



6 – Sunshine Law Update

Board of Directors

August 20, 2026



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JUNE 8, 2026

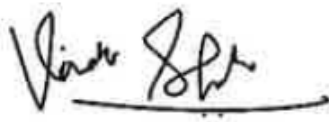
Via First-Class Mail

Re: Informal Dispute Resolution

To Whomsoever This May Concern:

This is regarding your violation of California's Invasion of Privacy Act ("CIPA") Cal. Penal Code § 638.51(a). You have installed and used multiple pen registers on your website without consent. Seeking injunctive relief, declaratory relief and statutory damages. The attached Complaint is prepared and ready to be filed with the Los Angeles Superior Court should this matter remain unresolved.

Regards,



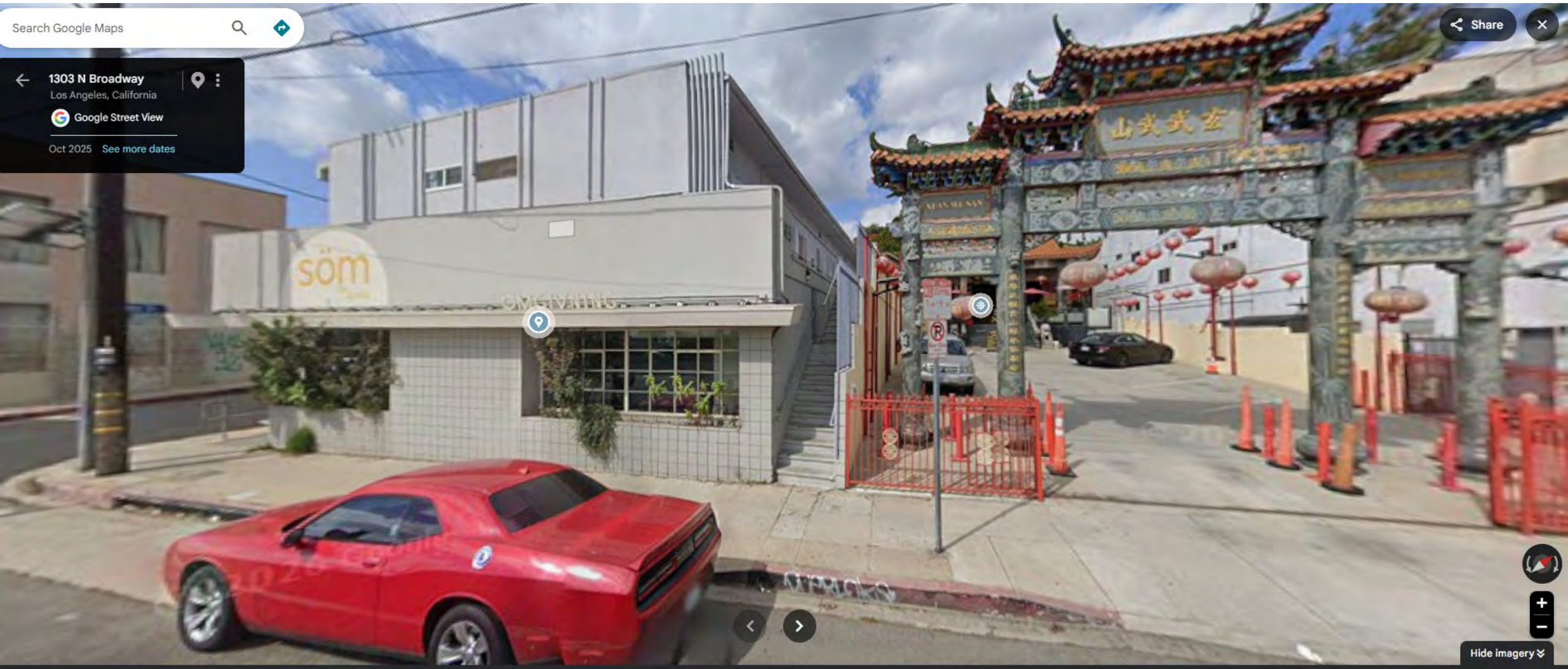
VIVEK SHAH

INTRODUCTION

1. This action is about unlawful internet surveillance. Defendant operates and profits from a public-facing website at fmpa.com (the “Website”). When California visitors open the Website, Defendant causes third-party tracking code to execute in the visitor’s browser and transmit addressing/signaling information—including the visitor’s internet protocol (“IP”) address and related device/browser identifiers—to third parties for marketing, analytics, attribution, and profiling.

2. Under California law, a “pen register” includes any “device or process” that records or decodes “dialing, routing, addressing, or signaling information” transmitted with an electronic communication, but not the contents of that communication. (Cal. Penal Code § 638.50(b).) Defendant’s third-party trackers qualify as pen registers because they operate as processes that capture and transmit the visitor’s addressing/signaling information during the electronic communications necessary to load and use the Website.

3. California Penal Code § 638.51(a) prohibits installing or using a pen register without a court order. Defendant did not obtain a court order. Defendant installed and used pen register processes on Plaintiff’s device without Plaintiff’s informed, specific consent. Plaintiff seeks statutory damages and injunctive relief.



July 16, 2026

The CIPA Demand Letter Wave: How One Serial Litigant Is Turning Basic Websites Into a Tsunami of Lawsuits

- Litigants using 1960's era wiretapping statute to file wave of demand letter/suits under California Invasion of Privacy Act (CIPA)
- One bad decision in California court opened the floodgates – applying law to website tracking activity
- Statutory damages - \$5,000 per occurrence



PUBLICATIONS

California Federal Court Declares Serial CIPA Plaintiff Vivek Shah a Vexatious Litigant: What You Need to Know

July 24, 2026

SHARE



Judge R. Gary Klausner of the U.S. District Court for the Central District of California declared Vivek Shah – one of the nation's most prolific serial digital privacy litigants – a *vexatious litigant* on July 20, 2026, entering a prefiling order barring Shah from filing any new action asserting California Invasion of Privacy Act (CIPA) or related digital privacy claims in the district without first obtaining the court's permission. *Shah v. Crain Commc'ns, Inc.*, No. 26 CV 3070 (C.D. Cal. July 20, 2026), Dkt. No. 34. The ruling is a noteworthy victory for the many companies – e-commerce and retail, technology and SaaS, healthcare, and financial services chief among them – with extortion-style demand letters and cookie cutter complaints alleging that routine website analytics tools violate CIPA and similar digital privacy laws.

What you should do...

- Give prior notice to website visitors if you utilize any form of tracking, cookies, pen registers, etc.
- Implement a pop-up informing website visitors that they may be tracked when visiting your site
 - Ideally, should pop-up prior to any tracking implementation
 - Not required, but consider giving an option to continue with no tracking
 - Minimum requirement is to give visitors option to proceed with tracking or leave the site before tracking begins
- Stay tuned for a memo from our office with more information
- Reach out to FMPA IT for assistance with pop-up notice if needed



9e – Draft Goals FY27

Board of Directors

August 20, 2026

Fiscal Year 2027 Management Goals

Goal		FY 2027 Target	Comment
1. Safety	Lost-time Accidents	0	
	OSHA Recordables	0	
2. Compliance	Environmental	0	No violations not self-reported
	Financial	0	
	Regulatory	0	
3. Low Cost (\$/MWh)	FY26 Rate Objective	\$81?	
	Fuel	\$	
	Non-Fuel	\$	
4. People	Engagement Score	82%	
	Training	450	

Goal		FY 2027 Target	Comment
5. Cyber-security	Breaches	0	
	Phishing Tests	<5%	
	Real Phishes Reported	120	
6. Generation Reliability	Intermediate Gen EAF	87%	
	Base Generation EAF	90%	
	Successful SI Starts	100%	
7. Member Reliability	Reliability Major	10	
	Reliability Minor	24	
8. Member Services	Leadership Member Visits	75	
	Member Roundtable & Training Attendance	500	
	Stakeholder Support Presentations	25	

Goal		FY 2027 Target	Comment
9. Long-Term Gen/Fuel Reliability			
	CI2 Diesel Capability	Ready for Winter 27/28	
	CI Sable Trail Connection	Complete	
10. Financing & Long-Term Rate Reductions	Submit Nuclear Production Tax Credit	10/27	
	External Sales – Margins	\$17M	
	Automate PO Matching Process	10/27	
11. ARP Expansion	Define/Approve Process to Add New Member(s)	6/27	
12. Load Growth	Define/Approve Process for New Large Retail Loads	3/27	Incorporate while achieving savings/benefits to Members