

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE



August 20, 2019

Advice Letter 5541-E

Erik Jacobson
Director, Regulatory Relations
Pacific Gas and Electric Company
77 Beale Street, Mail Code B10C
P.O. Box 770000
San Francisco, CA 94177

SUBJECT: Limited One-Time Deviation From PG&E's Agreement to Perform Tariffs Related Work (Form 62-4527) for the California Department of Water Resources (DWR) Pursuant to CPUC General Order 96-B, Section 9.2.3

Dear Mr. Jacobson:

Advice Letter 5541-E is withdrawn as requested per your letter dated July 23, 2019.

Sincerely,

A handwritten signature in cursive script that reads 'Edward Randolph'.

Edward Randolph
Deputy Executive Director for Energy and Climate Policy/
Director, Energy Division



Erik Jacobson
Director
Regulatory Relations

Pacific Gas and Electric Company
77 Beale St., Mail Code B13U
P.O. Box 770000
San Francisco, CA 94177

Fax: 415-973-3582

May 9, 2019

Advice 5541-E

(Pacific Gas and Electric Company ID U 39 E)

Public Utilities Commission of the State of California

Subject: Limited One-Time Deviation From PG&E's Agreement to Perform Tariffs Related Work (Form 62-4527) for the California Department of Water Resources (DWR) Pursuant to CPUC General Order 96-B, Section 9.2.3.

Purpose

Pacific Gas and Electric Company (PG&E) hereby submits to the California Public Utilities Commission (Commission or CPUC) for approval this limited one-time agreement modifying PG&E's standard indemnity clause as it appears on Form 62-4527 – *Agreement to Perform Tariff Schedule Related Work*.

Background

California Department of Water Resources (DWR) has requested PG&E to relocate and rearrange a primary tap servicing a third-party agricultural pump to a new location under the terms of PG&E's Electric Rule 16.F.2.b. The service is located at Moon Bend Road and East Clay Street in Colusa, California.

PG&E's standard form agreement, *Agreement to Perform Tariff Schedule Related Work* (Form 62-4527), contain broad indemnification language. DWR has objected to the scope of the indemnity provision in Form 62-4527 and specifically the requirement to defend PG&E in litigation that may arise out of or in any way connected with the performance of the agreement. To address DWR's concern, PG&E has agreed to modify the indemnity language found in Form 62-4527.

Tariff Revisions to Form 62-4527– Agreement to Perform Tariff Schedule Related Work.

To meet the customer request and in recognition that the customer is a governmental agency, PG&E proposes and requests Commission approval to the redlined revisions of the indemnification language in Form 62-4527 as shown below and as adopted in Attachment A (revisions italicized below):

2. "Applicant shall indemnify and hold harmless PG&E, its officers, agents and employees, against all loss, damage, expense and liability resulting from injury to or death of any person, including but not limited to, employees of PG&E, Applicant or any third party, or for the loss, destruction or damage to property, including, but not limited to property of PG&E, Applicant or any third party, arising out of or in any way connected with the performance of this agreement, however caused, except to the extent caused by the active negligence or willful misconduct of PG&E, its officers, agents and employees. ~~Applicant will, on PG&E's request, defend any suit asserting a claim covered by this indemnity.~~ Applicant will pay all costs that may be incurred by PG&E in enforcing this indemnity, including reasonable attorneys' fees."

Pursuant to General Rule 9.2.3 of CPUC General Order 96-B, PG&E may provide tariffed service to a government agency at reduced rates and charges, or under terms and conditions otherwise deviating from its tariffs then in effect.¹ Since this is for DWR (a governmental agency) and for a specific case, PG&E agrees with this one-time modification and the revision to the agreement will permit the project to proceed in timely fashion as requested by the customer. The executed Agreement to Perform Tariffs Related Work (Form 62-4527) with the requested limited one-time deviation for the California Department of Water Resources (DWR) is included in this advice letter as Attachment A.

The submittal would not increase any current rate or charge, cause the withdrawal of service, or conflict with any rate schedule or rule.

Protests

Anyone wishing to protest this submittal may do so by letter sent via U.S. mail, facsimile or E-mail, no later than May 29, 2019, which is 20 days after the date of this submittal. Protests must be submitted to:

CPUC Energy Division
ED Tariff Unit
505 Van Ness Avenue, 4th Floor
San Francisco, California 94102

Facsimile: (415) 703-2200
E-mail: EDTariffUnit@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.

¹ CPUC General 96-G, Section 9.2.3 Emergency Service; Service to Government Agencies.

The protest shall also be sent to PG&E either via E-mail or U.S. mail (and by facsimile, if possible) at the address shown below on the same date it is mailed or delivered to the Commission:

Erik Jacobson
Director, Regulatory Relations
c/o Megan Lawson
Pacific Gas and Electric Company
77 Beale Street, Mail Code B13U
P.O. Box 770000
San Francisco, California 94177

Facsimile: (415) 973-3582
E-mail: PGETariffs@pge.com

Any person (including individuals, groups, or organizations) may protest or respond to an advice letter (General Order 96-B, Section 7.4). The protest shall contain the following information: specification of the advice letter protested; grounds for the protest; supporting factual information or legal argument; name, telephone number, postal address, and (where appropriate) e-mail address of the protestant; and statement that the protest was sent to the utility no later than the day on which the protest was submitted to the reviewing Industry Division (General Order 96-B, Section 3.11).

Effective Date

Pursuant to CPUC General Order 96-B, General Rules Section 9.2.3, PG&E submits this advice as a Tier 3 advice letter, and requests that this submittal become effective upon Commission submission.

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. Address changes to the General Order 96-B service list should be directed to PG&E at email address 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. Send all electronic approvals to PGETariffs@pge.com. Advice letter filings can also be accessed electronically at: <http://www.pge.com/tariffs/>.

/S/

Erik Jacobson
Director, Regulatory Relations

Attachments



ADVICE LETTER SUMMARY

ENERGY UTILITY



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

Company name/CPUC Utility No.: Pacific Gas and Electric Company (ID U39E)

Utility type:

- ELC GAS WATER
 PLC HEAT

Contact Person: Yvonne Yang

Phone #: (415)973-2094

E-mail: PGETariffs@pge.com

E-mail Disposition Notice to: OXY1@pge.com

EXPLANATION OF UTILITY TYPE

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

(Date Submitted / Received Stamp by CPUC)

Advice Letter (AL) #: 5541-E

Tier Designation: 3

Subject of AL: Limited One-Time Deviation From PG&E's Agreement to Perform Tariffs Related Work (Form 62-4527) for the California Department of Water Resources (DWR) Pursuant to CPUC General Order 96-B, Section 9.2.3.

Keywords (choose from CPUC listing): Agreements

AL Type: Monthly Quarterly Annual One-Time Other:

If AL submitted 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:

Confidential treatment requested? Yes No

If yes, specification of confidential information: See attached matrix that identifies all of the confidential information. Confidential information will be made available to appropriate parties who execute a nondisclosure agreement. Name and contact information to request nondisclosure agreement/ access to confidential information:

Resolution required? Yes No

Requested effective date: 5/9/19

No. of tariff sheets: 3

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: List of Contracts and Deviations

Service affected and changes proposed¹: N/A

Pending advice letters that revise the same tariff sheets: N/A

¹Discuss in AL if more space is needed.

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

CPUC, Energy Division
Attention: Tariff Unit
505 Van Ness Avenue
San Francisco, CA 94102
Email: EDTariffUnit@cpuc.ca.gov

Name: Erik Jacobson, c/o Megan Lawson
Title: Director, Regulatory Relations
Utility Name: Pacific Gas and Electric Company
Address: 77 Beale Street, Mail Code B13U
City: San Francisco, CA 94177
State: California Zip: 94177
Telephone (xxx) xxx-xxxx: (415)973-2093
Facsimile (xxx) xxx-xxxx: (415)973-3582
Email: PGETariffs@pge.com

Name:
Title:
Utility Name:
Address:
City:
State: District of Columbia Zip:
Telephone (xxx) xxx-xxxx:
Facsimile (xxx) xxx-xxxx:
Email:

Cal P.U.C. Sheet No.	Title of Sheet	Cancelling Cal P.U.C. Sheet No.
44220-E	LIST OF CONTRACTS AND DEVIATIONS (Continued) Sheet 39	30666-E
44221-E	ELECTRIC TABLE OF CONTENTS Sheet 1	44170-E
44222-E	ELECTRIC TABLE OF CONTENTS Sheet 21	43410-E



LIST OF CONTRACTS AND DEVIATIONS
(Continued)

Sheet 39

Name and Location of Customer		Most Comparable Regular Tariff			
PG&E Installation Reference No.	Type or Class of Service	Execution and Expiration Dates	Commission Authorization Number and Date	Schedule or Rule No.	Contract Difference
<u>SACRAMENTO VALLEY REGION</u> (Cont'd.)					
<u>State Agencies</u>					
University of California Davis Campus	Street Lighting	11-23-62 3-8-68*2	G.O.96-A,X.B. 8-20-63	LS-2	Rate for 100-Watt Mercury Vapor Lamp
State of California Dept. of Water Resources Oregon Gulch Butte County	General Service	12-6-62 5-29-68*2	G.O.96-A,X.B. 7-2-63	Rule 15	Monthly Charge For Excess Facilities
State of California Division of Beaches & Parks Folsom Lake Recreation Area El Dorado County	Domestic and General Service	3-10-65 5 Years*2	G.O.96-A,X.B. 6-15-65	Rule 15	Monthly Charge For Excess Facilities
State of California Dept. of Fish & Game Fish Hatchery, Pit 1 P.H. Shasta County	Domestic and General Service	5-8-68 12-31-68	G.O.96-A,X.B. 9-15-70	Rule 15	Monthly Charge For Excess Facilities
SA 4002 State of California Dept. of Parks and Recreation Oroville Reservoir Loafer Creek Butte County	Coml/Ind	12-31-69*2	G.O.96-A,X.B. 5-5-76	Rule 15 Sec. E.7	Monthly Cost of Ownership Charges
State of California California Highway Patrol Mt. Hough, Plumas County	Coml/Ind	9-24-73*2	G.O.96-A,X.B. 3-26-75	Rule 15 Sec. E.7	Monthly Cost of Ownership Charges
State of California Dept. of Water Resources (DWR) Colusa Colusa County	General Service	05-07-19 (one time)	G.O. 96-B 05-10-18 Advice 5541-E	Form 62-4527	Indemnification (N) (N)
<u>Counties and Cities</u>					
City of Placerville	Coml	11-16-78 5 Years*1	Res. E-1818 1-4-79	Rule 1	Monthly Cost of Ownership Charge
City of Davis and Davis Research Park Associates	Coml/Ind	7-1-81 ---	Res. G-2458 3-2-82	Rule 15.2	Cost of Ownership Charge
City of Red Bluff	Coml	10-7-81 ---	---	Rule 15	Cost of Ownership Charge
Placer County	Coml	2-7-08 (one time)	G.O. 96-B 2-5-08	Form 62-4527	Indemnification

*1 to *4 See last page of Electric Contracts and Deviations Section for explanation of footnotes.

(Continued)

Advice 5541-E
Decision

Issued by
Robert S. Kenney
Vice President, Regulatory Affairs

Submitted
Effective
Resolution

May 9, 2019



ELECTRIC TABLE OF CONTENTS

Sheet 1

TABLE OF CONTENTS

SCHEDULE	TITLE OF SHEET	CAL P.U.C. SHEET NO.	
Title Page.....		44221-E	(T)
Rate Schedules.....	44171,44172,44173,44174,44175,44176,41779,43935,44177-E		
Preliminary Statements.....	44178,40534,42856*,43670,41723,40591,44040-E		
Rules.....	43022,43023,43210-E		
Maps, Contracts and Deviations.....		44222-E	(T)
Sample Forms...40925*,37631,41151*,41573*, 37632,41152*,41153,37769,44035,40671,37169-E			

(Continued)

Advice 5541-E
Decision

Issued by
Robert S. Kenney
Vice President, Regulatory Affairs

Submitted
Effective
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May 9, 2019



ELECTRIC TABLE OF CONTENTS

Sheet 21

TITLE OF SHEET

CAL P.U.C. SHEET NO.

Maps, Contracts and Deviations

SERVICE AREA MAPS

Electric Service Area Map..... 34575-E

LIST OF CONTRACTS AND DEVIATIONS

..... 13819,13794,37604,37465,12000,12001,13672,12003,19350,11435,
..... 43408,20977,29590,12006,21635,21636,29591,34524,11191,12010,
..... 11193,11194,11195,12969,31155,12012,29592,33251,29670,31469,
..... 12955,19353,12018,12019,12020,12021,12022,12023,**44220**,17259,
..... 12026,13092,11211,12027,12028,16703,12030,12031,14035,29593,
..... 12032,23621,11219,12034,20831,12036,11223,11986,11987,40145*,
..... 16898,11227-E

(T)

(Continued)

Advice 5541-E
Decision

Issued by
Robert S. Kenney
Vice President, Regulatory Affairs

Submitted _____
Effective _____
Resolution _____
May 9, 2019

Advice 5541-E
Attachment A

Executed Revised Agreement



March 13, 2019

BRIAN FERRERO
CALIFORNIA DEPARTMENT OF WATER RESOURCES, A Government Agency
1416 Ninth Street, Rm 425
SACRAMENTO , CA 95814

RE: Contract ID: 1244976: Moon Bend

Dear BRIAN FERRERO ,

Enclosed are gas and/or electric agreements for your project located at:

MOON BEND RD & E CLAY ST, COLUSA, 95932

This letter summarizes the agreements for this project.

	Non-Refundable Payment	Refundable Option*	50% Discount Option*
Relocation / Rearrangement Costs	\$42,195.16	\$0.00	\$0.00
Less Credit (Engineering Advance, etc.)	\$5,000.00	\$0.00	\$0.00
TOTAL **	\$37,195.16	\$0.00	\$0.00
TOTAL PAYMENT DUE	\$37,195.16	OR	\$37,195.16

* Only applies to Rule 15 Refundable Amounts. Amount shown is less credit for associated Applicant work.

** The Income Tax Component of Contribution (ITCC) is included in the above charges when applicable.

Changes to the agreement, either to any of the terms or to the amount owing, are not permitted, and any change or interlineations voids the agreement. The payment of any amount less than the full amount shown will be deposited by PG&E, but PG&E will not begin any work on this contract until the amount is paid in full. The contract shall be deemed effective the date a fully executed copy is received by PG&E. Please allow 45 days from PG&E's receipt of the Agreement for construction to commence.

If the agreement is not returned to PG&E within 90 days of the date of this letter, the proposed agreement is canceled and PG&E may need to re-estimate the job.

PG&E is committed to providing timely and efficient service and we look forward to continuing to work with you on this and future projects.

Should you have any questions regarding these contracts, please contact your project manager Brent Drawver at 661-637-9807 or B1D0@pge.com.

To complete your contract ONLINE

- Follow the instructions provided with your electronic contract
- Submit payment at pge.com/contractpayments

To complete your contract BY MAIL

- Make checks payable to: PGE or Pacific Gas and Electric
- Complete, sign and retain one copy of the agreement for your records
- Complete, sign and return one copy of the agreement with your payment to:
PG&E CFM/PPC DEPARTMENT
PO BOX 997340
Sacramento, CA 95899-7340

Sincerely,

Andrew Navarrette
Andrew Navarrette
Supervisor, Service Planning



114254770E

Ref: Contract ID: 1244976: MOON BEND RD & E CLAY ST, COLUSA, 95932



AGREEMENT TO PERFORM TARIFF SCHEDULE RELATED WORK¹

DISTRIBUTION:

- Applicant (Original)
- Division (Original)
- Customer Care (Copy)

REFERENCE:

Notification # 114254770
 Contract # 1244976
 ERR-PM # 31387492
 GRR-PM #

4. Applicant shall pay to PG&E, promptly upon demand by PG&E, as the complete contract price hereunder, the sum of Forty-Two Thousand One Hundred Ninety-Five Dollars And Sixteen Cents (\$42,195.16)
5. This agreement at all times shall be subject to such modifications as the California Public Utilities Commission may direct from time to time in the exercise of its jurisdiction.

Upon completion of requested work, ownership shall vest in: PG&E Applicant

Executed this 1st day of May 2020.

This agreement is effective when accepted and executed by PG&E.

DEPARTMENT OF Water Resources,
A Government Agency

PACIFIC GAS AND ELECTRIC COMPANY

Applicant

Brian Ferrero

Authorized by (Print)

[Handwritten Signature]

Signature

Right of Way Agent

Title

5/1/2019

Date

Brian Fulkerson

Authorized by (Print)

[Handwritten Signature]

Signature

Supervisor, Service Planning

Title

5/7/2019

Date

Mailing Address:

1416 Ninth Street, Room 425
Sacramento, CA 95814

¹Automated Document, Preliminary Statement, Part A



114254770E

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

AT&T	Downey & Brand	Pioneer Community Energy
Albion Power Company	East Bay Community Energy	Praxair
Alcantar & Kahl LLP	Ellison Schneider & Harris LLP	Regulatory & Cogeneration Service, Inc.
	Energy Management Service	SCD Energy Solutions
Alta Power Group, LLC	Evaluation + Strategy for Social	
Anderson & Poole	Innovation	
	GenOn Energy, Inc.	SCE
Atlas ReFuel	Goodin, MacBride, Squeri, Schlotz &	SDG&E and SoCalGas
BART	Ritchie	
	Green Charge Networks	SPURR
Barkovich & Yap, Inc.	Green Power Institute	San Francisco Water Power and Sewer
P.C. CalCom Solar	Hanna & Morton	Seattle City Light
California Cotton Ginners & Growers Assn	ICF	Sempra Utilities
California Energy Commission	International Power Technology	Southern California Edison Company
California Public Utilities Commission	Intestate Gas Services, Inc.	Southern California Gas Company
California State Association of Counties	Kelly Group	Spark Energy
Calpine	Ken Bohn Consulting	Sun Light & Power
	Keyes & Fox LLP	Sunshine Design
Cameron-Daniel, P.C.	Leviton Manufacturing Co., Inc.	Tecogen, Inc.
Casner, Steve	Linde	TerraVerde Renewable Partners
Cenergy Power	Los Angeles County Integrated Waste	Tiger Natural Gas, Inc.
Center for Biological Diversity	Management Task Force	
City of Palo Alto	Los Angeles Dept of Water & Power	TransCanada
	MRW & Associates	Troutman Sanders LLP
City of San Jose	Manatt Phelps Phillips	Utility Cost Management
Clean Power Research	Marin Energy Authority	Utility Power Solutions
Coast Economic Consulting	McKenzie & Associates	Utility Specialists
Commercial Energy		
County of Tehama - Department of Public	Modesto Irrigation District	Verizon
Works	Morgan Stanley	Water and Energy Consulting
Crossborder Energy	NLine Energy, Inc.	Wellhead Electric Company
Crown Road Energy, LLC	NRG Solar	Western Manufactured Housing
Davis Wright Tremaine LLP		Communities Association (WMA)
Day Carter Murphy	Office of Ratepayer Advocates	Yep Energy
	OnGrid Solar	
Dept of General Services	Pacific Gas and Electric Company	
Don Pickett & Associates, Inc.		
Douglass & Liddell		