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September 26, 2011

Advice 3912-E

(Pacific Gas and Electric Company ID U 39 E)

Public Utilities Commission of the State of California

Subject: Rule 18 Revisions in Compliance With Resolution E-4419

Purpose

The purpose of this Advice Letter is to ensure that Pacific Gas and Electric Company's ("PG&E") Electric Rule 18 is in compliance with Ordering Paragraph ("OP") 4 of the California Public Utilities Commission ("CPUC" or "Commission") Resolution E-4419. In OP 4, PG&E was directed to file a Tier 1 advice letter requesting revisions to Electric Rule 18. The revisions must be "similar" to those ordered in OP 3 where Southern California Edison ("SCE") was ordered to revise its existing Electric Rule 18 tariff to align with specific revisions detailed in Commission Resolution E-4419.

Background

On November 19, 2011, SCE filed interim tariff changes necessary to implement provisions of Decision ("D.")10-07-044 (Decision in Phase 1 of the Commission's Plug-In Electric Vehicle Rulemaking R.09-08-009).

On September 8, 2011, the Commission issued Resolution E-4419 approving in part and denying in part SCE's proposed tariff changes as filed in Advice Letter ("AL") 2528-E. The Commission rejected SCE's proposed new Electric Rule 18(H), "Plug-In Electric Vehicle Charging," as inconsistent with Conclusion of Law #11 in D.10-07-044 that the sale of electricity by an investor-owned utility to an electric vehicle service provider is a retail sale of electricity, not a "sale for resale." The Resolution approved a narrower revision to existing Rule 18 (E) and (H) and approved the proposed revision to the "Applicability" sections of Schedule TOU-EV-1, TOU-EV-3 and TOU-EV-4 in order to enable customers of SCE to provide charging service dedicated to their employees and to the general public.

Specifically, the Commission approved a limited change to SCE's Electric Rule 18:

...Energy Division proposes and the Commission hereby approves a revision to SCE's existing Rule 18 (E) and (H) that includes a narrower electric vehicle exemption. This provision under Rule 18 Sections (E) and (H) shall read:

E. Use by Others. A customer shall not charge for electricity received from SCE and used by another person, except:

[...]

5. For use solely as motor fuel for light duty plug-in electric vehicles.

[...]

H. Resale of Electricity. Resale of electricity or submetering of electricity for the purpose of resale is prohibited, except as provided for under Section E.1, E.2, E.3, F, or G above. Violation of any provision of this Rule shall result in discontinuance of electricity, or refusal to provide service, in accordance with Rule 11. The sale of electricity by an investor-owned utility to an electric vehicle service provider under E.5 above is a retail sale of electricity, not a sale for resale. [Resolution E-4419, P. 5]

In Resolution E-4419, OP 4, the Commission also directed PG&E to file a Tier 1 advice letter "requesting similar revisions to....Rule 18..." within 30 days of the effective date of the Resolution. PG&E files this advice letter in accordance with OP 4.

Tariff Revisions

PG&E's Electric Rule 18 is dissimilar to SCE's Electric Rule 18 in that it does not currently contain the language found at the beginning of SCE's Electric Rule 18 Section E:

"Use by Others. A customer shall not charge for electricity received from SCE and used by another person, except..."

Because PG&E's tariff is constructed such that there is no express prohibition (with certain exceptions) on a customer charging for electricity received from PG&E and used by another person, PG&E believes that PG&E's existing Rule 18 is in compliance with Resolution E-4419 and therefore no changes are necessary.

Pending Commission Action:

PG&E respectfully notes that, on September 1, 2010, both PG&E and The Utility Reform Network ("TURN") filed separate applications for rehearing of D.10-07-044. Nothing in this Advice Letter should be construed as a change in PG&E's position or concerns regarding the issues PG&E raised in its application for rehearing of D.10-07-044.

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 17, 2011**, which is 21 days after the date of this filing.* 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: jj@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, 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

* Since the end of the protest period falls on a weekend, PG&E is extending the end of the protest period to the following business day.

Effective Date

PG&E requests that this Tier 1 advice filing become effective on **September 26, 2011**, the date of 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 and the parties on the service list for R.09-08-009. Address changes to the General Order 96-B service list and 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 cursive script that reads "Brian Cherry".

Vice President – Regulation and Rates

cc: Service List for R.09-08-009

Attachments

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: Linda Tom-Martinez

Phone #: (415) 973-4612

E-mail: lmt1@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) #: **3912-E**

Tier: 1

Subject of AL: Rule 18 Revisions in Compliance With Resolution E-4419

Keywords (choose from CPUC listing): Compliance, Rules

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

If AL filed in compliance with a Commission order, indicate relevant Decision/Resolution #: Resolution E-4419

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:

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: **September 26, 2011**

No. of tariff sheets:

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: N/A

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 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

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

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