

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298



October 10, 2012

**Advice Letter 4012-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: Power Shut Off for Vegetation Management Noncompliance –  
Updates to PG&E's Electric Rules 11 and 16 per D.12-01-032**

Dear Mr. Cherry:

Advice Letter 4012-E is effective September 13, 2012 per Resolution E-4493.

Sincerely,

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

Edward F. Randolph, Director  
Energy Division



March 12, 2012

**Advice 4012-E**

(Pacific Gas and Electric Company ID U 39 E)

Public Utilities Commission of the State of California

**Subject: Power Shut Off for Vegetation Management Noncompliance -  
Updates to PG&E's Electric Rules 11 and 16 Per Decision 12-01-  
032**

Pacific Gas and Electric Company ("PG&E") hereby submits for filing, revisions to its electric tariffs. The affected tariff sheets are listed on the enclosed Attachment 1.

**Purpose**

In accordance with Decision ("D.") 12-01-032, Ordering Paragraph ("OP") 7, PG&E hereby submits this advice letter to revise its Electric Rule 11 and Electric Rule 16 to include new rules under which PG&E may shut off power to customers who deny PG&E access to its electric power lines for maintaining minimum vegetation clearance.

**Background**

On November 6, 2008, to consider and adopt regulations to reduce the fire hazards associated with overhead power-line facilities and aerial communication facilities in close proximity to power lines, the California Public Utilities Commission ("CPUC" or "Commission") issued Order Instituting Rulemaking ("OIR") 08-11-005. On January 12, 2012, the Commission issued D.12-01-032, included in which the Commission authorized the California Investor Owned Utilities (IOU) to update their tariffs to include new rules for shutting off power to customers who do not allow the IOUs access to their electric power lines for vegetation management activities.

Specifically, in Ordering Paragraph ("OP") 7 of D.12-01-032, the Commission ordered that the " investor-owned electric utilities shall file and serve a Tier 3 advice letter to revise their tariffs to state that the electric utility may shut off power to customers who do not allow access to their property for vegetation management activities, subject to the following conditions:

- i. The authority to shut off power is limited to situations where there is a breach of the minimum vegetation clearances for power lines required by General Order (GO) 95, Rule 35, Table 1, Cases 13 and 14.
- ii. The authority to shut off power to customers who obstruct vegetation management activities does not extend to customers that are state and local governments and agencies.
- iii. The authority to shut off power is limited to one meter serving the property owner's primary residence, or if the property owner is a business entity, the entity's primary place of business. This one meter is in addition to shutting off power, if necessary for public safety, at the location of the vegetation-related fire hazard.
- iv. Prior to shutting off power, the electric utility shall follow the then-current procedures and notice requirements applicable to discontinuance of service for non-payment, including the requirements applicable for sensitive customers, customers who are not proficient in English, multifamily accommodations, and other customer groups, except as set forth in Item v below. To the extent practical, the applicable procedures and notice requirements shall be completed prior to a breach of the minimum vegetation clearances required by GO 95, Rule 35, Table 1, Cases 13 and 14.
- v. For vegetation hazards that pose an immediate threat to public safety, the electric utility may shut off power to the obstructing property owner's residence or primary place of business at any time without prior notice, except when the customer receives service under a medical baseline allowance. If power is shut off without prior notice, the electric utility shall attempt to contact the property owner for five consecutive business days by daily visits to the property owner's residence or primary place of business, in addition to sending a written notice, to inform the property owner why power has been shut off and how to restore service. If a utility determines that it is necessary to shut off power to a medical baseline customer, the utility shall attempt to notify the customer by telephone prior to the shut off."

## **Tariff Revisions**

### ***Electric Rule 11***

PG&E proposes to use the language provided by the Commission in D.12-01-032, OP 7 almost verbatim to update Electric Rule 11, Section N (new), Vegetation Management. PG&E also proposes to include new language for restoration of service that is specific to customers whose power has been disconnected due to customer noncompliance with allowing PG&E access to its electric power lines for

maintaining minimum vegetation clearance as section N.6.a, Restoration of Service.

### ***Electric Rule 16***

PG&E also proposes to update Electric Rule 16, Section A.11, Access to Applicant Premises, to include vegetation management as a condition under which PG&E shall at all times have the right to enter and leave an Applicant's Premises.

### **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 **April 2, 2012**, which is 21 days from the date of this filing<sup>1</sup>. 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:

CPUC Energy Division  
Tariff Files, Room 4005  
DMS Branch  
505 Van Ness Avenue  
San Francisco, California 94102  
Facsimile: (415) 703-2200  
E-mail: EDTariffUnit@cpuc.ca.gov

Copies 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 Cherry  
Vice President, Regulation and Rates  
Pacific Gas and Electric Company  
77 Beale Street, Mail Code B10C  
P.O. Box 770000  
San Francisco, California 94177  
Facsimile: (415) 973-6520  
E-mail: PGETariffs@pge.com

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<sup>1</sup> The 20 day protest period concludes on a weekend. PG&E hereby moves this date to the following business day.

**Effective Date**

PG&E requests that this **Tier 3** advice filing become effective upon Commission approval.

**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 and the service list for R.08-11-005. Address changes to the General Order 96-B service list and all electronic approvals should be directed to e-mail PGETariffs@pge.com. For changes to any other service list, please contact the Commission's Process Office at (415) 703-2021 or at Process\_Office@cpuc.ca.gov. Advice letter filings can also be accessed electronically at <http://www.pge.com/tariffs/>.

A handwritten signature in black ink, appearing to read "Brian Chung". The signature is written in a cursive, flowing style. Below the main name, there is a smaller, less legible signature or set of initials.

Vice President – Regulation and Rates

cc: Service List R.08-11-005

# 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 E)**

Utility type:

ELC       GAS  
 PLC       HEAT       WATER

Contact Person: Kimberly Chang

Phone #: (415) 973-5472

E-mail: kwcc@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) #: **4012-E**

**Tier: 3**

Subject of AL: **Power Shut Off for Vegetation Management Noncompliance - Updates to PG&E's Electric Rules 11 and 16 Per Decision 12-01-032**

Keywords (choose from CPUC listing): Compliance, Rules, Power Lines

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

If AL filed in compliance with a Commission order, indicate relevant Decision/Resolution #: D.12-01-032

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<sup>1</sup>: \_\_\_\_\_

Is AL requesting confidential treatment? If so, what information is the utility seeking confidential treatment for:

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: **Upon Commission Approval**

No. of tariff sheets: 5

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: Electric Rule 11 and 16

Service affected and changes proposed<sup>1</sup>: PG&E may shut off power to customers who deny PG&E access to its electric power lines for maintaining minimum vegetation clearance

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**  
**E-mail: EDTariffUnit@cpuc.ca.gov**

**Pacific Gas and Electric Company**  
**Attn: Brian Cherry**  
**Vice President, Regulation and Rates**  
**77 Beale Street, Mail Code B10C**  
**P.O. Box 770000**  
**San Francisco, CA 94177**  
**E-mail: PGETariffs@pge.com**

**ATTACHMENT 1  
Advice 4012-E**

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

**Title of Sheet**

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

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31437-E	ELECTRIC RULE NO. 11 DISCONTINUANCE AND RESTORATION OF SERVICE Sheet 13	26314-E
31438-E	ELECTRIC RULE NO. 11 DISCONTINUANCE AND RESTORATION OF SERVICE Sheet 14	
31439-E	ELECTRIC RULE NO. 16 SERVICE EXTENSIONS Sheet 3	14880-E
31440-E	ELECTRIC TABLE OF CONTENTS Sheet 1	31423-E
31441-E	ELECTRIC TABLE OF CONTENTS RULES Sheet 19	30678-E



**ELECTRIC RULE NO. 11**  
**DISCONTINUANCE AND RESTORATION OF SERVICE**

Sheet 13

**M. CHARGES FOR TERMINATION AND/OR RESTORATION OF SERVICE (Cont'd.)**

4. PG&E may require payment of a reconnection charge of \$25.00 per connection before restoring service that has been terminated for nonpayment of bills, to prevent fraud, or for failure to comply with PG&E's tariffs. If the customer requests that service be restored outside of regular business hours, an additional charge of \$12.50 per connection may be made. For customers who are receiving for the CARE discount, PG&E may require payment of a reconnection charge of \$20.00 per connection before restoring service that has been terminated for nonpayment of bills, to prevent fraud, or for failure to comply with PG&E's tariffs. If the CARE customer requests that service be restored outside of regular business hours, an additional charge of \$10.00 per connection may be made. (T)
5. In addition, PG&E may charge and collect any unusual costs incidental to the termination or restoration of service which have resulted from the customer's action or negligence.
6. Service wrongfully terminated will be restored without charge.

**N. VEGETATION MANAGEMENT**

PG&E may disconnect service to a customer or property owner who obstructs access to overhead power-line facilities for vegetation management activities, subject to the following conditions:

1. The authority to disconnect service to a customer is limited to situations where there is a breach of the minimum vegetation clearances required for power lines in General Order (GO) 95, Rule 35, Table 1, Cases 13 and 14 under the provisions in effect at the time the breach is discovered.
2. The authority to disconnect service to a customer who obstructs vegetation management activities does not extend to customers that are state and local governments and agencies.
3. The authority to disconnect service to a customer is limited to one meter serving the property owner's primary residence, or if the property owner is a business entity, the entity's primary place of business. This one meter is in addition to disconnecting service, if necessary for public safety, at the location of the vegetation-related fire hazard. (N)

(Continued)



**ELECTRIC RULE NO. 11**  
**DISCONTINUANCE AND RESTORATION OF SERVICE**

Sheet 14

N. VEGETATION MANAGEMENT (Cont'd.)

(N)

4. Prior to disconnecting service, PG&E shall follow the then current procedures and notice requirements applicable to discontinuance of service for non-payment, including the requirements applicable for sensitive customers, customers who are not proficient in English, multifamily accommodations, and other customer groups, except as set forth in section 5 below. To the extent practical, the applicable procedures and notice requirements shall be completed prior to a breach of the minimum vegetation clearances required by GO 95, Rule 35, Table 1, Cases 13 and 14.

(N)

5. For vegetation hazards that pose an immediate threat to public safety, PG&E may disconnect service to the obstructing property owner's residence or primary place of business at any time without prior notice, except when the customer receives service under a medical baseline allowance. If service is disconnected without prior notice, PG&E shall attempt to contact the property owner for five consecutive business days by daily visits to the property owner's residence or primary place of business, in addition to sending a written notice, to inform the property owner why service has been disconnected and how to restore service. If PG&E determines that it is necessary to disconnect service to a medical baseline customer, PG&E shall attempt to notify the customer by telephone prior to the service disconnection.

6. SERVICE RESTORATION

a. When a customer's service has been terminated because access to overhead electric facilities for vegetation management purposes has been obstructed resulting in a breach of the minimum required vegetation clearances or an immediate vegetation hazard, the customer's service will not be restored until appropriate vegetation management has been achieved or the vegetation hazard has been mitigated, and payment for all applicable restoration of service charges as provided in Electric Rule 11, Section M, Charges for Termination and/or Restoration of Service have been received.

(N)



**ELECTRIC RULE NO. 16**  
**SERVICE EXTENSIONS**

Sheet 3

A. GENERAL (Cont'd.)

11. ACCESS TO APPLICANT'S PREMISES. PG&E shall at all times have the right to enter and leave Applicant's Premises for any purpose connected with the furnishing of electric service (meter reading, inspection, testing, routine repairs, replacement, maintenance, vegetation management, emergency work, etc.) and the exercise of any and all rights secured to it by law, or under PG&E's tariff schedules. These rights include, but are not limited to,

(N)

- a. The use of a PG&E-approved locking device, if Applicant desires to prevent unauthorized access to PG&E's facilities;
- b. Safe and ready access for PG&E personnel free from unrestrained animals;
- c. Unobstructed ready access for PG&E's vehicles and equipment to install, remove, repair, or maintain its facilities; and
- d. Removal of any and all of its property installed on Applicant's Premises after the termination of service.

12. SERVICE CONNECTIONS. Only personnel duly authorized by PG&E are allowed to connect or disconnect service conductors to or from PG&E's Distribution Lines, remove PG&E-owned service facilities and equipment, or perform any work upon PG&E-owned existing facilities.

B. METERING FACILITIES

1. GENERAL

- a. METER ALL USAGE. Delivery of all electric power and energy will be metered, unless otherwise provided for by PG&E's tariff schedules or by other applicable laws.
- b. METER LOCATION. All meters and associated metering equipment shall be located at some protected location on Applicant's Premises as approved by PG&E.
- c. Meter ownership—If the customer elects direct access service, see Rule 22 for meter ownership option.

(Continued)



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Sheet 1

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

AT&T	Department of Water Resources	North America Power Partners
Alcantar & Kahl LLP	Dept of General Services	North Coast SolarResources
Ameresco	Douglass & Liddell	Northern California Power Association
Anderson & Poole	Downey & Brand	Occidental Energy Marketing, Inc.
BART	Duke Energy	OnGrid Solar
Barkovich & Yap, Inc.	Economic Sciences Corporation	Praxair
Bartle Wells Associates	Ellison Schneider & Harris LLP	R. W. Beck & Associates
Bloomberg	Foster Farms	RCS, Inc.
Bloomberg New Energy Finance	G. A. Krause & Assoc.	Recurrent Energy
Boston Properties	GLJ Publications	SCD Energy Solutions
Braun Blaising McLaughlin, P.C.	GenOn Energy, Inc.	SCE
Brookfield Renewable Power	Goodin, MacBride, Squeri, Schlotz & Ritchie	SMUD
CA Bldg Industry Association	Green Power Institute	SPURR
CLECA Law Office	Hanna & Morton	San Francisco Public Utilities Commission
CSC Energy Services	Hitachi	Seattle City Light
California Cotton Ginners & Growers Assn	In House Energy	Sempra Utilities
California Energy Commission	International Power Technology	Sierra Pacific Power Company
California League of Food Processors	Intestate Gas Services, Inc.	Silicon Valley Power
California Public Utilities Commission	Lawrence Berkeley National Lab	Silo Energy LLC
Calpine	Los Angeles Dept of Water & Power	Southern California Edison Company
Cardinal Cogen	Luce, Forward, Hamilton & Scripps LLP	Spark Energy, L.P.
Casner, Steve	MAC Lighting Consulting	Sun Light & Power
Center for Biological Diversity	MBMC, Inc.	Sunshine Design
Chris, King	MRW & Associates	Sutherland, Asbill & Brennan
City of Palo Alto	Manatt Phelps Phillips	Tabors Caramanis & Associates
City of Palo Alto Utilities	McKenzie & Associates	Tecogen, Inc.
City of San Jose	Merced Irrigation District	Tiger Natural Gas, Inc.
City of Santa Rosa	Modesto Irrigation District	TransCanada
Clean Energy Fuels	Morgan Stanley	Turlock Irrigation District
Coast Economic Consulting	Morrison & Foerster	United Cogen
Commercial Energy	Morrison & Foerster LLP	Utility Cost Management
Consumer Federation of California	NLine Energy, Inc.	Utility Specialists
Crossborder Energy	NRG West	Verizon
Davis Wright Tremaine LLP	NaturEner	Wellhead Electric Company
Day Carter Murphy	Navigant Consulting	Western Manufactured Housing Communities Association (WMA)
Defense Energy Support Center	Norris & Wong Associates	eMeter Corporation