



BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

FILED
10-06-16
04:59 PM

Order Instituting Rulemaking on the Commission's Own Motion to Conduct a Comprehensive Examination of Investor Owned Electric Utilities Residential Rate Structure, the Transition to Time Varying and Dynamic Rates and Other Statutory Obligations

Rulemaking 12-06-013
(Filed June 21, 2012)

PREHEARING CONFERENCE STATEMENT OF THE CONSUMER FEDERATION OF CALIFORNIA AS REQUESTED IN THE SEPTEMBER 30, 2016 ADMINISTRATIVE LAW JUDGE'S RULING INVITING PREHEARING CONFERENCE STATEMENTS AND SETTING NEXT STEPS FOLLOWING THE SEPTEMBER 12, 2016 MARKETING, EDUCATION & OUTREACH WORKSHOP

I. Introduction

Pursuant to the Rules of Practice and Procedure of the California Public Utilities Commission (Commission or CPUC) and the Administrative Law Judge's January 6, 2016 Email ruling (Ruling or ALJ Ruling) inviting comments on the Time-Of-Use Pricing Opt-In Pilot Plan, Consumer Federation of California (CFC) files these comments on the Time-Of-Use Pricing Opt-In Pilot Plan (Report).

II. Comments

Assembly Bill (AB) 327 contains specific statutory conditions and criteria that the Commission must consider and use in requiring or authorizing default residential TOU rates.¹ In D16-09-016, the Commission adopted definitions for specific statutory terms. The ALJ January 2016 Ruling invited comments on 1) identifying open Section 745 issues and suggesting specific approaches to efficiently address these issues, and 2) setting forth a proposed procedural schedule. CFC request that the Commission consider the following issues going forward.

A. Bill Protection, Pay-Out Interval, and Bill Comparisons.

¹ Public Utilities Code Sections 745(c)(l)-(6)

Through the time of use working group, the Investor Owned Utilities (IOUs) unanimously recommend a single pay-out at the end of 12 months.² For consumers, waiting a year for a refund could potentially cause hardship. A monthly pay-out would be preferable, but perhaps create undue administrative costs. A semi-annual pay-out would seem a reasonable compromise. It would also be consistent with the RROIR decision requiring bill comparisons to be provided twice a year.

CFC also recommends the Commission consider the timing of the bill comparisons. CFC's concern is that, delaying the comparison until the 11th hour could leave insufficient time for customers to fully understand and consider their service alternatives; this may well cause some consumers to choose disadvantageous options. Including any pay-out as part of an initial (six months in) information/feedback package would better prepare consumers in understanding their billing options. Consumers will need comparison information well in advance of the time at which they must select a rate option.

B. Treatment of Opt-Out Customers Who Change Residence

The Ruling Matrix shows a unanimous recommendation from the IOUs that Opt-Out status not be transferable from one service territory to another.³ However, CFC considers an Opt-Out as an expression of consumer preference. CFC is concerned that requiring customers to opt-out again after re-locating will nullify that selection. The rationale for requiring a customer to re-opt-out is unclear. CFC would like this issue addressed by the Commission and through the working group.

C. Senior Citizens and Proof of Residence

In its recent decision, the Commission defined senior citizens and determined that a qualifying household did not need to have the senior as its head.⁴ What remains to be

² Administrative Law Judge's January 6, 2016 Email ruling (Ruling or ALJ Ruling) inviting comments on the Time-Of-Use Pricing Opt-In Pilot Plan, Attachment A: 745 Issues Recommendations Matrix, Row 4.

³ Administrative Law Judge's January 6, 2016 Email ruling (Ruling or ALJ Ruling) inviting comments on the Time-Of-Use Pricing Opt-In Pilot Plan, Attachment A: 745 Issues Recommendations Matrix, Row 6.

