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: 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:

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.

Brian Cheng

Vice President – Regulation and Rates

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

Attachments
# CALIFORNIA PUBLIC UTILITIES COMMISSION

## ADVICE LETTER FILING SUMMARY

### ENERGY UTILITY

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### MUST BE COMPLETED BY UTILITY (Attach additional pages as needed)

<table>
<thead>
<tr>
<th>Company name/CPUC Utility No.</th>
<th>Pacific Gas and Electric Company (ID U39 M)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Utility type:</strong></td>
<td></td>
</tr>
<tr>
<td>☑ ELC</td>
<td>☑ GAS</td>
</tr>
<tr>
<td>☐ PLC</td>
<td>☐ HEAT</td>
</tr>
<tr>
<td>☐ WATER</td>
<td></td>
</tr>
<tr>
<td><strong>Contact Person:</strong></td>
<td>Linda Tom-Martinez</td>
</tr>
<tr>
<td><strong>Phone #:</strong></td>
<td>(415) 973-4612</td>
</tr>
<tr>
<td><strong>E-mail:</strong></td>
<td><a href="mailto:lmt1@pge.com">lmt1@pge.com</a></td>
</tr>
</tbody>
</table>

### EXPLANATION OF UTILITY TYPE

ELC = Electric  
GAS = Gas  
PLC = Pipeline  
HEAT = Heat  
WATER = Water

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### 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 AL: ____________________

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**

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