

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298



July 9, 2012

**Advice Letters 3653-E**

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

**Subject: Revisions to Electric Rule 23 – Community Choice Aggregation  
Service in Compliance with Resolution E-4250**

Dear Mr. Cherry:

Advice Letters 3653-E is effective May 17, 2010.

Sincerely,

A handwritten signature in cursive script that reads "Edward F. Randolph".

Edward F. Randolph, Director  
Energy Division



April 19, 2010

**Advice 3653-E**

Pacific Gas and Electric Company (U 39-M)

Public Utilities Commission of the State of California

**Subject: Revisions to Electric Rule 23 – Community Choice Aggregation  
Service in Compliance with Resolution E-4250**

Pacific Gas and Electric Company (PG&E) hereby submits for filing, changes to its electric tariff. The affected tariff sheets are listed on the enclosed Attachment I.

**Purpose**

In compliance with Ordering Paragraph (OP.) 1 of California Public Utilities Commission (Commission) Resolution E-4250, PG&E is revising the language in Subsection B.22 and I.3 of its Electric Rule 23 to clarify the time period during which a customer may opt-out of Community Choice Aggregation Service.

**Background**

Assembly Bill (AB) 117 enables cities and/or counties to implement a Community Choice Aggregation (CCA) program, which allows communities to offer procurement service to electric customers within their political boundaries. The CCA rules include a process that allows customers to opt-out of CCA Service and remain a utility bundled service customer. Public Utilities (PU) Code Section 366.2(c)(13) (A-C) states that CCAs shall provide customers with at least two notices during a 60-day period prior of the commencement of CCA Service and at least two additional notices within a 60-day period following the customer's automatic enrollment into the program. These notices must fully inform customers that they are automatically enrolled into CCA service and that they can opt out of CCA service without penalty beginning on the first day customers receive their initial notices until 30 days after the customers receive their last notice pursuant to PU Code Section 366.2 (c)(13) (A-C). Pursuant to this Code section, customers must also be fully informed of the "terms and conditions of the services offered" by the CCA with each of the (at minimum) four customer notices.

On April 8, 2010, the Commission approved Resolution E-4250, which requires

modifications of two subsections of the CCA tariffs, Electric Rule 23's B.22 and I.3 for PG&E.

### **Tariff Revisions**

In compliance with the Resolution, PG&E proposes the following tariff revisions to its Electric Rule 23 - *Community Choice Aggregation Service*:

1. Subsection B.22 was revised to read:

**"B.22. GENERAL TERMS: Opt-Out of Automatic Enrollment**  
*The term "opt-out" or "opt out" is the customer's election not to be served under CCA Service and to continue to receive its existing service. In order to exercise its right not to participate in CCA Service, a customer must request to "opt out" of CCA Service through the required action as prescribed in the CCA Notification. A customer may exercise its opt-out right at any time during a 60- day notification period prior to Automatic Enrollment through the end of the second 60- day notification period subsequent to the Automatic Enrollment of a customer's account to CCA Service. The terms and conditions of CCA service will be made available by the CCA. This CCA-specific information will be provided to customers pursuant to P.U. Code Section 366.2 (c)(13)(A-C) – either directly by the CCA or by PG&E pursuant to the provisions set forth in Section H – and will enable customers to make an informed decision whether or not to opt out of CCA service. Customers receiving section 366.2(c)(13)(A-C) notices regarding a CCA with more than one planned CCA phase-in date will be provided the required 60-day notices based around the date their particular phase-in commences."* [Emphasis added.]

2. Subsection I.3 was revised to read:

*"A customer opting out of CCA Service during the Initial Notification Period shall be removed from the Automatic Enrollment process."*  
[Emphasis added.]

### **Protest Period**

Anyone wishing to protest this filing may do so by sending a letter by **May 10, 2010**, which is **21** 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 mailed to:

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

Facsimile: (415) 703-2200  
E-mail: [inj@cpuc.ca.gov](mailto:inj@cpuc.ca.gov) and [mas@cpuc.ca.gov](mailto: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.

Jane K. Yura  
Vice President, Regulations and Rates  
Pacific Gas and Electric Company  
77 Beale Street, Mail Code B10B  
P.O. Box 770000  
San Francisco, California 94177

Facsimile: (415) 973-6520  
E-mail: [PGETariffs@pge.com](mailto:PGETariffs@pge.com)

**Effective Date:**

PG&E requests that this advice filing become effective on **April 8, 2010** in accordance with Resolution E-4250. This advice letter is submitted as a Tier 1 filing.

**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 list. Address changes to the General Order 96-B service list and all electronic approvals should be directed to email [PGETariffs@pge.com](mailto:PGETariffs@pge.com). Advice letter filings can also be accessed electronically at: <http://www.pge.com/tariffs>.

*Jane Yura - OB*

Jane K. Yura

Vice President – Regulation and Rates  
Attachments

cc: Service List for R.03-10-003

# 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: Olivia Brown

Phone #: 415.973.9312

E-mail: oxb4@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) #: 3653-E

**Tier: 1**

Subject of AL: Revisions to Electric Rule 23 – Community Choice Aggregation Service in Compliance with Resolution E-4250

Keywords (choose from CPUC listing): Compliance

AL filing type:  Monthly  Quarterly  Annual  One-Time  Other \_\_\_\_\_

If AL filed in compliance with a Commission order, indicate relevant Decision/Resolution #: Resolution E-4250

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 AL: N/A

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: N/A

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

Resolution Required?  Yes  No

Requested effective date: April 8, 2010

No. of tariff sheets: 4

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). N/A

Tariff schedules affected: Electric Rule 23

Service affected and changes proposed: 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](mailto:mas@cpuc.ca.gov)**

**Pacific Gas and Electric Company**

**Attn: Jane K. Yura, Vice President, Regulation and Rates**

**77 Beale Street, Mail Code B10B**

**P.O. Box 770000**

**San Francisco, CA 94177**

**E-mail: [PGETariffs@pge.com](mailto:PGETariffs@pge.com)**

**ATTACHMENT 1  
Advice 3653-E**

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

**Title of Sheet**

**Cancelling Cal  
P.U.C. Sheet No.**

---

29202-E	ELECTRIC RULE NO. 23 COMMUNITY CHOICE AGGREGATION SERVICE Sheet 10	25536-E*
29203-E	ELECTRIC RULE NO. 23 COMMUNITY CHOICE AGGREGATION SERVICE Sheet 21	25547-E*
29204-E	ELECTRIC TABLE OF CONTENTS Sheet 1	29196-E
29205-E	ELECTRIC TABLE OF CONTENTS RULES Sheet 10	29197-E





**ELECTRIC RULE NO. 23**  
**COMMUNITY CHOICE AGGREGATION SERVICE**

Sheet 21

**I. CCA CUSTOMER OPT-OUT PROCESSES**

Pursuant to P. U. Code 366.2(13)(A)(i), all CCA Customer Notifications required for automatic enrollments shall include the opportunity for customers to opt-out of CCA Service and continue to receive their existing service. The CCA shall use PG&E's opt-out process. All CCA Customer Notifications shall include information necessary for a customer to utilize the utility's opt-out process, as set forth below. CCAs using notification channels other than those provided by the utility will coordinate such notices with the utility. The following opt-out procedures apply to all participating customers:

1. The utility shall provide an opt-out process to be used by all CCAs. The utility shall offer at least two (2) of the following options as a part of its opt-out process:
  - a. Reply letter or postcard (postage paid) enclosed in CCA Customer Notifications.
  - b. Automated phone service.
  - c. Internet service.
  - d. Customer Call Center contact.
2. Customers eligible for Automatic Enrollment in CCA Service must be notified twice during the Initial Notification period. If the utility is aware that a customer or group of customers has not received the required notifications, the utility shall immediately inform the CCA. If the CCA is aware that a customer or group of customers has not received the required notifications the CCA shall immediately inform the utility to remove the customer from Automatic Enrollment.
3. A customer opting out of CCA Service during the Initial Notification Period shall be removed from the Automatic Enrollment process. (T)
4. Pursuant to D.05-12-041, every customer in the CCA's Automatic Enrollment that does not opt-out of CCA service shall be served by the CCA, including customers with commodity contracts, Direct Access customers and customers whose CCA Customer Notifications are returned unopened.
5. A customer opting out of CCA Service during the Follow-up Notification Period and after enrollment in CCA Service shall be returned to its previous service, without penalty, on the customer's next scheduled meter read date, consistent with CCASR processing timing as defined in Section M.

(Continued)



**ELECTRIC TABLE OF CONTENTS**

Sheet 1

**TABLE OF CONTENTS**

<b>SCHEDULE</b>	<b>TITLE OF SHEET</b>	<b>CAL P.U.C. SHEET NO.</b>	
	Title Page .....	29204-E	(T)
	Rate Schedules .....	29051,29052,29053,29054-E	
	Preliminary Statements .....	29055,28907,28585,28935-E	
	Rules .....	29205-E	(T)
	Sample Forms .....	28385,28922,29198,28261,27639,28706,28424,28366-E	

(Continued)



**ELECTRIC TABLE OF CONTENTS**  
**RULES**

Sheet 10

<b>RULE</b>	<b>TITLE OF SHEET</b>	<b>CAL P.U.C. SHEET NO.</b>
<b>Rules</b>		
Rule 01	Definitions .....	25914,16368,14857,28321,27070,23006,14861,22891,28895, 14864,14865,19403,14867,19761,25915-25922,28896,14871,15564,28322,28897-E
Rule 02	Description of Service .....	11257,11896,11611,14079,11261-11263,27763-27767, 11269-11272,27768,11274-75,27769,27770,11278,27071,27771-27774-E
Rule 03	Application for Service.....	27798,27799-E
Rule 04	Contracts.....	13612-E
Rule 05	Special Information Required on Forms.....	11287,14192,11289-E
Rule 06	Establishment and Reestablishment of Credit.....	21155-21156-E
Rule 07	Deposits .....	11300,27800-E
Rule 08	Notices .....	20965,14145,20966,14146,13139-E
Rule 09	Rendering and Payment of Bills .....	25145,25146,28692,27801, 26311,27862,27863-E
Rule 10	Disputed Bills.....	11308,11309,11310-E
Rule 11	Discontinuance and Restoration of Service.....	13140-13143,27802,23967,13146, 13147-13150,27803,26314-E
Rule 12	Rates and Optional Rates .....	16872,27804,16874-E
Rule 13	Temporary Service.....	22472-E
Rule 14	Shortage of Supply and Interruption of Delivery .....	19762,15527-E
Rule 15	Distribution Line Extensions .....	20093,20094,15577,27072,28253,17851, 21552,27074,15583,20095,21553-21555,15588,17856,27075,15591,27076,15593-E
Rule 16	Service Extensions.....	20096,15595,14880-14881,15596-15598,16987,15600, 15601-15608,14254,13775,15609-15610-E
Rule 17	Meter Tests and Adjustment of Bills for Meter Error.....	20099,12050,12051,25149-E
Rule 17.1	Adjustment of Bills for Billing Error .....	22706,12054-E
Rule 17.2	Adjustment of Bills for Unauthorized Use .....	22707,12056,12057,12058-E
Rule 18	Supply to Separate Premises and Submetering of Electric Energy .....	14329,27037, 29056,13276-E
Rule 19	Medical Baseline Quantities .....	18974,18975,18976-E
Rule 19.1	California Alternate Rates for Energy for Individual Customers and Submetered Tenants of Master-Metered Customers.....	25150, 28329,23969,27805-E
Rule 19.2	California Alternate Rates for Energy for Nonprofit Group-Living Facilities .....	25729, 28330,13589,13730,28323-E
Rule 19.3	California Alternate Rates for Energy for Qualified Agricultural Employee Housing Facilities .....	25153,28331,23937,27807-E
Rule 20	Replacement of Overhead with Underground Electric Facilities .....	19012,11240, 11241,19013,16665,15611,19014-E
Rule 21	Generating Facility Interconnections .....	23678-23682,24591,26146,23684-23686,24026, 23688-23696,24592-24593,23698-23699,24594-24596,26147,24598,24599,23704,23705, 24600,24601,23708-23711,26148,23713-23718,24028,23720-23735-E
Rule 22	Direct Access Service .....	14888, 29165-29171,14896-14901,16448,14903, 14904,16449,16235-16243,14913,16244-16245,16384,14917,15833-15836, 14920-14921,15568,14923,15569,14925-14926,15190-15191,14929-14930, 16385-16386,14933,16387,14935-14936,15192,14938-14946-E
Rule 22.1	Direct Access Service Switching Exemption Rules .....	29174-E-29190-E
Rule 22.2	Direct Access Service for Qualified Nonprofit Charitable Organizations.....	25618-E
Rule 23	Community Choice Aggregation.....	25527-25535, 2902, 25537-25545,27268, 29203, (T) 25548-25574-E (T)
Rule 23.2	Community Choice Aggregation Open Season .....	25575-25577,27270,27271-E

(Continued)

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

Alcantar & Kahl	Defense Energy Support Center	Northern California Power Association
Ameresco	Department of Water Resources	Occidental Energy Marketing, Inc.
Anderson & Poole	Department of the Army	OnGrid Solar
Arizona Public Service Company	Dept of General Services	Praxair
BART	Division of Business Advisory Services	R. W. Beck & Associates
BP Energy Company	Douglass & Liddell	RCS, Inc.
Barkovich & Yap, Inc.	Downey & Brand	Recon Research
Bartle Wells Associates	Duke Energy	SCD Energy Solutions
Bloomberg New Energy Finance	Dutcher, John	SCE
Boston Properties	Economic Sciences Corporation	SMUD
C & H Sugar Co.	Ellison Schneider & Harris LLP	SPURR
CA Bldg Industry Association	Foster Farms	Santa Fe Jets
CAISO	G. A. Krause & Assoc.	Seattle City Light
CLECA Law Office	GLJ Publications	Sempra Utilities
CSC Energy Services	Goodin, MacBride, Squeri, Schlotz & Ritchie	Sierra Pacific Power Company
California Cotton Ginners & Growers Assn	Green Power Institute	Silicon Valley Power
California Energy Commission	Hanna & Morton	Silo Energy LLC
California League of Food Processors	Hitachi	Southern California Edison Company
California Public Utilities Commission	International Power Technology	Sunshine Design
Calpine	Intestate Gas Services, Inc.	Sutherland, Asbill & Brennan
Cameron McKenna	Los Angeles Dept of Water & Power	Tabors Caramanis & Associates
Cardinal Cogen	Luce, Forward, Hamilton & Scripps LLP	Tecogen, Inc.
Casner, Steve	MBMC, Inc.	Tiger Natural Gas, Inc.
Chris, King	MRW & Associates	Tioga Energy
City of Glendale	Manatt Phelps Phillips	TransCanada
City of Palo Alto	McKenzie & Associates	Turlock Irrigation District
Clean Energy Fuels	Merced Irrigation District	U S Borax, Inc.
Coast Economic Consulting	Mirant	United Cogen
Commerce Energy	Modesto Irrigation District	Utility Cost Management
Commercial Energy	Morgan Stanley	Utility Specialists
Consumer Federation of California	Morrison & Foerster	Verizon
Crossborder Energy	NRG West	Wellhead Electric Company
Davis Wright Tremaine LLP	New United Motor Mfg., Inc.	Western Manufactured Housing Communities Association (WMA)
Day Carter Murphy	Norris & Wong Associates	eMeter Corporation
	North Coast SolarResources	