



The Public Advocates Office’s Informal Comments on the Proposed ROWE Independence Policy

Submitted by	Organization	Date Submitted
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I. INTRODUCTION

The Public Advocates Office at the California Public Utilities Commission (Cal Advocates) submits these informal comments regarding the Regional Organization for Western Energy (ROWE) proposed Independence Policy.

Cal Advocates provides the following recommendation:

- The Independence Policy should include a broader definition of “Prohibited Relationship”.

II. DISCUSSION

A. The Independence Policy should include a broader definition of “Prohibited Relationship”.

The Draft Independence Policy defines “Prohibited Relationship” as:

A Prohibited Relationship exists if a Director serves as an employee, director or officer for any entity, or any parent, subsidiary, or affiliate of such entity that is engaged in the generation, transmission, marketing or distribution of electricity within the geographic area of the Western Electricity Coordinating Council.¹

¹ ROWE, *Board Independence Policy*, September 9, 2026 (Draft Independence Policy) at 3. Available at: <https://rowesternenergy.org/wp-content/uploads/2026/09/ROWE-Independence-Policy-SEPT2026-9.9.26.pdf>.

Broadly speaking, this definition prohibits Directors from also being employed as market participants, but does not prohibit other relationships that undermine a Director's independence. A Director may fail to provide independent, objective decision-making at the ROWE Board because he or she, or his or her spouse or registered domestic partner, may have concurrent employment or relationships with entities whose goals are not fully aligned with ROWE's objectives. For example, the draft definition would not bar a ROWE Director or his or her spouse or registered domestic partner from simultaneously leading a stakeholder with an interest in ROWE decision-making, from serving on the board of a nonprofit focused on Western Electricity Coordinating Council (WECC) markets, or from being employed at a WECC-focused trade organization. The following revision **in red** would broaden the scope of prohibitions and help ensure independence.

- A Prohibited Relationship exists if a Director or his or her spouse or registered partner serves as an employee, director or officer for any entity, or any parent, subsidiary, or affiliate of such entity that:
- (a) is engaged in the generation, transmission, marketing or distribution of electricity within the geographic area of the Western Electricity Coordinating Council **or**
 - (b) **could reasonably be considered as a stakeholder or party, including but not limited to trade organizations and advocacy organizations, with an interest in ROWE decision-making.**

III. CONCLUSION

Please contact Karl Dunkle Werner at karl.dunklewerner@cpuc.ca.gov with any questions or input on these comments.