

January 17, 2003

**Advice 2318-E-A
(Pacific Gas and Electric Company ID U 39 E)**

Public Utilities Commission of the State of California

Subject: Revisions to Electric Preliminary K – Energy Commission Tax

Pacific Gas and Electric Company (PG&E) submit for approval revisions to its electric tariffs. The affected tariff sheets are listed on the enclosed Attachment I.¹

I. Background

The California Energy Commission tax was established by the California legislature in 1975, and is administered by the California State Board of Equalization. The purpose of this tax is to provide additional funding for the California Energy Commission (CEC). [PG&E is required to collect the Energy Resources Surcharge Tax pursuant to Part 19 of Division 2 of the California Revenue and Taxation Code.](#)

This tax was established pursuant to Section 40031 of the California Revenue and Taxation Code. However, in 1983, this section number was repealed and the contents absorbed into Section 40025.

In Advice 2318-E, PG&E modified the Energy Resources Surcharge Tax to \$0.0003. However, after further discussions with Mark Hutchinson, California Energy Commission, he informed us that the correct tax amount is \$0.0002.

¹ PG&E reserves all legal rights to challenge the decisions or statutes under which it has been required to make this advice filing, and nothing in this advice filing constitutes a waiver of such rights. Also, PG&E reserves any additional rights to challenge the requirement to make this advice filing by reason of its status as a debtor under Chapter 11 of the Bankruptcy Code, and nothing in this advice filing constitutes a waiver of such rights.

As a result, PG&E is modifying its Electric Preliminary Statement K – *Energy Commission Tax*, to indicate the specific section (in the California Revenue and Taxation Code), which provides the additional funding the CEC and to remove the reference to the repealed section, and to indicate the correct tax amount.

Protest

Anyone wishing to protest this filing should do so by sending a letter via postal mail and facsimile by, **February 6, 2003**, which is 20 days after the date of this filing. The protest must state the grounds upon which it is based, including such items as financial and service impact, and should be submitted expeditiously. Protests should be mailed to:

IMC Branch Chief
Energy Division
California Public Utilities Commission
505 Van Ness Avenue, Room 4002
San Francisco, California 94102
Facsimile: (415) 703-2200
E-mail: jjr@cpuc.ca.gov

Copies should also be mailed to the attention of the Director, Energy Division, Room 4005 and Jerry Royer, Energy Division, at the address shown above. It is also requested that a copy of the protest be sent via postal mail and facsimile to Pacific Gas and Electric Company on the same date it is mailed or delivered to the Commission at the address shown below.

Pacific Gas and Electric Company
Attention: Les Guliasi
Director, Regulatory Relations
77 Beale Street, Mail Code B10C
P.O. Box 770000
San Francisco, California 94177
Facsimile: (415) 973-7226
E-mail: RxDd@pge.com

The protest shall set forth the grounds upon which it is based and shall be submitted expeditiously. There is no restriction on who may file a protest.

This filing will not increase any rate or charge, cause the withdrawal of service, or conflict with any other rate schedule or rule.

Effective Date

PG&E requests that this advice filing become effective on regular notice, **February 26, 2003**, which is 40 days after the date of filing.

Notice

In accordance with General Order 96-A, Section III, Paragraph G, a copy of this advice letter is being sent electronically and via U.S. mail to parties shown on the attached list. Address changes should be directed to Sandra Ciach (415) 973-7572. Advice letter filings can also be accessed electronically at:

http://www.pge.com/customer_services/business/tariffs/

Vice President - Regulatory Relations

Attachments



TABLE OF CONTENTS
(Continued)

PRELIMINARY STATEMENTS

SCHEDULE	TITLE OF SHEET	CAL P.U.C. SHEET NO.
Part A	Description of Service Area & General Requirements	12081 to 12090,17048-E
Part B	Not Being Used	
Part C	Not Being Used	
Part D	Not Being Used	
Part E	CPUC Reimbursement Fee	11994-E
Part F	Helms Adjustment	11995-E
Part G	Catastrophic Event Memorandum Account	18716,11740-E
Part H	Interest	10579-E
Part I	Rate Schedule Summary	19356-E
Part J	Income Tax Component of Contributions Provision	11752,11503-E
Part K	Energy Commission Tax	19566-E
Part L	Electric Restructuring Costs Accounts	16515 to 16517-E
Part M	California Alternate Rates for Energy Account.....	18601-E
Part N	Transition Revenue Account.....	17860,17861,17020-E
Part O	Not Being Used	
Part P	Customer Energy Efficiency Adjustment.....	15104,15095,15097,15105,15106-E
Part Q	Competition Transition Charge Responsibility	14028-E
Part R	Affiliate Transfer Fees Account.....	16532-E
Part S	Hazardous Substance Mechanism	15719,15720,13540,13419 to 13421-E
Part T	Qualifying Facility Contribution in Aid of Construction Memorandum Account	13426-E
Part U	Capital Audit Consultant Cost Memorandum Account	17993-E
Part V	Arbitration Memorandum Account.....	13360-E
Part W	Interruptible Load Curtailment Penalty Memorandum Account.....	17896-E
Part X	Not Being Used	
Part Y	Electric and Magnetic Field Measurement Policy	13399-E
Part Z	Electric Vehicle Balancing Account.....	18685,18686-E
Part AA	Electric Deferred Refund Account.....	14274-E
Part AB	Not Being Used	
Part AC	Power Exchange Memorandum Account.....	14260-E
Part AD	Transition Cost Audit Memorandum Account.....	15917-E
Part AE	Generation Divestiture Transaction Costs Memorandum Account	14169-E
Part AF	Block Forward Market Memorandum Account	17028-E
Part AG	Competition Transition Charge Exemptions Memorandum Account.....	14277,14278-E
Part AH	Not Being Used	
Part AI	Not Being Used	
Part AJ	System Safety and Reliability Enhancement Funds Balancing Account..	14787,14788,15100-E

(T)

(Continued)



TABLE OF CONTENTS

		<u>CAL P.U.C. SHEET NO.</u>	
Title Page		8285-E	
Table of Contents:			
Rate Schedules	19568,19221,18990-E		(T)
Preliminary Statements	19359,19567-E		(T)
Rules, Maps, Contracts and Deviations	18979-E		
Sample Forms	18596,18980,19236,18911,17337,18788-E		

RATE SCHEDULES

<u>SCHEDULE</u>	<u>TITLE OF SHEET</u>	<u>CAL P.U.C. SHEET NO.</u>
RESIDENTIAL RATES		
E-1	Residential Service	19154,19155,19156,19157-E
EE	Service to Company Employees	18188-E
EM	Master-Metered Multifamily Service	19158,19159,15242,19160-E
ES	Multifamily Service	19161,18816,18190,19162,19163-E
ESR	Residential RV Park and Residential Marina Service	19164,19165,15250,19166-E
ET	Mobilehome Park Service	19167,18818,18193,19168,19169-E
E-7	Residential Time-of-Use Service.....	19170,18949,18819,19171-E
E-A7	Experimental Residential Alternate Peak Time-of-Use Service	19172,18950,18820,19173-E
E-8	Residential Seasonal Service Option.....	19174,19175-E
E-9	Experimental Residential Time-of-Use Service for Low Emission Vehicle Customers	19176,18952,18953,18821,18627,19177-E
EL-1	Residential CARE Program Service.....	19178,18822,19179-E
EML	Master-Metered Multifamily CARE Program Service	19180,18823,19181-E
ESL	Multifamily CARE Program Service.....	19182,18824,18479,19183-E
ESRL	Residential RV Park and Residential Marina CARE Program Service	19184,18825,18204,19185-E
ETL	Mobilehome Park CARE Program Service.....	19186,18826,19187,19188,19189-E
EL-7	Residential CARE Program Time-of-Use Service.....	19190,18959,18827,19191-E
EL-A7	Experimental Residential CARE Program Alternate Peak Time-of-Use Service.....	19192,18960,18828,19193-E
EL-8	Residential Seasonal CARE Program Service Option	19194,19195,19196-E
COMMERCIAL/INDUSTRIAL		
A-1	Small General Service	19197, 19198,19199-E
A-6	Small General Time-of-Use Service.....	19200,18963,18214,19201-E
A-10	Medium General Demand-Metered Service	19202,18852,15307,18216,18217, 19203,19204-E
A-T	Nondomestic Interruptible Service	11862-E
A-RTP	Experimental Real-Time-Pricing Service	18219,16483-E
A-15	Direct-Current General Service.....	18738,17090-E
E-19	Medium General Demand-Metered Time-of-Use Service	19205,17092,17093,18965 18966,18967,15321,18221,18222,18037,18864,18039,18040,18865,17900,16414,15330 18742,18743,18744,16416,18223,16418,16419,16420,19206,17094,17095,19207,19208-E
E-20	Service to Customers with Maximum Demands of 1,000 Kilowatts or More	19209,17254,18745, 18746,18747,15348,18225,15350,18226,18866,18044,18045,18867,15356,16430,15358, 18748,18749,18750,16432,18227,16434,16435,16436,18228,17099,17100,17101,19210-E
E-25	Restricted Variable-Peak-Period Time-of-Use Service to Water Agencies.....	19211,19212,18752,18753,15376,18229,15378,18230,19213-E
E-36	Small General Service to Oil and Gas Extraction Customers	19214,18754,19215-E
E-37	Medium General Demand-Metered Time-of-Use Service to Oil and Gas Extraction Customers	19216,17108,18755,15690,15691,18233,19217-E
ED	Experimental Economic Development Rate.....	18234,17110-E
E-CARE	CARE Program Service for Qualified Nonprofit Group-Living and Qualified Agricultural Employee Housing Facilities	18335-E

(Continued)