

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

Tel. No. (415) 703-1691



February 7, 2008

Advice Letter 2483-E-C

Brian K. Cherry
Pacific Gas & Electric Company
77 Beale Street, Mail Code B10C
P. O. Box 770000
San Francisco, CA 94177

Subject: Staff Disposition of Revised New Municipal Departing Load Tariffs in
Compliance with Resolution E-4064 – PG&E Advice Letter 2483-E-C

Dear Mr. Cherry:

The Energy Division has verified that Advice Letter (AL) 2483-E-C, with substitute sheets submitted on January 31, 2008, is in compliance with Resolution E-4064, and shall be effective July 10, 2003.

The issues raised in the October 26, 2007 protest of the California Municipal Utilities Association (CMUA), the October 29, 2007 protest of the Merced Irrigation District and Modesto Irrigation District (collectively, "the Districts"), and the February 1, 2008 response of CMUA to PG&E's substitute sheets of are not grounds for denial of the relief requested in AL 2483-C because they seek modifications that are not in conformance with the directives given in Resolution E-4064.

The Energy Division's approval of AL 2483-E-C is a "ministerial" act, as that term is used regarding advice letter review and disposition (See D. 02-02-049), made upon the determination that the filing was in compliance with Resolution E-4064.

Sincerely,

A handwritten signature in black ink, appearing to read "Sean H. Gallagher".

Sean H. Gallagher, Director
Energy Division

cc: Daren Chan, PG&E
Scott Blaising, Braun & Blaising, P.C. (Attorney for CMUA)
Ann Trowbridge, Day Carter & Murphy LLP (Attorney for the Districts)



**Pacific Gas and
Electric Company®**

Brian K. Cherry
Director
Regulatory Relations

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San Francisco, CA 94105

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Mail Code B10C
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P.O. Box 770000
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September 23, 2005

Advice 2483-E-A
(Pacific Gas and Electric Company ID U39E)

415.973.4977
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Public Utilities Commission of the State of California

**Subject: Revision to Proposed Schedule E-MDNL – Municipal Departing
New Load**

Pacific Gas and Electric Company (PG&E) hereby submits for filing revisions to its proposed Schedule E-MDNL – *Municipal Departing New Load*, as filed on March 15, 2004, in Advice 2483-E. The affected tariff sheets are listed on the enclosed Revised Attachment 1 and supersede the previous versions of Schedule E-MDNL in its entirety. Schedule E-MDNL also supersedes portions of PG&E's electric Preliminary Schedule Part BB--*Competition Transition Charge Responsibility for All Customers and CTC Procedure for Departing Loads* (PS Part BB), as well as Electric Schedule E-DEPART, insofar as they address the obligations of customer load departing to take service from a publicly-owned utility (POU).

Purpose

By this supplemental advice letter, PG&E requests that the Commission approve Schedule E-MDNL with the revisions shown in the attached tariff sheets.

Background

On March 29, 2002, a ruling by Administrative Law Judge Thomas Pulsifer added issues regarding departing load customers' obligations associated with DWR's historic costs and ongoing above-market contract costs--as well as the utilities' ongoing CTC costs--to the Direct Access Suspension Proceeding (R.02-01-011). A subsequent ruling bifurcated the issues related to departing load customers' obligations into two phases: (a) issues related to Customer Generation Departing Load; and (b) issues related to customers that disconnect from an IOU and take electric service from a POU and consumers that initially take service from a POU in an IOU's service territory.

In D.03-07-028, the Commission resolved issues related to the obligations of customer load departing to POUs. In D.03-08-076, the Commission granted limited rehearing of D.03-07-028 on the issue of "new load" consumers' obligation to pay the DWR Bond and Power Charges, and authorized the IOUs to collect the charges from new load consumers subject to possible refund based on the

outcome of the rehearing phase. Both D.03-07-028 and D.03-08-076 were appealed to the California Supreme Court, which denied review on February 18, 2004.

On March 15, 2004, PG&E filed Advice 2483-E (proposed Schedule E-MDNL) to implement D.03-07-028 and D.03-08-076. On March 29, 2004, Administrative Law Judge Thomas R. Pulsifer issued a ruling stating "no action would be taken on Pacific Gas and Electric (PG&E) Advice Letter (AL) 2483-E pending receipt of comments and resolution of relevant issues".

On February 18, 2004, PG&E filed Advice 2043-E-A (amending Schedule E-DEPART) and Advice 2475-E (amending PS Part BB) to implement D.03-12-035 and the Modified Settlement Agreement (MSA) resolving PG&E's Chapter 11 bankruptcy adopted therein, as well as the proposed Rate Design Settlement Agreement (RDSA) entered into by various parties. In D.04-02-062, the Commission adopted the RDSA and authorized imposition of the RA charge upon municipal departing load, subject to possible refund pending the "new load" rehearing ordered in D.03-08-076.

D.05-07-038, issued July 21, 2005, resolved the outstanding petition to modify D. 04-12-059 and related decisions regarding municipal departing load issues.

D.05-08-035, issued August 25, 2005, resolved the outstanding petition to modify D. 04-02-062 and D. 04-11-015.

Schedule E-MDNL

PG&E's revisions to Schedule E-MDNL are summarized briefly as follows.

In addition to the DWR Bond Charge, DWR Power Charge, and CTC specifically addressed in D.03-07-028, Schedule E-MDNL includes other nonbypassable departing load charges (specifically, the Trust Transfer Amount and Nuclear Decommissioning charges) that were authorized through prior Commission decisions and were included in Schedule E-DEPART.¹ Furthermore, Schedule E-MDNL also includes the Energy Cost Recovery Amount (ECRA) Charge, consistent with D.04-11-015 and D.05-08-035.

By this Advice Letter, PG&E is incorporating the nonbypassable charge rate component definitions recently approved in Advice 2375-E-C--*Departing Customer Generation, CG (E-DCG)*.

In addition, based on conversations with the Energy Division, PG&E is further simplifying Schedule E-MDNL by referring to provisions of existing PG&E tariffs.

¹ Note that Public Purpose Program charges are not applicable to MDNL customers pursuant to D. 97-08-056.

For example, PG&E has relied on the procedures and provisions of current Gas and Electric Rules 6 (for requiring deposits), 7 (amount of deposits), 8 (notices), 9 (rendering and payment of bills), 10 (disputed bills), and 11 (discontinuance of service).

PG&E has eliminated Special Condition 4.a. "Metered Data" from Schedule E-MDNL in this filing because of a lack of customer interest in the option of "Substitution of Metered Data" as reflected in customer response to PG&E's transferred Municipal Departing load tariff since its inception eight years ago. In fact, PG&E is not billing any transferred Municipal Departing Load customers for nonbypassable charges on the basis of substituted metered data.

Since the metered data option will no longer be available, PG&E has also revised its methodology for estimating Municipal Departing New Load. PG&E will utilize system average usage figures for all of PG&E's territory for the estimate of Municipal Departing New Load based upon the Consumer's otherwise applicable rate schedules. System average usage figures will replace PG&E's proposal in its previously filed Advice Letter 2483-E to use system average figures and multiply them by 150 percent.

PG&E is also updating Form No. 79-1013--*Municipal Departing New Load Nonbypassable Charge Statement*, as referenced in Schedule E-MDNL.

Effective Date

By this supplemental advice letter, PG&E requests that the Commission make the tariff revisions effective as of the date of approval of this Advice Letter, and allow PG&E up to 120 days after the effective date to implement the new tariff.

Protest

Anyone wishing to protest this filing may do so by sending a letter by **October 13, 2005**, which is 20 days from 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: ijr@cpuc.ca.gov and inj@cpuc.ca.gov

Protests also should be sent by e-mail and facsimile to Mr. Jerry Royer, Energy Division, as shown above, and by U.S. mail to Mr. Royer at the above address.

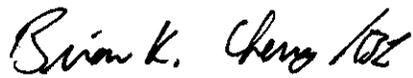
The protest should be sent via both e-mail and facsimile to PG&E on the same date it is mailed or delivered to the Commission at the address shown below.

Brian K. Cherry
Director, Regulatory Relations
Pacific Gas and Electric Company
P.O. Box 770000 Mail Code B10C
San Francisco, California 94177
Facsimile: (415) 973-7226
E-mail: PGETariffs@pge.com

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 lists and the service list for R.02-01-011. Address changes should be directed to Rose De La Torre at (415) 973-4716. Advice letter filings can also be accessed electronically at:

<http://www.pge.com/tariffs>



Director - Regulatory Relations

Attachments

CC: Service List R.02-01-011

CALIFORNIA PUBLIC UTILITIES COMMISSION

ADVICE LETTER FILING SUMMARY ENERGY UTILITY

MUST BE COMPLETED BY UTILITY (Attach additional pages as needed)

Company name/CPUC Utility No. **Pacific Gas and Electric Company (ID U39)**

Utility type:

ELC

GAS

PLC

HEAT

WATER

Contact Person: Bernard Lam

Phone #: (415) 973-4878

E-mail: bxlc@pge.com

EXPLANATION OF UTILITY TYPE

ELC = Electric

GAS = Gas

PLC = Pipeline

HEAT = Heat

WATER = Water

(Date Filed/ Received Stamp by CPUC)

Advice Letter (AL) #: **2483-E-A**

Subject of AL: Revision to Proposed Schedule E-MDNL – Municipal Departing New Load

Keywords (choose from CPUC listing): Forms, Rate Schedule, Supplemental Filing

AL filing type: Monthly Quarterly Annual One-Time Other _____

If AL filed in compliance with a Commission order, indicate relevant Decision/Resolution #:

D.03-07-028, D.03-08-076, D.05-07-038, D.05-08-035,

Does AL replace a withdrawn or rejected AL? If so, identify the prior AL: No

Summarize differences between the AL and the prior withdrawn or rejected AL¹: _____

Resolution Required? Yes No

Requested effective date: Effective upon approval

No. of tariff sheets: 13

Estimated system annual revenue effect (%): N/A

Estimated system average rate effect (%): N/A

When rates are affected by AL, include attachment in AL showing average rate effects on customer classes (residential, small commercial, large C/I, agricultural, lighting).

Tariff schedules affected: Rate Schedule E-MDNL and Sample Forms

Service affected and changes proposed¹: N/A

Pending advice letters that revise the same tariff sheets: 2483-E

Protests and all other correspondence regarding this AL are due no later than 20 days after the date of this filing, unless otherwise authorized by the Commission, and shall be sent to:

CPUC, Energy Division

Attention: Tariff Unit

505 Van Ness Ave.,

San Francisco, CA 94102

jjr@cpuc.ca.gov and jnj@cpuc.ca.gov

Pacific Gas and Electric Company

Attn: Brian K. Cherry

Director, Regulatory Relations

77 Beale Street, Mail Code B10C

P.O. Box 770000

San Francisco, CA 94177

E-mail: PGETariffs@pge.com

¹ Discuss in AL if more space is needed.

**REVISED ATTACHMENT 1
Advice 2483-E-A**

Cal P.U.C. Sheet No.	Title of Sheet	Cancelling Cal P.U.C. Sheet No.
23906-E	Schedule E-MDNL--Municipal Departing New Load	New
23907-E	Schedule E-MDNL (Cont.)	New
23908-E	Schedule E-MDNL (Cont.)	New
23909-E	Schedule E-MDNL (Cont.)	New
23910-E	Schedule E-MDNL (Cont.)	New
23911-E	Schedule E-MDNL (Cont.)	New
23912-E	Schedule E-MDNL (Cont.)	New
23913-E	Schedule E-MDNL (Cont.)	New
23914-E	Sample Form 79-1013--Municipal Departing New Load - Nonbypassable Charge Statement	New
23915-E	Table of Contents -- Rate Schedules	23755-E
23916-E	Table of Contents -- Rate Schedules	23756-E



SCHEDULE E-MDNL—MUNICIPAL DEPARTING NEW LOAD

(N)

APPLICABILITY: This schedule is applicable to Consumers that have Municipal Departing New Load as defined in Special Condition 1.a. below, including Consumers who locate in PG&E's service area but take electric service from a Publicly Owned Utility (POU) (as defined in Special Condition 1.e. below) and Consumers who assume responsibility for Municipal Departing New Load at a previously departed premises (as provided in Special Condition 3.c. below). This schedule supersedes the portions of Schedules E-DEPART and Electric Preliminary Statement Part BB-Competition Transition Charge Responsibility for All Customers and CTC Procedure for Departing Load, that address Nonbypassable Charge obligations that would otherwise pertain to Municipal Departing New Load.

TERRITORY: The entire PG&E service territory as it existed on December 20, 1995.

RATES: Consumers under this schedule are responsible for the following charges unless expressly exempted or excepted from such charges under Special Condition 2 below:

1. **DWR BOND CHARGE:** The Department of Water Resources (DWR) Bond Charge recovers DWR's bond financing costs, and is set by dividing the annual revenue requirement for DWR's bond-related costs by an estimate of the annual consumption not excluded from this charge. The DWR Bond Charge is the property of DWR for all purposes under California law. The DWR Bond Charge applies to Municipal Departing New Load unless sales under the Consumer's Otherwise Applicable Schedule (OAS) were CARE or medical baseline. The DWR Bond Charge is separately shown in the Consumer's OAS.
2. **DWR POWER CHARGE:** The DWR Power Charge recovers the uneconomic portion of DWR's prospective power purchase costs. The DWR Power Charge applies to Municipal Departing New Load unless sales under the Consumer's OAS were CARE or medical baseline.

The DWR Power Charge shall be set equal to the difference between \$0.02700 per kWh and the sum of: (a) the DWR Bond Charge (Section 1, above), (b) the Regulatory Asset Charge (Section 6, below) or its successor charge, the Energy Cost Recovery Amount (Section 7, below), and (c) the Competition Transition Charge (Section 3, below). If a Consumer is exempt from any of the charges (a) through (c), the DWR Power Charge shall be set equal to the difference between \$0.02700 per kWh and the sum of just the charges (a) through (c) for which the Consumer is not exempt.

3. **COMPETITION TRANSITION CHARGE (CTC):** The Ongoing CTC recovers the cost of power purchase agreements, signed prior to December 20, 1995, in excess of a California Public Utilities Commission (Commission) approved proxy of the market price of electricity, plus employee transition costs as defined in Section 367(a) of the California Public Utilities Code. The currently applicable Ongoing CTC rate for Municipal Departing New Load is equal to \$0.00703 per kilowatt-hour.
4. **TRUST TRANSFER AMOUNT (TTA) CHARGE:** The TTA Charge funds the cost of bonds used for paying for a 10 percent rate reduction for residential and small commercial customers. The TTA has been transferred to a subsidiary of PG&E and then to a public trust. PG&E is collecting the TTA Charge on behalf of the subsidiary and public trust. The TTA does not belong to PG&E. The TTA Charge applies to all Municipal Departing New Load that would have otherwise been responsible for the TTA, as specified in Schedule E-RRB. The TTA Charge is separately shown in the customer's OAS.

(N)

(Continued)



SCHEDULE E-MDNL—MUNICIPAL DEPARTING NEW LOAD
(Continued)

(N)

RATES:
(Cont'd.)

- 5. **NUCLEAR DECOMMISSIONING (ND) CHARGE:** The ND Charge collects the funds required to restore the site when PG&E's nuclear power plants are removed from service. The ND Charge applies to all Municipal Departing New Load. The ND charge is separately shown in the customer's OAS.
- 6. **REGULATORY ASSET (RA) CHARGE:** The RA charge recovers the costs associated with the Regulatory Asset adopted by the Commission in Decision (D.) 03-12-035. The RA Charge is separately shown in the Consumer's OAS. On March 1, 2005, the Energy Cost Recovery Amount (ECRA) Charge superseded and replaced the RA Charge such that after March 1, 2005, customers no longer incur additional RA Charges but instead incur ECRA Charges.
- 7. **ENERGY COST RECOVERY AMOUNT (ECRA) CHARGE:** The ECRA Charge recovers the costs associated with the Energy Recovery Amount adopted by the Commission in D.04-11-015. The ECRA Charge is shown in the customer's OAS. On March 1, 2005, the ECRA Charge superseded and replaced the RA Charge.

SPECIAL
CONDITIONS:

- 1. **DEFINITIONS:** The following terms when used in this tariff have the meanings set forth below:
 - a. **Municipal Departing New Load:** Municipal Departing New Load is new electric load which, on or after December 20, 1995, locates within PG&E's service area as it existed on December 20, 1995, and is served by a Publicly Owned Utility (POU).
 - b. **Municipal Departing New Load Consumer (Consumer):** The party or entity which uses Municipal Departing New Load. A Consumer may also be a PG&E Customer as defined in PG&E's Gas or Electric Rule 1.
 - c. **Nonbypassable Charges (NBCs):** NBCs are those PG&E charges that may be recovered from Municipal Departing New Load pursuant to this rate schedule: the DWR Bond Charge, the DWR Power Charge, the CTC, the TTA Charge, the ND Charge, the RA Charge, and the ECRA Charge.
 - d. **Otherwise-Applicable Schedule (OAS):** The OAS shall be the PG&E schedule under which a Consumer would have taken service if the Municipal Departing New Load had been served by PG&E.
 - e. **Publicly Owned Utility (POU):** A POU is any entity that qualifies as a local publicly owned electric utility under Public Utilities Code Section 9604.
 - f. **Change of Party:** Change of Party occurs when a person or entity with Municipal Departing New Load leaves the premises with the Municipal Departing New Load and another person or entity (New Party) assumes liability for the Municipal Departing New Load at the same premises.

(N)

(Continued)



SCHEDULE E-MDNL—MUNICIPAL DEPARTING NEW LOAD
(Continued)

(N)

SPECIAL
CONDITIONS:
(Cont'd.)

2. EXEMPTIONS AND EXCEPTIONS: (Cont'd.)

- a. Municipal Departing New Load that began taking service from a POU after December 20, 1995 but prior to February 1, 2001, is exempt from the DWR Bond Charge and the DWR Power Charge.
- b. Municipal Departing New Load that began taking service from a POU prior to January 1, 2000, is exempt from the RA Charge, and the ECRA Charge. In addition, Municipal Departing New Load is exempt from the RA Charge and the ECRA Charge if it is taking service at a location that, as of December 19, 2003, was no longer part of PG&E's service area.
- c. Municipal Departing New Load located in the geographic area covered by PG&E's 2000 Bypass Report (referenced in D.04-11-014) is excepted from the DWR Power Charge, the RA Charge, and the ECRA Charge. PG&E's 2000 Bypass Report included areas served by the following POU's:
 - Modesto Irrigation District
 - Merced irrigation District
 - South San Joaquin Irrigation District Condemnation Area
 - Laguna Irrigation District Condemnation Area
 - Redding, Roseville, Lodi, Davis, and Brentwood Annexation Areas
- d. In addition to the unlimited exemption described in 2.c, Municipal Departing New Load that is served by POU's that were in existence on or prior to July 10, 2003, and serving at least 100 customers, may be eligible to be excepted from the DWR Power Charge, the RA Charge, and the ECRA Charge. The following entities have been found by the Commission to meet these two criteria:
 - Municipal Utilities: Alameda, Anaheim, Azusa, Banning, Biggs, Burbank, Calaveras, Colton, Glendale, Gridley, Healdsburg, Lodi, Lompoc, Los Angeles, Needles, Palo Alto, Pasadena, Pittsburg, Redding, Riverside, Roseville, Santa Clara, Shasta Lake, Tuolumne, Ukiah, Vernon
 - Municipal Utility Districts: Lassen, Sacramento
 - Public Utility Districts: Trinity, Truckee-Donner
 - Irrigation Districts: Imperial, Merced, Modesto, Turlock

The exemptions described in this section are capped at a total of 80 MW for the combined service areas of PG&E and Southern California Edison.

(N)

(Continued)



SCHEDULE E-MDNL—MUNICIPAL DEPARTING NEW LOAD
(Continued)

(N)

SPECIAL
CONDITIONS:
(Cont'd.)

2. EXEMPTIONS AND EXCEPTIONS: (Cont'd.)

- e. Municipal Departing New Load that began taking service from a POU after December 20, 1995, but is being served by the POU without the use of transmission and distribution facilities owned by PG&E, is exempt from the CTC, the TTA Charge, and the ND Charge. Any party seeking to avoid the CTC, the TTA Charge, and the ND Charge must establish either:
 - 1) That no participant in the transaction including any third-party transmission or distribution provider is connected, directly or indirectly, to PG&E's transmission and/or distribution system; or
 - 2) That any and all connection(s) electrically linking any participant in the transaction with PG&E's transmission and/or distribution system can be opened without adverse impact on any participant's ability to initiate and carry out the direct transaction and/or its own ongoing operations. In situations where it is not practical to perform an actual physical test involving complete isolation of all transaction participants and sustained isolated operation, an actual physical test shall not be required. In those situations, the party seeking to avoid the CTC, the TTA Charge, and the ND Charge must submit a plan demonstrating the engineering and economic feasibility of opening the connection(s) electrically linking any participant in the transaction with PG&E's transmission and/or distribution system and that there will not be any adverse impact on any participant's ability to initiate the transaction and operate on an ongoing basis.

3. PROCEDURES FOR MUNICIPAL DEPARTING NEW LOAD: Consumers are obligated to notify PG&E of their intent to begin taking electric service from a POU in a manner that would qualify their load as Municipal Departing New Load in accordance with the following procedures:

- a. Consumer Notice to PG&E: Consumers shall notify PG&E, in writing or by reasonable means, through a designated PG&E representative authorized to receive such notification, of their intention to take steps that will qualify their load as Municipal Departing New Load at least 30 days in advance of taking electric service from a POU. Consumers that currently have load that qualifies as Municipal Departing New Load shall notify PG&E, in writing or by reasonable means, through a designated PG&E representative authorized to receive such notification, within 30 days of approval of this tariff by the Commission. The Consumer shall specify in its notice the following:
 - 1) The date on which the Consumer will take or started taking electric service from the POU;
 - 2) A description of the load that will or does qualify as Municipal Departing New Load;
 - 3) The service address for this load;

(N)

(Continued)



SCHEDULE E-MDNL—MUNICIPAL DEPARTING NEW LOAD
(Continued)

(N)

SPECIAL
CONDITIONS:
(Cont'd.)

3. PROCEDURES FOR MUNICIPAL DEPARTING NEW LOAD: (Cont'd.)

- 4) The name of the POU from which the Consumer will take or is currently taking service;
- 5) An identification of any exemptions or exceptions that the Consumer believes are applicable to the load; and
- 6) Whether or not the Consumer is, or will be, taking natural gas service from PG&E.

Failure to provide notice including all the elements specified above will constitute a violation of this tariff and a breach of the Consumer's obligations to PG&E, entitling PG&E (subject to the provisions of Special Condition 3.e., "Dispute Resolution," and 3.f., "Opportunity to Cure") to collect the applicable Nonbypassable Charges from the Consumer on a lump sum basis.

b. Municipal Departing New Load Nonbypassable Charge Statement:

By no later than 20 days after receipt of Consumer's notice (provided pursuant to Special Condition 3.a.), PG&E shall mail or otherwise provide the Consumer with a Municipal Departing New Load Nonbypassable Charge Statement containing any applicable confirmation of the Consumer's exemption claim. If the Municipal Departing New Load Nonbypassable Charge Statement does not confirm the Consumer's claimed exemption, it will set forth the reason for rejecting the claimed exemption.

If PG&E fails to provide a Consumer with a Municipal Departing New Load Nonbypassable Charge Statement within 20 days of PG&E's receipt of the Consumer's notice containing all of the information required under Special Condition 3.a., the Consumer's obligation to pay Municipal Departing New Load Nonbypassable Charges shall not commence until the later of the date on which the Consumer began taking electric service from the POU or 30 days from the Consumer's receipt of PG&E's Municipal Departing New Load Nonbypassable Charge Statement.

c. Notice to PG&E for Change of Party:

- 1) Notice and Procedure for Consumer with Municipal Departing New Load: Consumers with Municipal Departing New Load that intend to take action such that they will no longer be responsible for Nonbypassable Charges for Municipal Departing New Load, in whole or in part, at the Consumer's premises shall give PG&E not less than 30 days notice of the proposed action.
 - a) The Consumer must state the date on which the termination of liability is intended to become effective, and the reason for termination of liability, subject to approval by PG&E. Reasons for termination of liability may include vacating the property, change of ownership or Change of Party.

(N)

(Continued)



SCHEDULE E-MDNL—MUNICIPAL DEPARTING NEW LOAD
(Continued)

(N)

SPECIAL
CONDITIONS:
(Cont'd.)

3. PROCEDURES FOR MUNICIPAL DEPARTING NEW LOAD: (Cont'd.)

- b) If the notice of termination is approved by PG&E, PG&E will stop billing the Consumer for Nonbypassable Charges on the effective date of the termination of liability.
 - c) If the notice of termination is not approved by PG&E, PG&E will advise the Consumer in writing and state the reason(s) for such disapproval.
 - d) If a Consumer does not agree with PG&E's response to the notice of termination, the Consumer may invoke the dispute resolution provisions of Special Condition 3.e.
 - e) PG&E will utilize its estimate of the existing Consumer's usage for the New Party at the same premises.
- 2) Notice to PG&E from New Party at the Existing Premises: At least two days in advance of taking electric service from a POU at a premises with Municipal Departing New Load, the New Party shall notify PG&E, in writing or by reasonable means through a designated PG&E representative authorized to receive such notification, of its intention to occupy those premises and assume responsibility for the Municipal Departing New Load.
- a) The New Party shall specify in its notice the date the person or agency will begin, or already began, consuming electricity at the premises, and, if known, the name of the prior Municipal Departing New Load Consumer or the relevant PG&E account number(s).
 - b) PG&E will send the New Party a notice specifying that the billing will be based upon PG&E's estimate of the previous Consumer's usage at the existing premises.
 - c) PG&E will issue a bill for the time period beginning with the date the New Party began to consume electricity at the premises.
- d. Consumer Obligation To Make Municipal Departing New Load Payments: PG&E will prepare and issue bills for Municipal Departing New Load Charges at regular intervals. All bills will be based on PG&E's estimated usage as described below in Special Condition 4. Rendering and payment of bills shall be handled in accordance with the provisions of PG&E's Electric Rule 9.E., 9.H., and 9.L. for the Municipal Departing New Load payments, and Municipal Departing New Load Charges will be included in any allocation of partial payments. Bills will be considered past due if payment is not received by PG&E within 19 days (for residential Consumers) or 15 days (for non-residential Consumers) after the bill is transmitted by mail or through electronic presentment to the Consumer. If PG&E opts to discontinue any service that it is providing to the Consumer based on the Consumer's nonpayment of Municipal Departing New Load Charge, PG&E will follow the notice procedures and provisions of Gas or Electric Rule 8.

(N)

(Continued)



SCHEDULE E-MDNL—MUNICIPAL DEPARTING NEW LOAD
(Continued)

(N)

SPECIAL
CONDITIONS:
(Cont'd.)

3. PROCEDURES FOR MUNICIPAL DEPARTING NEW LOAD: (Cont'd.)

- e. Dispute Resolution: Disputed bills shall be handled in accordance with provisions from PG&E's Electric Rule 10.A. and 10.B.
- f. Opportunity to Cure: If a Consumer fails to provide the notice specified in Special Condition 3.a. or 3.c., then PG&E shall send the Consumer a notice specifying its failure to comply with this tariff and providing the Consumer with not less than 20 days from the date of the notice within which to take action curing its breach of its obligations to PG&E. If the breach was a failure to provide notice, to cure the breach the Consumer must provide the notice required above, and pay any amounts that would have been assessed had the Consumer provided PG&E with a timely notice. If the breach was a failure to pay, to cure, the Consumer must pay to PG&E all payments that are at or past their due date in accordance with Gas and Electric Rules 8 and 11.
- g. Demand for Deposit: For Deposits, PG&E will follow the procedures of PG&E's Electric Rule 6 and Electric Rule 7. Deposits shall be handled in accordance with the applicable provisions of PG&E's Electric Rule 7.A., 7.B., and 7.C.
- h. Demand for Lump Sum Payment: PG&E may issue a Demand for Lump Sum Payment of Default Departing Load Nonbypassable Charge Responsibility to a Consumer under any one of the following four conditions: (1) failure to provide notice and subsequent failure to cure as specified; (2) failure to establish a deposit; (3) failure, after having established a deposit, to make monthly payments, to such an extent that the account has once again become at least two months in arrears; or (4) after having received the return of a prior deposit, failure to make subsequent future monthly payments to such an extent that the account has once again become at least two months in arrears.

Default Lump Sum Nonbypassable Charge Payment Responsibility shall be, for each rate component, an amount equal to 102 percent of the bill associated with that rate component for the period from when the Consumer's account began being in arrears and PG&E's estimated date of the expiration of the Consumer's obligation to pay that rate component.

(N)

(Continued)



SCHEDULE E-MDNL—MUNICIPAL DEPARTING NEW LOAD
(Continued)

(N)

SPECIAL
CONDITIONS:
(Cont'd.)

- 3. PROCEDURES FOR MUNICIPAL DEPARTING NEW LOAD: (Cont'd.)
 - i. Enforceability: Failure to make Municipal Departing New Load Nonbypassable Charge payments or provide notice as specified herein constitute a breach of the Consumer's continuing legal obligations to PG&E and a breach and violation of this tariff. PG&E may enforce the payment obligations specified herein by either or both filing suit to enforce this tariff in any court of competent jurisdiction or by terminating any and all services pursuant to PG&E's Gas or Electric Rule 11 that the defaulting party is receiving. If PG&E has elected to issue a Demand for Lump Sum Payment of Default Departing Load Charge Responsibility and the Consumer has not paid within 30 days of issuance, then PG&E may enforce this obligation by either or both filing suit to enforce this tariff in any court of competent jurisdiction, or by terminating any and all services pursuant to PG&E's Gas or Electric Rule 11 that the defaulting party is receiving.

- 4. MEASUREMENT OF MUNICIPAL DEPARTING NEW LOAD:
 - a. Estimated Usage: PG&E will estimate the Municipal Departing New Load Consumer's monthly usage using the following steps:
 - 1) PG&E will ascertain the Consumer's OAS by considering such items as, but not limited to, Consumer's electric meter panel size, building size and function, or other available and appropriate information about the Consumer's Municipal Departing New Load.
 - 2) PG&E will determine the average annual usage of all PG&E Customers served under the Consumer's OAS, where the average annual usage is calculated from the most recent calendar year data available preceding the date that Consumer's load qualified as Municipal Departing New Load.
 - 3) PG&E will divide this average annual usage by 12 to arrive at the Estimated Usage to be used to calculate the Consumer's monthly nonbypassable charges.

- 5. EXPIRATION:

This schedule will expire on the date on which all Commission-authorized charges for Municipal Departing New Load have expired.

(N)



Pacific Gas and Electric Company
San Francisco, California

Original
Cancelling

Cal. P.U.C. Sheet No.
Cal. P.U.C. Sheet No.

23914-E

PACIFIC GAS AND ELECTRIC COMPANY
MUNICIPAL DEPARTING NEW LOAD
NONBYPASSABLE CHARGE STATEMENT
FORM NO. 79-1013 (REV 9/05)
(ATTACHED)

(N)
|
(N)

Advice Letter No. 2483-E-A
Decision No.

Issued by
Karen A. Tomcala
Vice President
Regulatory Relations

Date Filed September 23, 2005
Effective _____
Resolution No. _____

101187



**MUNICIPAL DEPARTING NEW LOAD
NONBYPASSABLE CHARGE STATEMENT**

[Date]

[Consumer Name]
[Mailing Address]
[Mailing Address]

Service Address: [Service Address]
[Service Address]
Gas Service ID Number: [Gas Service ID No.]
DL Service ID Number: [DL Service ID No.]

Dear [Consumer Name]:

Load at the service address above qualifies as Municipal Departing New Load as defined in Pacific Gas and Electric Company's (PG&E's) Rate Schedule E-MDNL. This Municipal Departing New Load Nonbypassable Charge Statement contains: (1) basis for measurement of Municipal Departing Load; (2) Consumer's otherwise applicable electric rate schedule; (3) whether PG&E has confirmed or rejected (and reasons for doing so) any claim made by the Consumer for an exemption from any nonbypassable charges; and (4) a summary of applicable nonbypassable charge payment obligations.

PG&E received notice of the establishment of gas service, but not electric service, at the service address above on: _____.

(1) Basis for Measurement of Municipal Departing New Load:

PG&E will estimate the Municipal Departing New Load Consumer's monthly usage based on the average annual usage of PG&E customers served under the consumer's otherwise applicable electric rate schedule, where average annual usage is from the calendar year preceding the date that consumer's load qualified as Municipal Departing New Load.

(2) Consumer's otherwise applicable electric rate schedule: _____

(3) Where Consumer has claimed an exemption:

Exemption(s) asserted by Consumer:



**Pacific Gas and
Electric Company®**

**MUNICIPAL DEPARTING NEW LOAD
NONBYPASSABLE CHARGE STATEMENT
(Continued)**

Check one:

PG&E accepts and agrees with Consumer's claimed exemption(s),

OR

PG&E does not agree with Consumer's claimed exemption(s).

The reason for the denial is:

(4) Payment obligations related to applicable nonbypassable charges:

- | | | | | |
|---------------------------------------|--------------------------|------------|--------------------------|-----------|
| Nuclear Decommissioning (ND) Charge: | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| Trust Transfer Amount (TTA) Charge: | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| Cost Responsibility Surcharge: | | | | |
| Regulatory Asset Charge (RA) | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| Energy Cost Recovery Amount (ECRA) | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| Competition Transition Charge (CTC) | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| DWR Bond Charge | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| DWR Power Charge | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No |

If you believe you believe any part of this statement is incorrect, please call our toll-free number at [TOLL FREE NUMBER] and reference this statement.

PACIFIC GAS AND ELECTRIC COMPANY



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**PG&E Gas and Electric Advice
Filing List
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ABAG Power Pool
Accent Energy
Aglet Consumer Alliance
Agnews Developmental Center
Ahmed, Ali
Alcantar & Elsesser
Anderson Donovan & Poole P.C.
Applied Power Technologies
APS Energy Services Co Inc
Arter & Hadden LLP
Avista Corp
Barkovich & Yap, Inc.
BART
Bartle Wells Associates
Blue Ridge Gas
Bohannon Development Co
BP Energy Company
Braun & Associates
C & H Sugar Co.
CA Bldg Industry Association
CA Cotton Ginners & Growers Assoc.
CA League of Food Processors
CA Water Service Group
California Energy Commission
California Farm Bureau Federation
California Gas Acquisition Svcs
California ISO
Calpine
Calpine Corp
Calpine Gilroy Cogen
Cambridge Energy Research Assoc
Cameron McKenna
Cardinal Cogen
Cellnet Data Systems
Chevron Texaco
Chevron USA Production Co.
Childress, David A.
City of Glendale
City of Healdsburg
City of Palo Alto
City of Redding
CLECA Law Office
Commerce Energy
Constellation New Energy
Cooperative Community Energy
CPUC
Cross Border Inc
Crossborder Inc
CSC Energy Services
Davis, Wright Tremaine LLP
Davis, Wright, Tremaine, LLP
Defense Fuel Support Center
Department of the Army

Department of Water & Power City
DGS Natural Gas Services
DMM Customer Services
Douglass & Liddell
Downey, Brand, Seymour & Rohwer
Duke Energy
Duke Energy North America
Duncan, Virgil E.
Dutcher, John
Dynergy Inc.
Ellison Schneider
Energy Law Group LLP
Energy Management Services, LLC
Enron Energy Services
Exelon Energy Ohio, Inc
Exeter Associates
Foster Farms
Foster, Wheeler, Martinez
Franciscan Mobilehome
Future Resources Associates, Inc
G. A. Krause & Assoc
Gas Transmission Northwest Corporation
GLJ Energy Publications
Goodin, MacBride, Squeri, Schlotz &
Hanna & Morton
Heeg, Peggy A.
Hitachi Global Storage Technologies
Hogan Manufacturing, Inc
House, Lon
Imperial Irrigation District
Integrated Utility Consulting Group
International Power Technology
Interstate Gas Services, Inc.
J. R. Wood, Inc
JTM, Inc
Kaiser Cement Corp
Korea Elec Power Corp
Luce, Forward, Hamilton, & Scripps
Manatt, Phelps & Phillips
Marcus, David
Masonite Corporation
Matthew V. Brady & Associates
Maynor, Donald H.
McKenzie & Assoc
McKenzie & Associates
Meeke, Daniel W.
Mirant California, LLC
Modesto Irrigation Dist
Morrison & Foerster
Morse Richard Weisenmiller & Assoc.
Navigant Consulting
New United Motor Mfg, Inc
Norris & Wong Associates

North Coast Solar Resources
Northern California Power Agency
Office of Energy Assessments
Palo Alto Muni Utilities
PG&E National Energy Group
Pinnacle CNG Company
PITCO
Plurimi, Inc.
PPL EnergyPlus, LLC
Praxair, Inc.
Price, Roy
Product Development Dept
R. M. Hairston & Company
R. W. Beck & Associates
Recon Research
Regional Cogeneration Service
RMC Lonestar
Sacramento Municipal Utility District
SCD Energy Solutions
Seattle City Light
Sempra
Sempra Energy
Sequoia Union HS Dist
SESCO
Sierra Pacific Power Company
Silicon Valley Power
Smurfit Stone Container Corp
Southern California Edison
SPURR
St. Paul Assoc
Stanford University
Sutherland, Asbill & Brennan
Tabors Caramanis & Associates
Tansev and Associates
Tecogen, Inc
TFS Energy
Transcanada
Turlock Irrigation District
U S Borax, Inc
United Cogen Inc.
URM Groups
Utility Cost Management LLC
Utility Resource Network
Wellhead Electric Company
Western Hub Properties, LLC
White & Case
WMA