



**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

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11-12-10
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Order Instituting Rulemaking on the
Commission's Own Motion to Consider
Alternative-fueled Vehicle Tariffs, Infrastructure
and Policies to Support California's Greenhouse
Gas Emissions Reduction Goals.

Rulemaking 09-08-009
(Filed August 20, 2009)

**COMMENTS OF PACIFIC GAS AND ELECTRIC
COMPANY (U 39 E) IN RESPONSE TO OCTOBER 27,
2010, ADMINISTRATIVE LAW JUDGE'S RULING**

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ADMINISTRATIVE LAW JUDGE'S RULING**

I. INTRODUCTION

Pursuant to the October 27, 2010 Administrative Law Judge's Ruling, Pacific Gas and Electric Company (PG&E) provides its opening comments in response to the requests for additional information contained in the Ruling. PG&E's comments are organized in the same sequence as the topics and questions in the Ruling.

II. SEPARATE METERING

A. For PEV Customers That Choose to Use a Separate Meter, Who Should Bear the Cost of the Separate Meter and Why?

During the early phase of the rollout of a new generation of electric vehicles, PG&E recommends that the costs of separate meters be subject to the current allowances provided under PG&E's Electric Rules 15 and 16. These separate meter costs include installation and labor costs, as well as the cost of the meter itself. A second meter for PEV charging would be considered a standard installation arrangement under CPUC Rules. When the market for new electric vehicles is more mature and widespread and Home Area Network (HAN) devices are more available, there may be new metering arrangements that would justify allocating the funding for these meters differently.

B. How Should a Separate Meter be Financed (On-bill Financing, Meter Charges, Up-front Charges, etc) and Why?

Separate meter costs should be subject to the existing allowances provided under PG&E's Electric Rules 15 and 16, until the new PEV market is more mature. Other options for financing separate meters, such as on-bill financing, can be explored as more information on customer preferences is developed.

III. SUBMETERING PROTOCOL, PROCESS AND TIMELINE

A. What is the Commission's Role and What is the Utility's Role in Developing as Submetering Protocol?

The process for evaluating and certifying submetering by third parties other than utilities should be the same as for utility submetering, i.e. Commission review and approval of utility tariffs and technical specifications based on national and Commission standards for safety, reliability, and accuracy. PG&E recommends that the Commission use technical workshops and committees with representatives of all interested parties develop and approve the appropriate technical standards and tariffs for PEV submetering certification using the Direct Access Standards for Metering and Meter Data (DASMMD) and Validating, Editing and Estimating (VEE) protocols from the Commission's Direct Access program. It is important to note that any submetering option and protocol, including subtractive billing, may cause significant incremental utility costs for technology testing, integration and maintenance as part of utility back-office systems. Such costs would need to be recovered in utility rates.

B. What Other Agencies Need to Lead or Be Involved in this Process?

If the Commission continues to exercise its traditional jurisdiction to oversee and supervise the metering of retail electricity sales and distribution to retail customers, then no other agencies need to be involved in setting standards for submetering of PEV charging. However, if the Commission's recent decision on PEV jurisdiction is interpreted to remove the Commission from the oversight and regulation of submetering by third-parties, such Electric Vehicle Service

Providers, then other state and federal agencies, such as the Bureau of Weights and Measures, would need to set the technical standards for such submetering, meter ownership and billing.

C. What Are the Key Issues to be Addressed in a Submetering Protocol?

Key issues to be addressed in a submetering protocol for third party submetering of EV loads should include the inter-operability and integration specifications that would apply to any utility-grade metering. In addition, issues regarding Commission jurisdiction and regulation of the reliability, safety and accuracy of the third-party submeters will need to be addressed. Finally, because submetering by third parties is likely to cause additional costs for utility integration, systems and backoffice services, the Commission will need to evaluate the costs and benefits of third-party submetering and provide for allocation and recovery of the utility costs in rates to customers.

D. Should the Commission Consider Adopting the Metering and Meter Data Requirements Similar to the Requirements Developed in Decision No. 98-12-080 Regarding Direct Access to PEV Submeters?

Yes, the process used to develop protocols and standards for certifying, regulating and approving meters owned by third-party Meter And Data Management Agents (MDMAs) under the Direct Access program can be used for the similar purpose of developing and regulating protocols for third-party submetering of EV loads.

E. Recommended Process and Timeline

PG&E recommends that the Commission establish a technical committee of staff, utility and EVSP representatives to hold workshops and exchange technical recommendations for certifying and regulating third-party submetering of PEV loads. If started by early 2011, PG&E believes that this approach could yield consensus technical standards and a regulatory framework within about six months after initiation.

IV. UTILITY ROLE IN CUSTOMER EDUCATION AND OUTREACH

A. What Specific Changes, If Any, Should the Commission Consider to the Guiding Principles?

PG&E agrees with the general intent of the guiding principles, *vis a vis* providing for a clear separation between the utility role of educating its customers on traditional electric distribution and metering services to support EV charging, and the newer role of marketing direct or indirect services to support EV charging by customers “beyond the meter.” However, as a practical matter, the most immediate needs of utility customers over the next couple years will be for factual, convenient information from their local utilities and local electrical contractors on the “basics” of PEV metering, billing, and rates. It does not appear that third-party EVSPs have either the intent or resources to provide such basic information themselves, except perhaps through subcontracting of electrical contracting services in partnership with major electric vehicle manufacturers and dealers, such as GM and Nissan.

This practical reality means that PG&E and other utilities must be prepared to provide convenient, timely and unbiased factual information to their utility customers when those customers go online, contact our call centers and our service planners to find out what they need to do to upgrade their basic utility service to support PEV charging. PG&E and other utilities must have the flexibility and Commission support (as well as resources) to respond to these customers’ educational and outreach needs. If, alternatively, the Commission wishes that this basic customer education and outreach be delegated to third parties, such as PEV dealers, electrical contractors and EVSPs, then it should make that preference clear up-front in this proceeding.

If, in the future, utilities make specific filings requesting authority from the Commission to offer PEV charging products or services “beyond the meter,” then the Commission can evaluate those proposals on the merits and determine what kinds of separation between

competitive and traditional utility PEV services should be enforced. However, in the meantime, during this critical initial period of PEV market development, PG&E recommends that the Commission defer development of generic guiding principles that would disincent utilities from proactive customer outreach and education on the basic utility services needed to support PEVs.

In addition, as discussed in this proceeding and before the California Legislature, there is a strong need for notification and exchange of information among auto dealers, EV customers and utilities regarding the timing and planning of new utility services required to support EV charging and manage electric grid impacts. PG&E is working together with the other California investor-owned and publicly-owned utilities to explore the creation of a data clearinghouse that would provide for the secure and confidential notification of customer-specific data to utilities when a customer purchases or registers and EV in California. The California utilities are in discussion with various stakeholders, including automakers, electric vehicle service providers, cities, counties, municipalities, and the Department of Motor Vehicles on how such a data clearing house could be structured. PG&E recommends that the Commission encourage and approve initial feasibility and development funding from ratepayers and other funding sources to support the evaluation of this approach.

The Commission should encourage utilities to track and recover their incremental and reasonable education and outreach costs, if not already included in their current General Rate Cases.

B. What Limitations, If Any, Should the Commission Place on the Utility in Implementing Customer Outreach and Education Programs to Avoid Unfair Competition with Non-Utility Entities?

For the reasons cited in the prior section, PG&E recommends that the Commission defer adoption of any limits on utility outreach and education unless and until the utility proposes to offer specific PEV charging products and services “beyond the meter.”

V. TIMELINE FOR UTILITY RATE DESIGN CHANGES

The Commission should encourage utilities to come forward and obtain expedited Commission review and approval of new and innovative rate design changes to provide PEV customers with more convenient and more flexible pricing options for PEV charging. As stated previously in its workshop comments, PG&E plans to file for approval of changes and revisions to its current E-9 PEV rate schedules in the near future, and will be requesting expedited Commission review and approval of those changes in order to expand the pricing and service options available to its customers when they bring home their new PEVs.

VI. RATE SCHEDULES APPLICABLE TO ELECTRIC VEHICLE SERVICE PROVIDERS

A. For Electric Vehicle Charging in Non-Residential Settings, What Rate Schedule(s) Should Customers With Electric Vehicle Charging Qualify For (e.g. General Service or a New EVSP Rate Schedule), and Why?

As discussed in PG&E's comments on the September 10, 2010, staff workshop report, for non-residential PEV charging, PG&E proposes to utilize its existing portfolio of rate options with one modification discussed below relating to demand charges for public charging stations. This approach will serve to minimize the costs of implementation as well as leverage the knowledge customers currently have with regard to existing rate options. PG&E considers non-residential EV charging under three broad categories of non-residential customers: PEV charging stations, convenience charging in commercial, multi-family and public buildings such as parking garages and apartments, and applications such as fleet charging.

PG&E's menu of commercial and industrial rate options ranges from rates with virtually no fixed charges to fully cost based rates with both demand and customer charge components. For PEV charging stations greater than 500 kW in size, PG&E would simply apply its current rates – Schedules E-19 (mandatory) or E-20, depending on size. These schedules provide both fully cost based time of use demand and energy charges. Commercial and industrial customers

less than 500 kW may currently elect among Schedules A-1, A-6, A-10 and E-19 (voluntary).^{1/} Schedules A-1 and A-6 have, or will soon have, energy prices that vary by time of use, but do not charge specifically for demand based on a per kW rate. PG&E believes that commercial rates without specific charges for demand are an inefficient and inequitable option for PEV charging facilities and thus these options would not be available for this purpose. Instead, Schedule E-19 would be required for all PEV charging stations less than 500 kW. PG&E also offers Schedule A-10 to this customer group. While this option includes time based energy charges, it does not include demand charges that fully reflect cost, and therefore would not be used for PEV charging stations.

Customers that offer PEV charging as a convenience to their customers/tenants would simply continue service on their existing rate schedule, subject to updating or future revisions as appropriate as the PEV market further develops.

Finally, customers that wish to expand their operations to include PEV fleet charging would likely be over 500 kW (including PEV usage) and would appropriately be served on Schedules E-19 or E-20. These customers may, however, elect to separately meter fleet charging and be subject to the same rate applicability as described above for vehicle charging stations.

B. For Electric Vehicle Charging in Residential Settings, What Rate Schedule(s) Should Customers With Electric Vehicle Charging Qualify For (e.g. Residential, General Service or a New EVSP Rate Schedule), and Why?

Also as discussed in PG&E's comments on the September 10, 2010, staff workshop report, PG&E would encourage a fully cost based structure for all PEV rates, with such rates offered on a voluntary, or opt in, basis. Residential PEV rates would be non-tiered and utilize a time of use, time-variant pricing structure. While this structure would allow customers to avoid a tiered rate structure, the rate option would be fair to all customers and not create a significant

^{1/} Rates on Schedule E-19 voluntary differ from Schedule E-19 mandatory only in the size of the customer charge.

subsidy because its cost basis would be well grounded in full cost recovery.^{2/}

PG&E's current residential PEV rate is Schedule E-9. PG&E has determined that E-9 is not optimal for new PEV customers indefinitely in the future and therefore it should be replaced by new rate designs. Most significantly, E-9 was implemented prior to the 2001 energy crisis and thus was frozen by the cap on baseline rates enacted in 2001 which has been partially continued by SB 695. As a result, the lower tier rates in E-9 are far too low relative to marginal energy costs. In addition, the increasing block tier structure frozen into E-9 at the time of the energy crisis is fundamentally at odds with a key goal of PEV rate design today: to encourage off peak charging of new PEV load. Finally, Schedule E-9 was developed as a mandatory PEV rate schedule and thus not consistent with the goal of customer choice or the goal of convenient, easily understood and enforced rate design generally.

A much more efficient and "customer friendly" approach for new PEV rates today is voluntary participation in a fully cost based PEV rate. Because current E-9 rates do not adequately reflect costs and must be updated, there also is little purpose served by mandating customers onto Schedule E-9 during this period while new, modern PEV-friendly rates are implemented. Accordingly, PG&E has filed with the CPUC shortly for approval to remove the mandatory provisions Schedule E-9. We then intend to file for approval of a new, updated PEV residential, non-tiered, time-variant rate.

C. What Special Conditions, If Any, Should be Added to Existing Rate Schedules Pertaining to Electric Vehicle Charging?

See discussion in Sections A and B, above.

D. What Changes to Electric Rules Are Needed, If Any, in the Near Term Pertaining to Electric Vehicle Charging, and Why?

In the near term, PG&E does not propose any changes to its current electric rules to serve

^{2/} At this point, PG&E does not anticipate that PEV charging will constitute a separate rate class, nor that under and overcollections of revenue would need to be monitored or recovered from only EV charging customers (page 27, Staff Options Paper).

PEV customers. However, as the market matures, and we better understand customers' needs and the EV charging behaviors we want to incent, we may proposed changes to the electric rules, including changes to Rules 2, 15, 16 and 18, in order to provide changes in metering, cost recovery and allowances in order to equitably allocate both the costs and benefits of EV charging and inter-sector displacement of fossil fuels. These changes may include changes to Rule 18 to accommodate non-residential charging station installations that are analogous to the treatment of electric sales and other benefits provided by landlords to tenants under that rule.

VII. OVERLAP WITH OTHER PROGRAMS, INCLUDING DEMAND RESPONSE PROGRAMS

PG&E agrees that utilities should be encouraged to file for further piloting and demonstration of PEV charging products and services that would include demand response and load management technologies and services to PEV customers. In addition, these proposals should include appropriate customer education and outreach activities to support the additional support and services provided to customers to support PEVs that have not been funded elsewhere. These proposals can be integrated with other demand response and load management technologies and products that build from the utilities' Advance Metering Infrastructure, such using Home Area Network (HAN) devices and protocols in conjunction with PEV charging services and products offered by utilities, EVSPs, or both. PG&E does not expect load management technologies and products will be available in mass quantities before 2012 or later, but testing and piloting those technologies and products can and should be encouraged as part of utilities' RD&D programs generally over the next few years.

VIII. CONCLUSION

PG&E appreciates the opportunity to provide these comments in response to the questions in the ALJ's Ruling on these important PEV issues.

Respectfully Submitted,
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By: _____ /s/
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Dated: November 12, 2010

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CERTIFICATE OF SERVICE BY ELECTRONIC MAIL OR U.S. MAIL

I, the undersigned, state that I am a citizen of the United States and am employed in the City and County of San Francisco; that I am over the age of eighteen (18) years and not a party to the within cause; and that my business address is Pacific Gas and Electric Company, Law Department B30A, Post Office Box 7442, San Francisco, CA 94120.

On the **12th day of November 2010**, I served a true copy of:

**COMMENTS OF PACIFIC GAS AND ELECTRIC COMPANY (U 39 E)
IN RESPONSE TO OCTOBER 27, 2010, ADMINISTRATIVE LAW JUDGE'S RULING**

- [XX] By Electronic Mail – serving the enclosed via e-mail transmission to each of the parties listed on the official service list for **R.09-08-009** with an e-mail address.
- [XX] By U.S. Mail – by placing the enclosed for collection and mailing, in the course of ordinary business practice, with other correspondence of Pacific Gas and Electric Company, enclosed in a sealed envelope, with postage fully prepaid, addressed to those parties listed on the official service list for **R.09-08-009** without an e-mail address.

I certify and declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on this **12th day of November 2010** at San Francisco, California.

/s/
MARTIE L. WAY

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THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA SERVICE LIST

Last Updated: November 8, 2010

CPUC DOCKET NO. R0908009

Total number of addressees: 194

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Last Updated: November 8, 2010

CPUC DOCKET NO. R0908009

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THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA SERVICE LIST

Last Updated: November 8, 2010

CPUC DOCKET NO. R0908009

Total number of addressees: 194

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THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA SERVICE LIST

Last Updated: November 8, 2010

CPUC DOCKET NO. R0908009

Total number of addressees: 194

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THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA SERVICE LIST

Last Updated: November 8, 2010

CPUC DOCKET NO. R0908009

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THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA SERVICE LIST

Last Updated: November 8, 2010

CPUC DOCKET NO. R0908009

Total number of addressees: 194

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THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA SERVICE LIST

Last Updated: November 8, 2010

CPUC DOCKET NO. R0908009

Total number of addressees: 194

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Last Updated: November 8, 2010

CPUC DOCKET NO. R0908009

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THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA SERVICE LIST

Last Updated: November 8, 2010

CPUC DOCKET NO. R0908009

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