January 19, 2007

Advice Letter 2943-E

Rose de la Torre
Pacific Gas & Electric
77 Beale Street, Room 1088
Mail Code B10C
San Francisco, CA 94105

Subject: Direct Access Eligibility for Non-Profit Charitable Organizations in Compliance with Senate Bill 423

Dear Ms. de la Torre:

Advice Letter 2943-E is effective January 1, 2007. A copy of the advice letter is returned herewith for your records.

Sincerely,

Sean H. Gallagher, Director
Energy Division
December 08, 2006

Advice 2943-E
(Pacific Gas and Electric Company ID U 39 E)

Public Utilities Commission of the State of California

Subject: Direct Access Eligibility for Non-profit Charitable Organizations in Compliance with Senate Bill 423

Purpose

Pacific Gas and Electric Company (PG&E) hereby submits to the California Public Utilities Commission (CPUC) a new tariff specifying Direct Access eligibility requirements and other provisions for non-profit charitable organizations in compliance with Senate Bill (SB) 423.

Background

On September 29, 2006, SB 423 was passed into law, providing that “a non-profit charitable organization may acquire electric commodity service through a direct transaction with an electric service provider (ESP) if electric commodity service is donated free of charge without compensation.” The bill adds Section 395.5 to the California Public Utilities Code (PUC) setting eligibility requirements for non-profit charitable organizations to receive direct access service. Currently, Direct Access service is suspended for new customers. However, PUC Section 395.5 makes a specific customer class eligible for DA service until the section is repealed on January 1, 2010, unless provided otherwise.

Tariff Revisions

PG&E hereby submits new Electric Rule 22.2 -- DIRECT ACCESS SERVICE FOR QUALIFIED NONPROFIT CHARITABLE ORGANIZATIONS to incorporate the changes necessary to implement requirements of SB 423. Rule 22.2 provides customer eligibility requirements including that the customer is an organization under Internal Revenue Code 501(c)(3) primarily serving the elderly or poor, that the customer is receiving electric commodity service from the ESP free of charge, and that a declaration form must be submitted attesting to the
eligibility requirements. In addition, Rule 22.2 states all general terms and provisions that the customer will be subject to for receiving Direct Access service.

Finally, PG&E is proposing modifications to its Schedules DA CRS and CCA CRS to clarify the obligations of the customers qualifying for DA service under the provisions of SB 423.

Accordingly, PG&E requests the CPUC accept Electric Rule 22.2 and modifications to Schedules DA CRS and CCA CRS.

**Protest Period**

Anyone wishing to protest this filing may do so by sending a letter by December 28, 2006, which is 20 days from the date of this filing. The protest must state the grounds upon which it is based, including such items as financial and service impact, and should be submitted expeditiously. Protests should be mailed to:

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

Pacific Gas and Electric Company  
Attention: Brian Cherry  
Vice President, Regulatory Relations  
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**

PG&E respectfully requests this filing become effective January 1, 2007, but that the Energy Division provides approval no later than January 8, 2007, which is the regular notice period – 30 days from the date of this filing, in order to facilitate the implementation of the new form.
Notice

In accordance with General Order 96-A, Section III, Paragraph G, a copy of this Advice Letter is being sent electronically or via U.S. mail to parties shown on the attached list and to the service lists as shown below. Address changes should be directed to Rose De La Torre at (415) 973-4716. Advice Letter filings can also be accessed electronically at:

http://www.pge.com/tariffs

[Signature]

Vice President - Regulatory Relations
**Company name/CPUC Utility No.** Pacific Gas and Electric Company (ID U39 M)

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<th>Contact Person: Ted Maguire</th>
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<td>☑ ELC</td>
<td>Phone #: (415) 973-0888</td>
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<tr>
<td>☑ GAS</td>
<td>E-mail: <a href="mailto:TEMN@pge.com">TEMN@pge.com</a></td>
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**EXPLANATION OF UTILITY TYPE**

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Advice Letter (AL) #: 2943-E

Subject of AL: Direct Access Eligibility for Non-profit Charitable Organizations in Compliance with Senate Bill 423

Keywords (choose from CPUC listing): Direct Access, Compliance

AL filing type: □ Monthly □ Quarterly □ Annual ☑ One-Time □ Other _____________________________

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

N/A

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:

Resolution Required? □ Yes ☑ No

Requested effective date: **January 1, 2007**

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: Rule 22.2, Electric Rate Schedules DA CRS & CCA CRS

Service affected and changes proposed: Direct Access for Non-profit Charitable Organizations

Pending advice letters that revise the same tariff sheets: 2784-E

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

**CPUC, Energy Division**
Tariff Files, Room 4005
DMS Branch
505 Van Ness Ave.,
San Francisco, CA 94102

**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

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1 Discuss in AL if more space is needed.
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SCHEDULE DA CRS—DIRECT ACCESS COST RESPONSIBILITY SURCHARGE
(Continued)

SPECIAL CONDITIONS:
(Cont’d.)

6. Pursuant to Resolution E-3843, effective December 4, 2003, a customer who was on DA service prior to February 1, 2001, and returned to bundled service after September 20, 2001, shall be exempt from the DWR Bond Charge and the Power Charge Indifference Adjustment components of DA CRS. These customers are not exempt from the ongoing CTC and will be billed for these charges under their otherwise-applicable rate schedule.

7. Prior to September 1, 2006, the CPUC limited (i.e., capped) the DA CRS. Absent this cap, the DA CRS would have been higher. Revenues that are uncollected from DA customers due to the CPUC imposed cap will be collected from these same customers regardless whether these customers are taking DA or bundled service in the future. The utility will begin assessing the DA CRS undercollection charge when the then-current DA CRS revenue requirement is less than the revenue collected by the DA CRS.
   a. The actual charge for the DA CRS undercollection, as well as any necessary detail, shall be added to this rate schedule before the charge is implemented and will be subject to final CPUC approval.
   b. The DA CRS undercollection charge shall be a proportion of rate assessed for the undercollection for customers that had been DA for the entire period from September 20, 2001, until DA CRS revenue exceeds the then-current DA CRS revenue requirement (the “DA CRS undercollection period”).
   c. The proportion paid by each customer shall be a function of the period the customer had taken DA service, or had taken bundled service and paid the DA CRS, during the DA CRS undercollection period.
   d. All customers who took DA service during the DA CRS undercollection period shall pay the DA CRS undercollection charge except to the extent that DA customers did not contribute to the undercollection. Such customers are exempt from the undercollection charge. Customers cannot avoid this charge by election of bundled or DA service.
   e. Payment of the DA CRS undercollection charge shall continue until the DA CRS undercollection is recovered (the “DA CRS recovery period”). The DA CRS recovery period shall end for all customers at the same time.

8. Pursuant to Senate Bill (SB) 423 (California Public Utilities Code section 395.5), qualified nonprofit charitable organizations eligible to enter into an agreement for DA service with an electric Energy Service Provider (ESP) to receive electric commodity service free of charge from the ESP will be subject to the provisions and applicable charges under Schedule CCA CRS. (N)
SCHEDULE CCA CRS—COMMUNITY CHOICE AGGREGATION COST RESPONSIBILITY SURCHARGE (INTERIM)

APPLICABILITY: This schedule and the applicable components of the Community Choice Aggregation (CCA) Cost Responsibility Surcharge (CRS) apply to all customers who take CCA service, unless otherwise set forth in the Special Conditions, below.

Pursuant to Senate Bill (SB) 423 (California Public Utilities Code section 395.5), qualified nonprofit charitable organizations eligible to enter into an agreement for DA service with an electric Energy Service Provider (ESP) to receive electric commodity service free of charge from the ESP will be subject to the provisions and applicable charges under this schedule.

TERRITORY: Schedule CCA CRS applies everywhere PG&E provides electric service as shown in Preliminary Statement, Part A.

RATES: The CCA CRS consists of the Department of Water Resources (DWR) Bond Charge, the Energy Cost Recovery Amount, Ongoing Competition Transition Charges and the DWR Power Charges, as set forth in each rate schedule.

SPECIAL CONDITIONS:
1. California Alternative Rates for Energy (CARE) and medical baseline customers that take CCA service are exempt from paying the DWR Bond Charge and the DWR Power Charge portion of the CCA CRS.

2. Customers that have taken Direct Access (DA) or CCA service continually since February 1, 2001, are exempt from the DWR Bond Charge and DWR Power Charge portions of the CCA CRS.

3. Pursuant to Resolution E-3843, effective December 4, 2003, a customer who was on DA service prior to February 1, 2001, and returned to bundled service after September 20, 2001, shall be exempt from the DWR Bond Charge and DWR Power Charge components of DA CRS if CCA service is elected. These customers are not exempt from the ongoing CTC and regulatory asset, and will be billed for these charges under their otherwise-applicable rate schedule.

(Continued)
RULE 22.2—DIRECT ACCESS SERVICE FOR QUALIFIED NONPROFIT CHARITABLE ORGANIZATIONS

The following terms and conditions apply to both PG&E customers who are declared eligible for direct access service under Section A (below) and electric Energy Service Providers (ESP) who participate in Direct Access (DA) service as defined in Rule 22.

The following rules implement California State Senate Bill (SB) 423 (California Public Utilities Code section 395.5) which authorizes nonprofit charitable organizations whose primary purpose is serving the needs of the poor or elderly to acquire electric commodity service through a direct transaction with an ESP until December 31, 2009. Pursuant to Decision 05-12-041, customers receiving Direct Access Service, Transitional Bundled Service or Bundled Portfolio Service may be automatically enrolled in a Community Choice Aggregation Program as described in Rule 23.

A. Customer Eligibility

1. The customer must be a non-profit charitable organization as described in Section 501(c)(3) of the federal Internal Revenue Code and has as its primary purpose serving the needs of the poor or elderly.

2. Customer must have entered into an agreement for DA service with an ESP and the electric commodity service must be donated free of charge by the ESP without compensation under the terms and condition of that Agreement.

3. The customer and ESP must complete and submit a declaration confirming eligibility under Sections A.1 and A.2, above, in a form acceptable to PG&E.

B. General Terms

1. Customers electing to switch to DA service will be subject to the Direct Access rules and provisions set forth in Rule 22 and 22.1, except as otherwise provided by this Rule.

2. Customers electing to switch to DA service will be subject to the provisions and applicable charges of rate Schedule CCA CRS in lieu of Schedule DA CRS, where applicable.

3. The customer must continue to meet all of the requirements identified above in Section A for any subsequent switches between ESPs.

4. In advance of providing service to the first non-profit charitable organization under this rule, PG&E will require three (3) months after it receives a declaration, as identified in Section A, to implement the required infrastructure changes for this new DA service option.
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## Rate Schedules

### Direct Access

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- Rules
- Maps, Contracts and Deviations
- Sample Forms

**Rate Schedules**

<table>
<thead>
<tr>
<th>SCHEDULE</th>
<th>TITLE OF SHEET</th>
<th>CAL P.U.C. SHEET NO.</th>
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<tbody>
<tr>
<td>E-1</td>
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<td>24768, 24769, 24770, 19910, 24771, 24772-E</td>
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<td>E-2</td>
<td>Experimental Residential Time-of-Use Service</td>
<td>24768, 24769, 24770, 19910, 24771, 24772-E</td>
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<td>E-3</td>
<td>Experimental Residential Critical Peak Pricing Service</td>
<td>22429, 24773, 24774, 24775, 24776, 24087, 24777, 24089, 24778, 23082, 22501, 21243, 24779, 22437, 24780-E</td>
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<tr>
<td>EE</td>
<td>Service to Company Employees</td>
<td>24091-E</td>
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<td>EM</td>
<td>Master-Metered Multifamily Service</td>
<td>24781, 24782, 24783, 20648, 24784, 24785-E</td>
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<td>ES</td>
<td>Multifamily Service</td>
<td>24786, 24787, 24788, 23640, 24789, 24790-E</td>
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<td>ESR</td>
<td>Residential RV Park and Residential Marina Service</td>
<td>24791, 24792, 24793, 20657, 24794, 24795-E</td>
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<td>ET</td>
<td>Mobilehome Park Service</td>
<td>24796, 24797, 24343, 24798, 24799, 24800-E</td>
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<td>E-6</td>
<td>Residential Time-of-Use Service</td>
<td>24801, 24802, 24803, 24804, 24805, 24806-E</td>
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<td>E-7</td>
<td>Residential Time-of-Use Service</td>
<td>24808, 24809, 24810, 24811, 24344, 24812-E</td>
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<td>E-A7</td>
<td>Experimental Residential Alternate Peak Time-of-Use Service</td>
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<td>E-8</td>
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<td>E-9</td>
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<td>EL-1</td>
<td>Residential CARE Program Service</td>
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<td>24359, 24676, 24360, 22190-E</td>
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<td>23963, 24996, 21643-E</td>
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### Commercial/Industrial

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

06-Dec-06