April 15, 2008

Advice Letter 2475-E

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

Subject:  Withdrawal – Revisions to Electric Preliminary Statement Part BB

Dear Mr. Cherry:

Advice Letter 2475-E is withdrawn as indicated in your letter dated April 2, 2008.

Sincerely,

Sean H. Gallagher, Director
Energy Division
February 18, 2004

Advice 2475-E
(Pacific Gas and Electric Company ID U39E)

Public Utilities Commission of the State of California

Subject: Revisions to Electric Preliminary Statement Part BB – Competition Transition Charge Responsibility for All Customers and CTC Procedure for Departing Loads

Pacific Gas and Electric Company (PG&E) hereby submits for filing revisions to its Electric Preliminary Statement Part BB – Competition Transition Charge Responsibility for All Customers and CTC Procedure for Departing Loads. The affected tariff sheets are listed on the enclosed Attachment 1.

Purpose

By this supplemental advice letter, PG&E requests that the Commission approve the revisions to Preliminary Statement BB shown in the attached tariff sheets to clarify that departing load customers subject to that rate schedule are responsible for payment of the Regulatory Asset charge.

Background

On January 26, 2004, PG&E filed Advice 2465-E to implement Decision (D.) 03-12-035 and the Modified Settlement Agreement (MSA) adopted therein, as well as the proposed Rate Design Settlement Agreement (RDSA) entered into by various parties. In Advice 2465-E, PG&E provided sample tariffs for two rate schedules and stated that it “will file a complete set of revised rate schedules prior to implementing the rates provided herein.” PG&E’s intent had been to file revised tariffs to reflect the MSA and RDSA in mid- to late-February 2004.

On February 4, 2004, The Utility Reform Network (TURN) filed a limited protest to Advice 2465-E on the basis that PG&E had neglected to include in its proposed tariffs an appropriate rate schedule by which to recover the costs of the Regulatory Asset (and perhaps other charges) from departing load customers not otherwise exempt from such charges under the terms of the RDSA and other relevant Commission decisions. TURN requested that PG&E file a new version of its former tariff E-DEPART to recover the appropriate costs from departing load customers who are not exempt from the relevant charges.

On February 6, 2004, PG&E filed its reply to TURN’s limited protest and
acknowledged that, in the light of the apparent confusion caused by its omission of revised tariffs specifically applicable to departing load customers, it would be both appropriate and helpful to provide such tariffs at this time. PG&E appended to its reply certain illustrative revised tariffs sheets for departing load customers, including specifically a revised Schedule E-DEPART, revised Schedule E-MDL, and a revised Preliminary Statement BB (all of which are discussed more fully below). Please note that PG&E has also made minor changes to the illustrative tariff sheets it appended to its February 6, 2004, response to TURN's protest in order to conform to pending legislation, Senate Bill 772.

By this advice letter, PG&E formally revises Preliminary Statement BB to clarify that departing load customers subject to that tariff are responsible for payment of the Regulatory Asset charge.

**Preliminary Schedule BB**

On December 20, 1995, the Commission issued Decision 95-12-063 (as modified by Decision 96-01-009) which, among other things, authorized PG&E to collect retail transition costs associated with electric restructuring. On September 23, 1996, then-Governor Wilson signed into law Assembly Bill (AB) 1890 (Stats. 1996, Ch. 854) which also affected the restructuring of the electric industry in California, including the collection of retail transition costs and other nonbypassable charges.

On May 24, 1999, PG&E filed Advice 1835-E-A, submitting its Preliminary Statement BB, *Competition Transition Charge Responsibility for All Customers and CTC Procedure for Departing Loads*. Preliminary Statement BB defined “Departing Load Customers” as customers who remain physically located within PG&E’s service territory, but no longer receive electricity supply or delivery services from PG&E, and are now being supplied energy and distribution services from a source other than PG&E. Pursuant to Public Utilities Code Sections 367, 369, 379, and 381, the Competition Transition charge (CTC), the Nuclear Decommissioning charge, the Public Purpose Programs charge, and the Trust Transfer Amount charge are nonbypassable and Departing Load Customers are obligated to continue paying these charges to PG&E even after they depart PG&E’s system. Advice 1835-E-A and Preliminary Statement BB were approved by Resolution No. E-3600 and made effective as of January 1, 1998.

**Effective Date**

PG&E requests that this filing become effective on March 1, 2004, which is the date that bundled and direct access customers will begin paying the Regulatory Asset charge.
Protests

Anyone wishing to protest this amended filing should do so by sending a letter via postal mail and facsimile by March 9, 2004, which is 20 days after the date of this filing. The protest must state the grounds upon which it is based, including such items as financial and service impact, and should be submitted expeditiously. Protests should be mailed to:

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

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

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: RxDd@pge.com

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

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. Address changes should be directed to Sandra Ciach (415) 973-7572. Advice letter filings can also be accessed electronically at:

http://www.pge.com/tariffs

Karen A. Tomcala/JSN  
Vice President - Regulatory Relations

Attachments
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BB. COMPETITION TRANSITION CHARGE RESPONSIBILITY FOR ALL CUSTOMERS AND CTC
PROCEDURE FOR DEPARTING LOADS

1. PURPOSE: The purpose of this section is to describe the Competition Transition Charge (CTC)
and other nonbypassable charge responsibilities of PG&E’s retail electric customers (including
Bundled Service, Direct Access, Virtual Direct Access and Departing Load customers) and new
electric loads, and to establish specific procedures pertaining to the payment of CTC and other
nonbypassable charges.

On December 20, 1995, the Commission issued Decision 95-12-063 (as modified by
Decision 96-01-009) which, among other things, authorized PG&E to collect retail transition costs
associated with electric restructuring. On September 23, 1996, Governor Wilson signed into law
Assembly Bill (AB) 1890 (Statutes 1996, Ch. 854, codified primarily in various sections of the
Public Utilities Code), which also affected the restructuring of the electric industry in California,
including the collection of retail transition costs and other nonbypassable charges. Among other
things, AB 1890 establishes:

(a) a nonbypassable CTC (Public Utilities Code Sections 367-368, 375-376);

(b) certain exemptions to the CTC (Sections 372, 374);

(c) nonbypassable charges for nuclear decommissioning (Section 379), recovery of Rate
Reduction Bond principal, interest, and ongoing costs (Section 840(d)), and public purpose
program costs (Sections 381-383) (hereinafter referred to as “other nonbypassable
charges”); and

(d) CTC responsibility for existing retail customers and for new electric consumers or loads
located in PG&E’s service territory as it existed on December 20, 1995 (hereinafter referred
to as “new electric loads”), except for those new or incremental loads that might be met
through a direct transaction and the transaction does not require the use of transmission or
distribution facilities owned by PG&E (Section 369).

On December 19, 2003, the Commission issued Decision 03-12-035 approving the Modified
Settlement Agreement between PG&E and Commission staff. The effective date of the Regulatory
Asset Charge is March 1, 2004.

The procedures described here for the payment of CTC and other nonbypassable charges by
existing customers and new electric loads implement CPUC Decision 97-06-060 in Phase 1 of
PG&E’s Application 96-08-001, supersede the Interim CTC Procedure authorized by the
Commission in Decisions 96-04-054 and 96-10-041, and are consistent with PG&E’s proposals in
the Direct Access, Unbundling, and Rate Reduction Bond proceedings.

(Continued)
BB. COMPETITION TRANSITION CHARGE RESPONSIBILITY FOR ALL CUSTOMERS AND CTC
PROCEDURE FOR DEPARTING LOADS (Cont'd.)

2. APPLICABILITY, METERING AND BILLING:

a. **Applicability:** CTC and other nonbypassable charge responsibility attaches to and shall be
   recovered from all existing PG&E bundled service customers, future PG&E bundled service
   customers, direct access customers, and departing load customers who take or took retail
   service from PG&E on or after December 20, 1995 (or, for purposes of assessing
   responsibility for the RA Charge, on or after January 1, 2000), and remain in the service
   territory in which PG&E provided service as of December 20, 1995, (or for purposes of
   assessing responsibility for the RA Charge, the service territory in which PG&E provided
   service as of December 19, 2003), except as specifically provided for in State of California
   Public Utilities Code (PU Code) Sections 369 and 371 to 374. Application of certain
   exceptions and exemptions established in the PU Code is clarified by Decision 97-06-060,
   Decision 97-12-039, and Decision 98-12-067. Remaining issues may be addressed in dispute
   resolution procedures for bundled service customers and direct access customers in Rule 10,
   and Departing Load customers in Sections BB.4.b.2 and BB.4.f.

   As provided herein, the charges of PG&E's rate schedules, contracts, or tariff options will
   contain a CTC component. Chapter 2.3, Electric Restructuring, in Part 1 of Division 1 of the
   Public Utilities Code provides that the CTC shall be applied to each customer based on the
   amount of the customer's electricity consumption (i.e., all generation-related billing
   determinants used to determine a customer's bill), which is subject to changes occurring in the
   normal course of business, whether such consumption is served by PG&E or an alternate
   supplier of electricity. Pursuant to Public Utilities Code Section 371, changes occurring in the
   normal course of business are those resulting from changes in business cycles, termination of
   operations, departure from the utility service territory, weather, reduced production,
   modifications to production equipment or operations, changes in production or manufacturing
   processes, fuel switching, including installation of fuel cells, enhancement or increased
   efficiency of equipment or performance of existing self-cogeneration equipment, replacement
   of existing cogeneration equipment with new power generation equipment of similar size as
   described in Section BB.3.e.(1), installation of demand-side management equipment or
   facilities, energy conservation efforts, or other similar factors. The CTC cannot be avoided
   through the formation of a local publicly owned electric corporation on or after December 20,
   1995, or by annexation of any portion of PG&E's service territory by an existing local publicly-
   owned electric utility.

b. **Metering:** The billed CTC will be based on metered consumption. Third party metering will be
   allowed subject to verification procedures sufficient to assure reliability of such consumption
   data and/or information as set forth in Section BB.5.e below. If reliable metered consumption
   information is not made available to PG&E, PG&E will estimate the consumption based on
   that customer's historical load as set forth in Section BB.5.e.

c. **Billing:** The billed CTC will be determined as described in each rate schedule. CTC is the
   residual after the PX energy costs are subtracted from the generation portion of the bill.
   Certain consumption is either exempt from or not subject to CTC as set forth in
   Sections BB.3.d and BB.3.e below.
BB. COMPETITION TRANSITION CHARGE RESPONSIBILITY FOR ALL CUSTOMERS AND CTC
PROCEDURE FOR DEPARTING LOADS

3. CTC RESPONSIBILITY OF ALL CUSTOMERS:
   
   a. Customer Service Options: With the advent of electric industry restructuring, electric
customers will have several different service options:

   Bundled Service Customers - customers electing to continue to receive all of their electricity
supply and delivery services from PG&E;

   Direct Access Customers - customers electing to purchase their electricity supply from an
energy service provider while continuing to receive delivery services for their energy from
PG&E;

   Virtual Direct Access Customers - this option is suspended.

   Departing Load Customers - customers who no longer receive any electricity supply or
delivery services from PG&E.

   b. CTC Payment Amounts: Bundled Service, Direct Access, and Virtual Direct Access
customers will be billed for and are responsible for making CTC and other nonbypassable
charge payments to PG&E as part of their regular monthly bills for utility service, as specified
in accordance with the billing procedures specified in the Rate Schedule under which service
is taken. Departing Load customers are responsible for the same CTC and other
nonbypassable charge payment amounts as would any similarly situated Bundled Service,
Direct Access, or Virtual Direct Access customer.

   The separate procedures required under Paragraph 4 of this section, which provide for
certain notification and contractual requirements that are unique to Departing Load
customers and certain new electric loads (as described in Paragraph 6 of this section), have
been established only for the purpose of ensuring that these customers’ CTC and other
nonbypassable charges will be nonbypassable.

   c. Definition of Departing Load: Departing Load is that portion of a PG&E electric customer’s
load for which the customer, on or after December 20, 1995 (or, for purposes of assessing
responsibility for the RA charge, on or after January 1, 2000), outside of changes otherwise
occurring in the ordinary course of its business (subject to the use of verifiable current
metering information, as provided for under Paragraph 5(E) of this section): (1) discontinues
or reduces its purchases of electricity supply and delivery services from PG&E; (2) purchases
or consumes electricity supplied and delivered by sources other than PG&E to replace such
PG&E purchases; and (3) remains physically located at the same location or within PG&E’s
service area as it existed on December 20, 1995 (or for purposes of assessing responsibility
for the RA Charge, as it existed on December 19, 2003). Reductions in load are classified as
Departing Load only to the extent that such load is subsequently served with electricity from a
source other than PG&E.

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Aglet Consumer Alliance
Agnews Developmental Center
Ahmed, Ali
Alcantar & Eisesser
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 Growers & Growers Assoc.
CA League of Food Processors
CA Water Service Group
California Energy Commission
California Farm Bureau Federation
California ISO
Calpine
Calpine Corp
Calpine Gilroy Cogen
Cambridge Energy Research Assoc
Cameron McKenna
Cardinal Cogen
Cellnet Data Systems
Childress, David A.
City of Glendale
City of Healdsburg
City of Palo Alto
City of Redding
CLECA Law Office
Constellation New Energy
CPUC
Creative Technology
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
Dept of the Air Force
DGS Natural Gas Services
DMM Customer Services
Downey, Brand, Seymour & Rohwer
Duke Energy
Duke Energy North America
Duncan, Virgil E.
Dutcher, John
Dynegy Inc.
Ellison Schneider
Energy Law Group LLP
Enron Energy Services
Exeter Associates
Foster, Wheeler, Martinez
Franciscan Mobilehome
Future Resources Associates, Inc
GLJ Energy Publications
Goodin, MacBride, Squeri, Schlott & Grueneich Resource Advocates
Hanna & Morton
Heeg, Peggy A.
Hogan Manufacturing, Inc
House, Lon
Imperial Irrigation District
Integrated Utility Consulting Group
International Power Technology
J. R. Wood, Inc
JTM, Inc
Kaiser Cement Corp
Korea Elec Power Corp
Marcus, David
Masonite Corporation
Matthew V. Brady & Associates
Maynor, Donald H.
McKenzie & Assoc
McKenzie & Associates
Meek, Daniel W.
Mirant California, LLC
Modesto Irrigation Dist
Morrison & Foerster
Morse Richard Weisenmiller & Assoc.
New United Motor Mfg, Inc
Norris & Wong Associates
North Coast Solar Resources
Northern California Power Agency
PG&E National Energy Group
Pinnacle CNG Company
PPL EnergyPlus, LLC
Price, Roy
Product Development Dept
Provoost Pritchard
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 Energy
Sequoia Union HS Dist
SESCO
Sierra Pacific Power Company
Silicon Valley Power
Simpson Paper Company
Smurfit Stone Container Corp
Southern California Edison
SPURR
St. Paul Assoc
Stanford University
Sutherland, Asbill & Brennan
Tabors Caramanis & Associates
Tansey and Associates
Tecogen, Inc
TFS Energy
TJ Cross Engineers
Transwestern Pipeline Co
Turlock Irrigation District
United Cogen Inc.
URM Groups
Utility Cost Management LLC
Utility Resource Network
Wellhead Electric Company
Western Hub Properties, LLC
White & Case
WMA

17-Feb-04