and implement the many complexities of reach codes on its own. Additionally, many small jurisdictions such as Windsor lack the resources to fight even spurious lawsuits challenging their reach codes.

We need the California Energy Commission to support the inevitable transition to all-electric buildings in a way that does not put small jurisdictions at risk for doing the right thing. We need the California Energy Commission to adopt an all-electric baseline for all building types in the 2022 code cycle.

Sincerely,

Dominic Foppoli  
At-large Mayor

Cc: CEC Commissioner Janea A. Scott  
CEC Commissioner Karen Douglas

CEC Commissioner J. Andrew McAllister, Ph.D.  
CEC Commissioner Patty Monahan  
CEC Executive Director Drew Bohan  
CEC Chief Counsel Darcie Houck  
Governor Gavin Newsom