

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)



Brian K. Cherry
Vice President
Regulatory Relations

Pacific Gas and Electric Company
77 Beale St., Mail Code B10C
P.O. Box 770000
San Francisco, CA 94177

415.973.4977
Fax: 415.973.7226

October 22, 2007

Advice 2483-E-C

(Pacific Gas and Electric Company ID U 39 E)

Public Utilities Commission of the State of California

Subject: Supplement to Advice 2483-E-B Modifying New Electric Rate Schedule E-NMDL (New Municipal Departing Load)

Purpose

In accordance with the California Public Utilities Commission's (the Commission's) Resolution E-4064, 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 April 17, 2006, in Advice 2483-E-B, and Form 79-1013 Municipal Departing New Load Nonbypassable Charge Statement. In accordance with Resolution E-4064, the proposed rate schedule shall be named E-NMDL – *New Municipal Departing Load*. The affected tariff sheets are listed on the enclosed Attachment 1 and supersede the previous versions of Schedule E-MDNL in its entirety.

Background

On August 23, 2007, the Commission approved Resolution E-4064, which requires PG&E to file a supplemental advice letter to make revisions to the proposed Schedule E-NMDL, as filed in Advice 2483-E-B, before final approval and implementation of the new rate schedule. Therefore, PG&E submits this supplemental advice filing in compliance with Resolution E-4064 for modifications to Rate Schedule E-NMDL.

Protests

Anyone wishing to protest this filing may do so by letter sent via U.S. mail, by facsimile or electronically, any of which must be received no later than **October 29**, which is 5 days after the date of this filing.¹ Protests should be mailed to:

¹ Pursuant to Ordering Paragraph 3 of Resolution E-4064, "Consistent with Resolution E-399, parties shall have up to five business days to file protests limited to identification of areas and/or language, if any, where the supplemental advice letter filings do not properly track this Resolution."

CPUC Energy Division
Tariff Files, Room 4005
DMS Branch
505 Van Ness Avenue
San Francisco, California 94102

Facsimile: (415) 703-2200
E-mail: ijnj@cpuc.ca.gov and mas@cpuc.ca.gov

Copies of protests also should be mailed to the attention of the Director, Energy Division, Room 4004, at the address shown above.

The protest also should be sent via U.S. mail (and by facsimile and electronically, if possible) to PG&E at the address shown below on the same date it is mailed or delivered to the Commission:

Brian K. Cherry
Vice President, Regulatory Relations
Pacific Gas and Electric Company
77 Beale Street, Mail Code B10C
P.O. Box 770000
San Francisco, California 94177

Facsimile: (415) 973-7226
E-mail: PGETariffs@pge.com

Effective Date

This advice filing will be effective on, **July 10, 2003**, per Ordering Paragraph 4 of Resolution E-4064. PG&E is filing this advice letter under Tier 2.

Notice

In accordance with General Order 96-B, Section IV, a copy of this advice letter is being sent electronically and via U.S. mail to parties shown on the attached General Order 96-B service list and on the service list for Rulemaking 02-01-011. Address changes to the General Order 96-B service list 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>

A handwritten signature in cursive script that reads "Brian K. Cherry / D.C.".

Vice President, Regulatory Relations

Attachments:

Attachment 1 – Schedule E-NMDL

Attachment 2 – Form 79-1013

cc: GO 96-B and R.02-01-011 Service Lists

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 M)**

Utility type:

ELC GAS
 PLC HEAT WATER

Contact Person: Daren Chan

Phone #: (415) 973-5361

E-mail: D1Ct@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-C

Tier: 2

Subject of AL: Supplement to Advice 2483-E-B Modifying New Electric Rate Schedule E-NMDL (New Municipal Departing Load)

Keywords (choose from CPUC listing): Departing Load

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

If AL filed in compliance with a Commission order, indicate relevant Decision/Resolution #: Res. E-4064

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: _____

Is AL requesting confidential treatment? If so, what information is the utility seeking confidential treatment for: No

Confidential information will be made available to those who have executed a nondisclosure agreement: Yes No

Name(s) and contact information of the person(s) who will provide the nondisclosure agreement and access to the confidential information: _____

Resolution Required? Yes No

Requested effective date: July 10, 2003

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: E-NMDL

Service affected and changes proposed¹: N/A

Pending advice letters that revise the same tariff sheets: N/A

Protests, dispositions, 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

Tariff Files, Room 4005

DMS Branch

505 Van Ness Ave.,

San Francisco, CA 94102

jnj@cpuc.ca.gov and mas@cpuc.ca.gov

Pacific Gas and Electric Company

Attn: Brian K. Cherry

Vice President, Regulatory Relations

77 Beale Street, Mail Code B10C

P.O. Box 770000

San Francisco, CA 94177

E-mail: PGETariffs@pge.com

**ATTACHMENT 1
Advice 2483-E-C**

Cal P.U.C. Sheet No.	Title of Sheet	Cancelling Cal P.U.C. Sheet No.
26698-E	Schedule E-NMDL--New Municipal Departing Load	New
26699-E	Schedule E-NMDL (Cont.)	New
26700-E	Schedule E-NMDL (Cont.)	New
26701-E	Schedule E-NMDL (Cont.)	New
26702-E	Schedule E-NMDL (Cont.)	New
26703-E	Schedule E-NMDL (Cont.)	New
26704-E	Schedule E-NMDL (Cont.)	New
26705-E	Schedule E-NMDL (Cont.)	New
26706-E	Schedule E-NMDL (Cont.)	New
26707-E	Schedule E-NMDL (Cont.)	New
26708-E	Schedule E-NMDL (Cont.)	New
26709-E	Table of Contents -- Rate Schedules	26319-E
26710-E	Table of Contents -- Title Page	26574-E



SCHEDULE E-NMDL—NEW MUNICIPAL DEPARTING LOAD

(N)

APPLICABILITY: This schedule is applicable to Consumers that have New Municipal Departing 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 New Municipal Departing 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 New Municipal Departing Load.

TERRITORY: The entire PG&E service territory as it existed on February 1, 2001.

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 New Municipal Departing 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 New Municipal Departing Load unless sales under the Consumer's OAS were CARE or medical baseline.

For the period prior to January 1, 2005, 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 7, below) or its successor charge, the Energy Cost Recovery Amount (Section 8, below), and (c) the Ongoing Competition Transition Charge (Section 4, 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. From January 1, 2005 through June 30, 2006, there is no applicable DWR Power Charge. On July 1, 2006, the Power Charge Indifference Adjustment (PCIA) superseded and replaced the DWR Power Charge such that after July 1, 2006, applicable consumers no longer incur additional DWR Power Charges but instead incur PCIA charges.

3. **POWER CHARGE INDIFFERENCE ADJUSTMENT (PCIA):** The adjustment (either a charge or credit) intended to ensure that consumers that purchase electricity from non-utility suppliers pay their share of cost for generation acquired prior to 2003. The PCIA applies to New Municipal Departing Load unless exempted or excepted under Special Condition 2 below. The PCIA is equal to $-\$0.00009$ per kilowatt-hour.

(N)

(Continued)



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

(N)

- RATES: (Cont'd.)
4. **ONGOING COMPETITION TRANSITION CHARGE (CTC):** The Ongoing CTC recovers the cost of power purchase agreements that are in excess of a market benchmark determined by the California Public Utilities Commission (Commission), plus employee transition costs, and is determined in the annual Energy Resource Recovery Account proceeding. The Ongoing CTC Charge is effective April 1, 2002, and applies to consumers in the service territory in which PG&E provided electricity services as of December 20, 1995. The Ongoing CTC rate for 2007 is equal to \$0.00013 per kilowatt-hour. Historical Ongoing CTC rates are as follows: \$0.00703 per kWh from January 1, 2004 through February 23, 2005; \$0.00515 per kWh from February 24, 2005 through December 31, 2005, \$0.00431 per kWh for 2006. There is no applicable Ongoing CTC rate in 2002 or 2003. For those consumers who are obligated to pay both the DWR Power Charge (superseded by the PCIA) and the Ongoing CTC, the Ongoing CTC charge is completely offset due to the negative indifference during the period of January 1, 2005 through June 30, 2006. The amount of the Ongoing CTC is subject to change pending any different outcome resulting from judicial review.
 5. **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 consumers, and applies to consumers in the service territory in which PG&E provided electricity services as of December 20, 1995. 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 New Municipal Departing Load that would have otherwise been responsible for the TTA, as specified in Schedule E-RRB. The TTA Charge is separately shown in the consumer's OAS.
 6. **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, and applies to consumers in the service territory in which PG&E provided electricity services as of December 20, 1995. The ND Charge applies to all New Municipal Departing Load. The ND charge is separately shown in the consumer's OAS.
 7. **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, consumers no longer incur additional RA Charges but instead incur ECRA Charges.
 8. **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 consumer's OAS. On March 1, 2005, the ECRA Charge superseded and replaced the RA Charge.

(N)

(Continued)



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

(N)

SPECIAL
 CONDITIONS:

1. DEFINITIONS: The following terms when used in this tariff have the meanings set forth below:
 - a. New Municipal Departing Load: New Municipal Departing Load is electric load that has never been served by PG&E but locates within PG&E's service area as it existed on February 1, 2001, and is served by a Publicly Owned Utility (POU).
 - b. New Municipal Departing Load Consumer (Consumer): The party or entity that contracts with a POU for service at premises with New Municipal Departing Load.
 - c. Nonbypassable Charges (NBCs): NBCs are those PG&E charges that may be recovered from New Municipal Departing Load pursuant to this rate schedule: the DWR Bond Charge, the DWR Power Charge, the PCIA, the ongoing 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 New Municipal Departing 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 New Municipal Departing Load leaves the premises with the New Municipal Departing Load and another person or entity (New Party) assumes liability for the New Municipal Departing Load at the same premises.
 - g. New Party: A New Party is either: (1) a subsequent entity which occupies, and will begin to consume electricity at, existing NMDL premises; or (2) a subsequent entity which assumes liability for the charges at existing NMDL premises.

(N)

(Continued)



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

(N)

SPECIAL
 CONDITIONS:
 (Cont'd.)

2. EXEMPTIONS AND EXCEPTIONS

- a. . New Municipal Departing Load that departed prior to February 1, 2001, is exempt from the DWR Bond Charge, the DWR Power Charge, and the PCIA.
- b. New Municipal Departing 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, New Municipal Departing 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. New Municipal Departing 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 PCIA, 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, New Municipal Departing Load that is served by POU's that were in existence on or prior to July 10, 2003, and serving at least 100 consumers, may be eligible to be excepted from the DWR Power Charge, the PCIA, 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, Corona, Glendale, Gridley, Healdsburg, Hercules, Lodi, Lompoc, Los Angeles, Needles, Palo Alto, Pasadena, Pittsburg, Port of Stockton, Redding, Riverside, Roseville, Santa Clara, Shasta Lake, Tuolumne, Ukiah, Vernon
 Municipal Utility Districts: Lassen, Sacramento, San Francisco
 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, and will be administered pursuant to the protocols adopted in D.07-05-013.
- e. New Municipal Departing Load taking service from a POU without the use of transmission and distribution facilities owned by PG&E, is exempt from ongoing CTC.

(N)

(Continued)



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

(N)

SPECIAL
 CONDITIONS:
 (Cont'd.)

3. PROCEDURES FOR NEW MUNICIPAL DEPARTING 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 New Municipal Departing Load in accordance with the following procedures:

a. PG&E Notice to Consumer (PG&E Notice) and Consumer Notice to PG&E (Notice of Departure or NOD): PG&E shall send a written notice of the obligations imposed under this tariff to all consumers subject to this tariff. The PG&E Notice will be mailed to the consumer's service address.

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 New Municipal Departing Load within 30 days of receipt of PG&E's Notice to consumer or as soon as the consumer contracts with the POU for service, whichever is later. 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 New Municipal Departing Load;
- 3) The service address for this load;
- 4) The name of the POU from which the Consumer will take or is currently taking service; and
- 5) 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. With the consumer's permission, notice or required information may be provided by the POU.

If, at the time the consumer Notice is due, PG&E has entered into, or agreed to enter into, bilateral discussions with a POU or a POU customer, then the notice requirements for the new MDL consumer(s) taking service from that POU may be suspended until such time as PG&E and the POU, or POU customer, reach agreement on the CRS and other Nonbypassable Charges or PG&E determines that a bilateral agreement will not be feasible. If a bilateral agreement is reached that resolves the CRS and other Nonbypassable Charges, then the consumer Notice requirement described above is extinguished. If the CRS and other Nonbypassable Charges are not resolved through bilateral negotiations, then PG&E shall send the PG&E Notice described above within 15 days of concluding such bilateral negotiations.

(N)

(Continued)



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

(N)

SPECIAL
 CONDITIONS:
 (Cont'd.)

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

b. New Municipal Departing 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 New Municipal Departing Load Nonbypassable Charge Statement containing any of the Consumer's applicable exemption(s) identified by PG&E.

If PG&E fails to provide a Consumer with a New Municipal Departing 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 New Municipal Departing 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 New Municipal Departing Load Nonbypassable Charge Statement.

c. Notice to PG&E for Change of Party

1) Notice and Procedure for Consumer with New Municipal Departing Load: Consumers with New Municipal Departing Load that intend to take action such that they will no longer be responsible for Nonbypassable Charges for New Municipal Departing Load, in whole or in part, at the Consumer's premises shall give notice to PG&E as soon as practicable. With the consumer's permission, notice may also be given by the POU. New Municipal Departing Load consumers shall be liable for applicable CRS and other NBC charges until PG&E receives notice from the consumer or until PG&E has actual notice that the consumer vacates the premises or another entity becomes liable for the New Municipal Departing Load charges at the premises.

a) The Consumer must state the date on which the termination of liability is to become effective, and the reason for termination of liability. Reasons for termination of liability may include vacating the property, change of ownership or Change of Party.

(N)

(Continued)



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

(N)

SPECIAL
 CONDITIONS:
 (Cont'd.)

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

c. Notice to PG&E for Change of Party: (Cont'd.)

1) Notice and Procedure for Consumer with New Municipal Departing Load: (Cont'd.)

- b) PG&E will stop billing the Consumer for Nonbypassable Charges on the effective date of the termination of liability.
- c) If PG&E disputes the notice of termination, PG&E will advise the Consumer in writing and state the reason(s) for such dispute.

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 New Municipal Departing 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 New Municipal Departing Load. With the consumer's permission, notice or required information may be provided by the POU.

- 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 New Municipal Departing 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, at the consumer's election,
 - 1) PG&E's estimate of the New Party's usage utilizing (a) the existing consumer's metered usage data for the New Party at the same premises, (b) a system average method, (c) an average utilizing similar consumer types, or (d) some other procedure if it would yield a more accurate assessment of the New Party's usage; or,
 - 2) Metered consumption data as specified in Special Condition 4.b. below.
- 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.

(N)

(Continued)



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

(N)

SPECIAL
 CONDITIONS:
 (Cont'd.)

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

d. Consumer Obligation To Make New Municipal Departing Load Payments, PG&E Periodic Reminders, and Payment Plans: PG&E will issue bills in accordance with the provisions of this Schedule. All bills will be based on PG&E's measurement of usage as described below in Special Condition 4. New Municipal Departing Load Charges will be included in any allocation of partial payments. New Municipal Departing Load Consumers shall pay Nonbypassable Charges in full to PG&E within 20 days of receipt of the bill. PG&E shall periodically remind New Municipal Departing Load Consumers of their notice and/or payment obligations under this tariff and of the substantial penalties that could result from failure to comply with the requirements of this tariff. PG&E will arrange for payment plans for any New Municipal Departing Load Consumer who indicates that it would otherwise have difficulty paying the amount owed.

e. Dispute Resolution: If a consumer believes that its New Municipal Departing Load Nonbypassable Charge Statement does not comply with the terms and conditions provided for in this Schedule, the consumer must notify PG&E of the basis for this disagreement in writing, within 20 days after receipt of the New Municipal Departing Load Nonbypassable Charge Statement provided by PG&E. If PG&E does not accept the consumer's position, it will respond in writing within 5 days after receipt of such notice. If the consumer is not satisfied with PG&E's response, within 14 days of receiving PG&E's response, the consumer shall notify PG&E in writing or by reasonable means through a designated PG&E account representative authorized to receive such notification that the consumer wishes to pursue informal dispute resolution. If the consumer makes a timely request for informal dispute resolution, PG&E and the consumer shall promptly seek assistance in reaching informal dispute resolution from the Commission's Energy Division, or shall seek mediation of the dispute from the Commission's Administrative Law Judge Division. If the dispute is not resolved within 60 days of the consumer's request to pursue informal dispute resolution, the consumer may file a complaint with the Commission within the next 20 days. (PG&E and the consumer may also agree to extend this 20-day period, in order to allow for further negotiations or other resolution techniques.) In such events, the consumer shall continue to be responsible for making the monthly CRS and other nonbypassable charge payments described in the Rates Section above on a timely basis, with such payments subject to future refund or other adjustment as appropriate if the Commission establishes that different information should have been used as the basis for the consumer's New Municipal Departing Load Nonbypassable Charge Statement.

Failure to file a complaint with the Commission within the specified period shall constitute agreement with and acceptance of such New Municipal Departing Load Nonbypassable Charge Statement.

(N)

(Continued)



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

(N)

SPECIAL
 CONDITIONS:
 (Cont'd.)

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

f. **Opportunity to Cure:** If a Consumer fails to provide the notice specified in Special Condition 3.a. or 3.c., or fails to make New Municipal Departing Load Payments as specified in Special Condition 3.d., then PG&E shall send the Consumer a notice specifying its failure to comply with this tariff, which shall specify the amount due and payable by the consumer, 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.

- 1) 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.
- 2) If the breach was a failure to pay two (2) or more consecutive monthly New Municipal Departing Load Payments as specified in Special Condition 3.d, to cure the breach, the NMDL consumer must pay all such delinquent monthly NMDL payments plus a deposit equal to two (2) times the monthly NMDL payment.

g. **Demand for Deposit:** If a consumer's outstanding balance for New Municipal Departing Load Payments are at least two months in arrears, and if the consumer has failed to cure this breach after receiving at least one notice of Opportunity to Cure as specified in Special Condition 3.f., then PG&E may issue a Demand for Deposit applying to future New Municipal Departing Load payment responsibility. Such deposit shall be equal to twice the total amount of the last two outstanding unpaid monthly New Municipal Departing Load payment amounts. In order to cure the outstanding breach pursuant to the provisions of this paragraph, the consumer must pay to PG&E the entire amount of its outstanding unpaid account balance, together with either making payment for or supplying a letter of credit in the amount of the aforementioned deposit. These payments and deposit arrangements must all be made within 30 days of the consumer's receipt of Demand for Deposit. Failure to pay the unpaid balance and establish the deposit within the 30-day period shall render the consumer responsible instead for the default lump sum payment responsibility specified in Special Condition 3.i.

The provisions of this Special Condition will not apply in instances where the breach was a failure to provide notice as required under Special Condition 3.a. Moreover the consumer deposit procedure provided for in this Special Condition can only be exercised once; future breaches for nonpayment would be treated under the rules described in Special Condition 3.i. "Demand for Lump Sum Payment."

(N)

(Continued)



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

(N)

SPECIAL
 CONDITIONS:
 (Cont'd.)

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

h. Return of Deposit: If a consumer deposit has been paid under the provisions of Special Condition 3.g., or a letter of credit has been supplied in substitution for that deposit, PG&E will review the consumer's account status after the deposit or letter of credit has been held for twelve months. At that time, and if the consumer has made all payments on a timely basis subsequent to the cure of the original breach, PG&E will either refund the deposit or release the letter of credit, or at the consumer's election apply any paid deposit as a credit against future payment requirements. Any amounts returned or credited in accordance with this Schedule shall include interest computed using the same rates as are applicable to all other consumer deposits and utility balancing accounts.

i. Demand for Lump Sum Payment: PG&E may issue a Demand for Lump Sum Payment of default New Municipal Departing Load Payments 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 the Net Present Value of the NMDL consumer's current and future CRS and other NBCs obligations using the most recent Commission adopted value of the IOU's weighted cost of capital as the discount rate 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.

If a lump sum payment for a component is demanded and received, no subsequent consumer at the same premises shall be responsible for that component.

j. Enforceability: Failure to make New Municipal Departing 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 filing suit to enforce this tariff in any court of competent jurisdiction. 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 filing suit to enforce this tariff in any court of competent jurisdiction.

(N)

(Continued)



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

(N)

SPECIAL
 CONDITIONS:
 (Cont'd.)

4. MEASUREMENT OF NEW MUNICIPAL DEPARTING LOAD

- a. Estimated Usage: PG&E will estimate the New Municipal Departing 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 New Municipal Departing Load.
 - 2) PG&E will determine the average annual usage of all PG&E Consumers 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 New Municipal Departing 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.
- b. At the consumer's election, metered consumption data can be substituted on a prospective basis for NMDL charge billing purposes rather than using the estimated billing determinants as described above. Metered consumption data must be provided to PG&E on a timely basis in a format acceptable to PG&E. This data can be provided by either the consumer, or POU with permission of its consumer. If the consumer, or POU with permission of its consumer, does not provide PG&E with the metered consumption data to PG&E by submitting meter-read data to PG&E in a manner acceptable to PG&E, the NMDL consumer's usage for billing the applicable charges will be based upon an estimation methodology that yields the most accurate assessment.

5. BILATERAL AGREEMENTS

Bilateral agreements between PG&E and the respective POUs or POU consumer can be used as an alternative in place of this tariff schedule.

6. EXPIRATION

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

(N)

TABLE OF CONTENTS

**Rate Schedules
 Other**

SCHEDULE	TITLE OF SHEET	CAL P.U.C. SHEET NO.
S	Standby Service	25424, 26071-26072, 24909, 21425, 24910-24911, 16203, 24912, 16205, 24913, 19220, 25501-E
E-DCG	DCG Departing Customer Generation, CG	25121, 23247, 23667, 25122-25123, 25124, 23252-23255-E
E-DEPART	Departing Customers	23235-E
E-LORMS	Limited Optional Remote Metering Services	20194-E
E-RRB	Rate Reduction Bonds Bill Credit and Fixed Transition Amount Charge.....	22296, 22227-E
E-NMDL	New Municipal Departing Load	26698-26708E
E-SDL	Split-Wheeling Departing Load	25125-25127, 24622-24626-E
E-TMDL	Transferred Municipal Departing Load	25880-25891-E
NEM	Net Energy Metering Service	26524-26526, 22682, 25503, 22684, 26527, 23613-E
NEMFC	Net Energy Metering Service For Fuel Cell Customer-Generators	24065, 21480, 21481-21482, 23614-E
NEMBIO	Net Energy Metering Service for Biogas Customer-Generators.....	24060, 22676-22677, 22678, 23615-E
E-ERA	Energy Rate Adjustments	26073-26075, 24216, 26076-E
TBCC	Transitional Bundled Commodity Cost	25523, 24286, 22991, 21207, 20994-20995-E
E-CS	ClimateSmart	26317-26318-E

(N)

**Rate Schedules
 Agricultural**

AG-1	Agricultural Power	26203, 26078, 25321, 24221, 24222-24223, 25504, 25425-E
AG-R	Split-Week Time-of-Use Agricultural Power	25905-25906, 26079-26080, 24923, 25987, 24230, 25505, 25426-E
AG-V	Short-Peak Time-of-Use Agricultural Power	25907-25908, 26081-26082, 24928, 25988, 24237-24239, 25506, 25427-E
AG-4	Time-of-Use Agricultural Power	25909-25910, 26083-26085, 24935, 25989, 24936, 24248-24249, 25507, 25428-E
AG-5	Large Time-of-Use Agricultural Power	25911-25912, 26086-26088, 24942, 25990, 25990, 24257-24259, 25508, 25429-E
AG-ICE	Agricultural Internal Combustion Engine Conversion Incentive Rate	25913, 25870, 23645, 26089, 25991, 25991, 23648-23649-E

TABLE OF CONTENTS

Table of Contents

SCHEDULE	TITLE OF SHEET	CAL P.U.C. SHEET NO.	
Title Page	.....	26574-E	
Rate Schedules	.....26400-26401, 26709, 26709 ,	26573-E	(T)
Preliminary Statements	.....26443, 26506, 26444, 26382-E		
Rules	.....	26369-E	
Maps, Contracts and Deviations	.....	26322-E	
Sample Forms	.....26522, 26541-26543, 25876, 26294-26295, 25961-E		



PACIFIC GAS AND ELECTRIC COMPANY

APPLICATION AND INTERCONNECTION AGREEMENT FOR CUSTOMERS WITH
SOLAR AND/OR WIND ELECTRIC GENERATING FACILITIES OF 30 KILOWATTS OR
LESS
FORM NO. 79-1013 (10/07)
(ATTACHED)

(N)

(N)



**NEW MUNICIPAL DEPARTING LOAD
NONBYPASSABLE CHARGE STATEMENT**

Consumer Name: _____

Service Address: _____

PG&E Account ID number: _____

PG&E Departing Load Service Agreement number: _____

The consumer identified above (Consumer) has load that qualifies as New Municipal Departing Load as defined in Pacific Gas and Electric Company's (PG&E's) Rate Schedule E-NMDL. This New Municipal Departing Load Charge Statement confirms: (1) Consumer's billing determinants; (2) Consumer's otherwise applicable electric rate schedule; (3) nonbypassable charges which the Consumer is exempt from paying; and (4) nonbypassable charges which the Consumer is obligated to pay.

Date notice received by PG&E, or in the case of no notice from Consumer, date Consumer began taking gas service from PG&E but not electric service: _____.

(1) Consumer's Billing Determinants:

Consumer has indicated to PG&E that its billing determinants **going forward** shall be based on the option shown below. If the Consumer did not indicate a preference, option A was selected on the Consumer's behalf.

- A. PG&E's estimate of consumer's New Municipal Departing Load based on data for similar PG&E customers.
- B. Last 12 months usage history as recorded by the POU serving the Consumer
- C. Future metered usage, subject to the metering provisions described in Section 4.a. of PG&E's Schedule E-NMDL.

Consumer has also indicated to PG&E that its **retroactive** billing determinants shall be based on the option shown below. If the Consumer did not indicate a preference, option A was selected on the Consumer's behalf.

- A. PG&E's estimate of Consumer's New Municipal Departing Load based on data for similar PG&E customers.
- B. Usage history from the date electric service began with the POU serving the Consumer.



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

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

(3) Consumer is exempt from paying the following nonbypassable charges:

(4) Consumer is obligated to pay the following nonbypassable charges:

Signed: _____

Print Name: _____

PG&E Title: _____

Phone: _____

Dated: _____

**PG&E Gas and Electric
Advice Filing List
General Order 96-B, Section IV**

ABAG Power Pool	Douglass & Liddell	PG&E National Energy Group
Accent Energy	Downey, Brand, Seymour & Rohwer	Pinnacle CNG Company
Aglet Consumer Alliance	Duke Energy	PITCO
Agnews Developmental Center	Duke Energy North America	Plurimi, Inc.
Ahmed, Ali	Duncan, Virgil E.	PPL EnergyPlus, LLC
Alcantar & Kahl	Dutcher, John	Praxair, Inc.
Ancillary Services Coalition	Dynergy Inc.	Price, Roy
Anderson Donovan & Poole P.C.	Ellison Schneider	Product Development Dept
Applied Power Technologies	Energy Law Group LLP	R. M. Hairston & Company
APS Energy Services Co Inc	Energy Management Services, LLC	R. W. Beck & Associates
Arter & Hadden LLP	Exelon Energy Ohio, Inc	Recon Research
Avista Corp	Exeter Associates	Regional Cogeneration Service
Barkovich & Yap, Inc.	Foster Farms	RMC Lonestar
BART	Foster, Wheeler, Martinez	Sacramento Municipal Utility District
Bartle Wells Associates	Franciscan Mobilehome	SCD Energy Solutions
Blue Ridge Gas	Future Resources Associates, Inc	Seattle City Light
Bohannon Development Co	G. A. Krause & Assoc	Sempra
BP Energy Company	Gas Transmission Northwest Corporation	Sempra Energy
Braun & Associates	GLJ Energy Publications	Sequoia Union HS Dist
C & H Sugar Co.	Goodin, MacBride, Squeri, Schlotz &	SESCO
CA Bldg Industry Association	Hanna & Morton	Sierra Pacific Power Company
CA Cotton Ginners & Growers Assoc.	Heeg, Peggy A.	Silicon Valley Power
CA League of Food Processors	Hitachi Global Storage Technologies	Smurfit Stone Container Corp
CA Water Service Group	Hogan Manufacturing, Inc	Southern California Edison
California Energy Commission	House, Lon	SPURR
California Farm Bureau Federation	Imperial Irrigation District	St. Paul Assoc
California Gas Acquisition Svcs	Integrated Utility Consulting Group	Sutherland, Asbill & Brennan
California ISO	International Power Technology	Tabors Caramanis & Associates
Calpine	Interstate Gas Services, Inc.	Tecogen, Inc
Calpine Corp	IUCG/Sunshine Design LLC	TFS Energy
Calpine Gilroy Cogen	J. R. Wood, Inc	Transcanada
Cambridge Energy Research Assoc	JTM, Inc	Turlock Irrigation District
Cameron McKenna	Luce, Forward, Hamilton & Scripps	U S Borax, Inc
Cardinal Cogen	Manatt, Phelps & Phillips	United Cogen Inc.
Cellnet Data Systems	Marcus, David	URM Groups
Chevron Texaco	Matthew V. Brady & Associates	Utility Resource Network
Chevron USA Production Co.	Maynor, Donald H.	Wellhead Electric Company
City of Glendale	MBMC, Inc.	White & Case
City of Healdsburg	McKenzie & Assoc	WMA
City of Palo Alto	McKenzie & Associates	
City of Redding	Meek, Daniel W.	
CLECA Law Office	Mirant California, LLC	
Commerce Energy	Modesto Irrigation Dist	
Constellation New Energy	Morrison & Foerster	
CPUC	Morse Richard Weisenmiller & Assoc.	
Cross Border Inc	Navigant Consulting	
Crossborder Inc	New United Motor Mfg, Inc	
CSC Energy Services	Norris & Wong Associates	
Davis, Wright, Tremaine LLP	North Coast Solar Resources	
Defense Fuel Support Center	Northern California Power Agency	
Department of the Army	Office of Energy Assessments	
Department of Water & Power City	OnGrid Solar	
DGS Natural Gas Services	Palo Alto Muni Utilities	