

Decision \_\_\_\_\_

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

Order Instituting Rulemaking to Evaluate  
the Mobilehome Park Pilot Program and to  
Adopt Programmatic Modifications.

R. \_\_\_\_\_

**ORDER INSTITUTING RULEMAKING**

**Table of Contents**

<u>Title</u>	<u>Page</u>
ORDER INSTITUTING RULEMAKING .....	1
Summary .....	2
1. Background .....	3
1.1. Resolution E-4878.....	6
1.2. Applications 17-05-007 and 17-05-008.....	8
1.3. WMA Motion .....	9
2. Purpose of Order Instituting Rulemaking.....	10
3. Preliminary Scoping Memo .....	12
3.1. Issues.....	13
3.2. Staff Proposal.....	15
3.3. Issues Out of Scope.....	16
4. Schedule.....	17
5. Categorization, <i>Ex Parte</i> Communications and Need for Hearing.....	18
6. Respondents to the OIR.....	18
7. Service of Order Instituting Rulemaking.....	19
8. Filing and Service of Comments and Other Documents.....	20
9. Addition to Official Service List.....	20
10. Subscription Service.....	21
11. Intervenor Compensation .....	21
12. Public Advisor .....	21
13. Public Outreach .....	21

**ORDER INSTITUTING RULEMAKING****Summary**

The Commission opens this Order Instituting Rulemaking (OIR) to evaluate the Mobilehome Park Pilot Program (MHP Pilot Program),<sup>1</sup> a three-year pilot program adopted in Decision (D).14-03-021 to incentivize mobilehome parks and manufactured housing communities with master-metered natural gas and electricity to convert to direct utility service. Using the results of the evaluation, the Commission will determine whether the MHP Pilot Program should be expanded beyond the initial three-year pilot into a permanent MHP Utility Program, inclusive of the extensions approved in Resolution E-4878, and if so, under what conditions and program rules. While this OIR will evaluate the MHP Pilot Program, the proceeding is not intended to re-litigate the policy or legal findings of D.14-03-021.

If the Commission determines that a permanent MHP Utility Program should be established, this OIR will consider programmatic modifications, including utility-specific requests,<sup>2</sup> based upon the experience and learnings to date from three years of implementation and administration of the MHP Pilot Program. As such, this OIR will subsume the issues put forth in Application (A.) 17-05-007 (consolidated with A.17-05-008). After adoption of this OIR, those

---

<sup>1</sup> The MHP Pilot Program has also been named the Mobilehome Park Utility Upgrade Program by the utilities in various filings.

<sup>2</sup> Programmatic modifications may be proposed by the utilities and interested parties.

applications should be dismissed without prejudice, and the proceedings should be closed.<sup>3</sup>

The OIR will adopt a process by which to evaluate future extension requests beyond those approved in Resolution E-4878. The Commission anticipates completion of this OIR well before the December 31, 2019 program sunset date adopted in Resolution E-4878.

Shortly after issuance of this OIR, the assigned Administrative Law Judge will incorporate into the record via ruling a Staff Proposal prepared by the Commission's Energy Division and Safety and Enforcement Division. The purpose of the Staff Proposal is to provide a starting place on which to answer the questions in the preliminary scope of this OIR. The Staff Proposal will be released in order to present Commission staff's initial thinking and to allow respondents and parties ample time to begin to develop responses to the topics of the OIR. The proposed schedule includes a workshop and comment process to further develop the Staff Proposal in addition to providing parties an opportunity to introduce their own proposals and programmatic modifications.

## **1. Background**

Many residents of mobilehome parks and manufactured housing communities (collectively, MHPs) built in California before 1997 do not receive electricity and/or natural gas directly from the utility providing distribution level service. Instead, the utility serves a master-meter customer (typically, the MHP owner or operator) who then distributes the electricity, natural gas, or

---

<sup>3</sup> On May 5, 2017, Southern California Gas Company and San Diego Gas & Electric Company filed applications to convert up to 20 percent of spaces in their service territories and to continue the program to 2023 (A.17-05-007 and A.17-05-008, respectively) In addition, the two companies requested Commission approval of specific programmatic modifications.

both to individual coaches or homes at the MHP through a privately-owned distribution system.

The Commission opened Rulemaking (R.) 11-02-018 to consider policies that would achieve the goals set out in Public Utilities Code (Pub. Util. Code) §§ 2791-2799<sup>4</sup> to encourage MHPs with master-metered natural gas and electricity to convert to direct utility service. At the time R.11-02-018 was opened, approximately two dozen master-meter/submeter gas and electric system conversions had occurred, representing a small fraction of the overall number of MHPs with master-meter/submeter systems.<sup>5</sup>

In D.14-03-021, the Commission authorized a three-year pilot Mobilehome Park Pilot Program (MHP Pilot Program) to convert MHPs to direct utility service. The Commission adopted D.14-03-021 after it granted a petition for rulemaking by the Western Manufactured Housing Communities Association (WMA) to address a historical deficiency in conversion from master-meter to direct utility service, despite the requirements of §§ 2791-2799. The MHP Pilot Program prioritized safety and delegated authority to the Commission's Safety and Enforcement Division (SED) to identify and select MHPs with the highest potential risk natural gas distribution systems. SED supplemented MHP prioritization with those in greatest need of electric capacity improvements in selecting MHPs for direct utility conversions under MHP Pilot Program.<sup>6</sup>

---

<sup>4</sup> All subsequent code section references are to the Public Utilities Code unless otherwise indicated.

<sup>5</sup> See Decision (D).14-03-021 at 5.

<sup>6</sup> D.14-03-021 at Ordering Paragraph (OP) 3.

D.14-03-021 adopted program design and cost parameters for the initial three-year pilot with a goal to incentivize *voluntary*<sup>7</sup> conversion of ten percent of master-metered residential spaces<sup>8</sup> in each utility's service territory to direct utility service. The MHP Pilot Program applied to both electric and gas services and included "to-the-meter" and "beyond-the meter" distribution system conversions. Under the MHP Pilot Program, utilities were ordered to record actual program costs in a balancing account and seek recovery of both "to-the-meter" and "beyond-the-meter" costs in the utilities' respective General Rate Cases.

D.14-03-021 required each of the eight participating electric and/or gas corporations to file annual reports on the status of the MHP Pilot Program, including, but not limited to, progress made towards implementing the pilot, number of applications received, information about each MHP selected for conversion, construction costs incurred per space reported as "to-the-meter" costs and "beyond-the-meter" costs, and comprehensive cost accounting.<sup>9</sup>

In addition, while adopted as a three-year pilot with an end date of December 31, 2017, Ordering Paragraph 13 of D.14-03-021 provided that "any utility may file a Tier 2 Advice Letter within 45 days of the second annual status report to request a continuation of the conversion program if actual experience

---

<sup>7</sup> Participation by MHPs in the MHP Pilot Program was entirely voluntary; however, each of the eight participating utilities was required to offer the MHP Pilot Program within its California jurisdictional service territory.

<sup>8</sup> The ten percent objective is based on total residential master-metered "spaces" within all sub-metered MHPs in the utility's service territory. In actuality, any given MHP may have less than 10 spaces or hundreds of spaces.

<sup>9</sup> D.14-03-021 at OP 10.

to that point appears to warrant continuation of the program without major modification...”

### **1.1. Resolution E-4878**

Pursuant to Ordering Paragraph 13 of D.14-03-021, Pacific Gas and Electric Company (PG&E), Southern California Edison Company (SCE), San Diego Gas & Electric Company (SDG&E), Liberty Utilities (Liberty), Southern California Gas Company (SoCalGas), and Southwest Gas Corporation (Southwest Gas)<sup>10</sup> each filed advice letters seeking various extension and expansion provisions, including an extension of the program ranging from 2021 to 2023 and an expansion of up to twenty percent of MHP spaces.<sup>11</sup> None of the advice letters contemplated any programmatic modifications beyond the quantity of spaces and program end date.<sup>12</sup>

The Utility Reform Network (TURN) protested the advice letters of PG&E, SDG&E, SoCal Gas and Southwest Gas. In its amended protest, filed on June 21, 2017, TURN recommended that the Commission reject the advice letters with prejudice and require the utilities to submit formal applications because of the

---

<sup>10</sup> Bear Valley Electric Service (Bear Valley) submitted an advice letter pursuant to D.14-03-021 on December 28, 2017. Resolution E-4878 did not address Bear Valley’s request; it is still pending before the Commission. PacifiCorp, to date, has not filed an advice letter seeking expansion or extension.

<sup>11</sup> SCE, SDG&E, SoCalGas and Southwest Gas sought extensions to 2023. Liberty sought an extension to 2021, and PG&E did not specify an extension end date, but instead offered an extension rate of two percent per year. SCE, SDG&E and SoCalGas requested approval to convert twenty percent of spaces. Liberty sought to convert all Tier 2 and Tier 3 spaces, for a total of 536 spaces. Southwest Gas sought approval to convert all Tier 2 spaces and to begin Tier 3 conversions at a rate of 560 spaces per year. PG&E, as mentioned, sought approval for a conversion rate of an additional ~two percent per year. (SED ranked individual MHPs into tiers based on greatest safety risk in order to prioritize conversions.)

<sup>12</sup> The utilities did request changes to their MHP tariffs to reflect the requested extensions.

magnitude of the costs associated with expansion of the MHP Pilot Program, among other concerns. TURN argued that it was inappropriate for the Commission to contemplate a major expansion of a pilot program through the advice letter process without first undertaking an evaluation of the MHP Pilot Program.

In response to the advice letters, the Commission adopted Resolution E-4878, which provided authorization for all currently participating electric and gas utilities to continue their MHP Pilot Programs until the earlier date of either December 31, 2019 or the issuance of a Commission decision for the continuation, expansion or modification of the program beyond December 31, 2019. Resolution E-4878 also adopted the utilities' requests to expand the number of spaces to be converted to utility service in 2018 and 2019, but capped the number of spaces at the levels specified in each utility's respective advice letter filing.

Resolution E-4878 noted that D.14-03-021 did not establish criteria for granting continuation of the MHP Pilot Program for currently participating utilities (that is, it did not establish criteria to determine programmatic success under Ordering Paragraph 13). As such, the Commission's Energy Division worked together with the SED to establish the following criteria:

- 1) Compliance with D.14-03-021;
- 2) Customer benefits;
- 3) Cost and efficiency; and
- 4) Coordination with pending applications (*see* Section 1.2, below).

Using these criteria, the Commission determined (in Resolution E-4878) that it is appropriate to extend the MHP Pilot Program, noting that SED has been in constant consultation with the utilities throughout the implementation and



administration of the MHP Pilot Program. However, the Commission stated that “the issue of whether to make the pilot program permanent or to address various issues in the MHP conversion program for all the utilities should be considered through a formal Commission proceeding such as an Order Instituting Rulemaking.”<sup>13</sup>

### **1.2. Applications 17-05-007 and 17-05-008**

On May 5, 2017, SoCalGas and SDG&E filed Applications (A).17-05-007 and 17-05-008, respectively. In the applications, SoCalGas and SDG&E seek to extend the MHP Pilot Program and recommend certain revisions to the program.<sup>14</sup> TURN and the Office of Ratepayer Advocates (ORA) timely protested the applications. Pursuant to a June 23, 2017 ruling, parties filed and served prehearing conference statements addressing the proper procedural mechanism to address program expansion beyond the initial three-year pilot.<sup>15</sup> Generally stated, the utilities and WMA argued that D.14-03-021 granted the authority to expand the program beyond ten percent through the Tier 2 Advice Letter process and contemplated specific programmatic changes be addressed through an application process.

ORA stated that a comprehensive OIR was premature until the utilities had completed the MHP Pilot Program and achieved the ten percent voluntary

---

<sup>13</sup> Resolution E-4878 at 15.

<sup>14</sup> At the July 25, 2017 prehearing conference the assigned Administrative Law Judge (ALJ) consolidated A.17-05-007 and A.17-05-008.

<sup>15</sup> The following parties filed prehearing conference statements: ORA, SCE, SoCalGas, TURN and WMA.

conversion goal.<sup>16</sup> TURN stated that a comprehensive evaluation of the MHP Pilot Program must occur before the Commission makes a determination to expand the program. TURN left open whether that evaluation should occur as a separate OIR or as a Phase 1 in each utility's application to expand the pilot, which TURN argued should occur through an application, rather than an advice letter.<sup>17</sup>

### **1.3. WMA Motion**

On January 19, 2018, WMA filed a motion in A.17-05-007 (consolidated) requesting approval of scope and seeking procedural guidance for the consolidated proceeding. In the motion, WMA argues that the applications are the appropriate procedural mechanism to review the MHP Pilot Program of each requesting utility (in this case SoCalGas and SDG&E) and to approve expansion or permanence of the MHP Pilot Program or a successor program. WMA also states, however, that if the Commission were to find it necessary to open a separate OIR, the scope of the OIR should be limited to the following:

1. Have the MHP Pilot Programs successfully incentivized voluntary conversions on a combined "to the meter" and "beyond the meter" basis?
2. Are the costs reasonable?
3. If yes to # 1 and # 2, should the MHP Pilot Program be made available to all eligible MHPs and their residents within the utilities' service territories?

---

<sup>16</sup> At the end of the three-year pilot period, none of the utilities had achieved the ten percent target adopted in D.14-03-021; however, all had made significant progress.

<sup>17</sup> Prehearing Conference statements in A.17-05-007 were received into the record prior to issuance of Resolution E-4878.

SCE filed a response to WMA's motion on February 2, 2018 and SoCalGas and SDG&E (jointly, Sempra) filed a response on February 5, 2018. SCE and Sempra agree with WMA that an OIR is unnecessary and all issues related to evaluation and expansion of the MHP Pilot Program are best addressed in utility-specific applications. SCE states that if the Commission were to open an OIR, the scope should be limited, the Commission should establish a strict procedural schedule and the OIR should be ratesetting so that the Commission can request and receive utility program proposals. Sempra states that an OIR scope should be limited to the issues identified by SoCalGas and SDG&E in their applications (A.17-05-007 and A.17-05-008) as well issues identified by any other utility that filed an application seeking to extend the MHP Pilot Program.

SCE's proposed OIR scope:

1. Was the MHP Pilot Program a success? (This question would be limited to a factual inquiry about whether the utilities implemented the MHP Pilot Programs successfully and in accordance with the criteria set forth in D.14-03-021).
2. Should the Commission authorize or order any changes to the MHP Pilot Program based on the facts now known after three years of implementation?
3. Are the utilities' individual rate proposals reasonable?

## **2. Purpose of Order Instituting Rulemaking**

The purpose of this OIR is undertake a comprehensive evaluation of the MHP Pilot Program and to determine based upon that evaluation whether the program should be adopted as a permanent MHP Utility Program on a going forward basis and if so, under what provisions and guidelines. If an MHP Utility Program is found to be in the public interest, this OIR will address the specific programmatic modifications requested by SDG&E and SoCalGas in the consolidated A.17-05-007 as well as any other programmatic modifications

sought by other utilities that have not yet filed an application, or other parties that join this rulemaking. Programmatic modifications proposed by parties will be considered in addition to those set forth in the strawman Staff Proposal (discussed below). It is our intention to complete this rulemaking expeditiously to provide timely guidance to regulated utilities, MHP owners and operators, MHP residents, and other parties interested in the central issue of improving safety through conversion of master-metered natural gas and electricity to direct utility service.

An OIR is the most appropriate process to evaluate a statewide program, while allowing flexibility to address utility-specific issues. While Ordering Paragraph 13 of D.14-03-021 adopted a Tier 2 advice letter process for continuation/expansion of the MHP Pilot Program, it limited that expansion by stating “if actual experience to that point appears to warrant continuation of the program without major modification.” Nowhere in Ordering Paragraph 13 or elsewhere in the ordering paragraphs, however, does D.14-03-021 set forth the criteria, beyond very general statements, on which to make a finding that actual experience points to continuation of the MHP Pilot Program. This lack of the specific criteria upon which to determine whether the program should continue beyond the initial ten percent goal or the December 31, 2017 end date adopted in that decision, leads us to believe that an OIR is the most appropriate process for considering the future of this program. Moreover, because there are eight utilities currently participating in the MHP Pilot, an OIR will provide process uniformity and be more efficient than addressing numerous applications.

This OIR will not re-litigate the overarching policy or legal findings of D.14-03-021. Instead, the OIR will use the findings of D.14-03-021 as a foundation, and will fully consider the utilities’ experience with the MHP Pilot

Program as reported annually on February 1 since 2016, as well as through the record developed in this proceeding.<sup>18</sup> Upon conclusion of this OIR, the Commission will have developed the criteria on which to evaluate the MHP Pilot Program and, using those criteria, will evaluate whether to adopt a permanent MHP Utility Program, and if so, up to what percentage of conversions, under what timeframe, according to what guidelines and principles, and with what ongoing evaluation process. This evaluation will consider general matters applicable to all utilities as well as utility-specific programmatic modifications, if any.

As stated above, this OIR is intended to be relatively narrow in scope; nothing in this OIR should be construed to mean that the Commission is reopening for litigation the fundamental policy and legal determinations of D.14-03-021. The scope of this OIR will also not include a reasonableness review of specific costs incurred by the utilities to date in administering the MHP Pilot Program. Pursuant to D.14-03-021, the utilities are eligible to recover MHP Pilot Program costs, subject to reasonableness review, in each utility's respective General Rate Case.<sup>19</sup> However, the OIR will look at MHP Pilot Programs from a programmatic evaluation perspective (as will be described in the Staff Proposal).

### **3. Preliminary Scoping Memo**

This rulemaking will be conducted in accordance with Article 6 of the Commission's Rules of Practice and Procedure, "Rulemaking."<sup>20</sup> As required by

---

<sup>18</sup> The annual reports are available on the Commission's website here: <http://www.cpuc.ca.gov/mhpupgrade/>.

<sup>19</sup> D.14-03-021 at Section 4.3.3 and Ordering Paragraph 8.

<sup>20</sup> All references to "Rules" are to the Commission's Rules of Practice and Procedure unless otherwise indicated.

Rule 7.1(d), this OIR includes a preliminary scoping memo as set forth below, and preliminarily determines the category of this proceeding and the need for hearing.

### **3.1. Issues**

The main issues to be considered in this rulemaking are:

1. Did the MHP Pilot Program meet the objectives of D.14-03-021?
  - a. In addition to cost factors, what criteria and metrics should the Commission use to determine whether the MHP Pilot Program met the objectives of D.14-03-021?
    - i. Should the Commission evaluate the MHP Pilot Program on a utility-specific level, in aggregate, or both?
  - b. How did the MHP Pilot Program perform under the proposed criteria?
2. Should the Commission extend, expand and transition the MHP Pilot Program to a permanent MHP Utility Program?
  - a. What level of conversions should an MHP Utility Program approve (beyond the ten percent target adopted in D.14-03-021 and inclusive of expansions approved in Resolution E-4878)?
    - i. Should all MHP spaces (i.e., 100%) be converted if MHP owner/operator applies and is determined to be eligible?
    - ii. If less than 100% of MHP spaces should be converted, what percentage should be adopted and on what criteria should that percentage be based (e.g. safety risks, reliability improvements, capacity improvements)?
    - iii. If a percentage-based level is adopted, should the same percentage goal apply to all utilities? If not, what rationale justifies a smaller or larger percentage for any one utility?
  - b. Should a permanent MHP Utility Program have a sunset date?
  - c. Should a permanent MHP Utility Program adopt specific conversion goals and metrics to be achieved according to

- certain timeframes? If so, should the goals, metrics and standards apply to all utilities uniformly, or should the Commission consider utility-specific goals, metrics and timelines?
- d. What cost containment mechanisms should the Commission consider?
- i. Is each utility's cost (including cost-per-space) proposal for conversion reasonable? (Utilities and parties will have an opportunity to propose cost-per-space parameters; this is not a reasonableness review of costs accrued in the MHP Pilot Program)
  - ii. Should the Commission adopt a per-utility cost cap under which costs are to be considered reasonable, and if so, how often and under what parameters should the Commission update adopted cost caps?
- e. Should the Commission consider changes to the cost recovery framework for a permanent MHP Utility Program?
- f. How should the Commission conduct ongoing evaluation of a permanent MHP Utility Program?
- i. What procedural mechanism should the Commission use to evaluate utility progress and programmatic success on an ongoing basis?
    1. Should the Commission continue an annual reporting process or should the Commission require the utilities to submit annual advice letter filings for approval?
    2. What information should be included in annual reports and/or advice letters?
  - g. What procedural mechanism should the Commission use to authorize or implement order any changes to the permanent MHP Utility Program subsequent to those authorized in this rulemaking?
  - h. Should each utility's participation in a permanent MHP Utility Program be voluntary or mandatory?
3. What specific programmatic modifications should the Commission adopt based on facts and learnings from three years of programmatic

implementation and administration? (The Commission will consider the programmatic modifications proposed by SoCalGas in A.17-05-007 and SDG&E in A.17-05-008 as well as other specific utility (or party) requests made during the course of this OIR. The Commission will also consider the programmatic modifications set forth in the Staff Proposal, as discussed in Section 3.2, below.)

- a. Are there any programmatic modifications that can be made to improve participation in other utility services (e.g. broadband)?
- b. Are there any programmatic modifications that can be made to facilitate partnership with municipal utilities for those MHPs that receive municipal utility service?
- c. Are there any programmatic modifications that can be made to ensure participation from MHPs in the state's most disadvantaged communities?

### **3.2. Staff Proposal**

In order to expeditiously resolve the matters of this proceeding, shortly after issuance of this OIR, the assigned administrative law judge will incorporate into the record via ruling a joint Energy Division/SED Staff Proposal. The Staff Proposal will set forth proposed evaluation criteria and will include a high level assessment of the MHP Pilot Program according to those criteria (preliminary scoping issue #1 above). The Staff Proposal will also set forth recommendations for adoption of a permanent MHP Utility Program, if the Commission decides a permanent program is warranted, (preliminary scoping issue#2 above) as well as recommended programmatic changes (preliminary scoping issue #3 above). The purpose of the Staff Proposal will be to create a starting point upon which parties can respond in order to develop a robust record on which the Commission can make its decision regarding a permanent program.

As set forth in the schedule below, the Commission will solicit party comment on the Staff Proposal and will undertake a workshop process to



discuss the Staff Proposal and programmatic modifications offered by parties. Parties are not required to provide comment on the Staff Proposal in comments to the OIR; comments will be accepted at a later date.

### **3.3. Issues Out of Scope**

The following issues are out of scope of this OIR:

1. Evaluation and approval of specific utility costs incurred during the MHP Pilot Program. As determined in D.14-03-021, the Commission will evaluate actual expenditures in each utility's General Rate Case.
2. Any issues related to the overarching legal or policy determinations made in D.14-03-021, including the legality of the program itself, utility funding to-the-meter versus beyond-the-meter costs, etc.

**4. Schedule**

The preliminary schedule for the proceeding is set forth below.

The schedule is:

<b>EVENT</b>	<b>DATE</b>
Comments on OIR filed and served	15 days from OIR
Reply comments on OIR filed and served	20 days from OIR
Prehearing Conference	No more than 45 days from OIR
Scoping Memo	~30-45 days from Prehearing Conference
Utility and party proposals for programmatic modifications filed and served (in addition to those set forth in the Staff Proposal)	~30 days from Scoping Memo
Initial Comments on Staff Proposal and parties' proposed programmatic modifications filed and served	~60 days from Scoping Memo
Workshops on MHP Pilot evaluation, Staff Proposal and proposed programmatic changes	Third Quarter 2018
Ruling issuing revised Staff Proposal	Third Quarter 2018
Comments on Final Staff Proposal and parties' proposed programmatic changes filed and served	Late Third/Early Fourth Quarter 2018
Motions for Hearings filed and served	Fourth Quarter 2018
Reply comments on Staff Proposal and parties' proposed programmatic changes filed and served	First Quarter 2019
Proposed Decision (if no hearings)	No later than 90 days from reply comments
Commission Decision (if no hearings)	No sooner than 30 days after the Proposed Decision

The Assigned Commissioner or the assigned ALJ may change the schedule to promote efficient and fair administration of this proceeding. Today's decision sets due dates for comments on the OIR. The schedule and procedural mechanisms for the remainder of the proceeding will be adopted in the Assigned Commissioner's Scoping Memo.

It is the Commission's intent to complete this proceeding within 18 months of the date this decision is adopted. This deadline may be extended by order of the Commission. (Pub. Util. Code § 1701.5(a).)

**5. Categorization, *Ex Parte* Communications and Need for Hearing**

The category of this proceeding is preliminarily determined to be ratesetting. Accordingly, *ex parte* communications are restricted and must be reported pursuant to Article 8 of the Rules.

The Commission anticipates that the issues of this proceeding can be resolved through a combination of workshops and party comments; therefore, the preliminary schedule adopted herein does not include hearings. However, this OIR will undertake an evaluation process and may make ratemaking determinations that may include factual issues. Therefore, this OIR leaves open the possibility that hearings may be necessary, and the preliminary schedule includes an opportunity for parties to request hearings.

**6. Respondents to the OIR**

The following utilities are listed as respondents to this OIR:

- 1) PG&E
- 2) SCE
- 3) SDG&E
- 4) SoCalGas
- 5) Liberty Utilities
- 6) Southwest Gas
- 7) Bear Valley
- 8) PacifiCorp

**7. Comments on Preliminary Determinations and Scoping Memo**

Entities interested in participating in this OIR may file a response to the preliminary category, scope, schedule and need for hearing determination within 15 days of adoption of this OIR by the Commission (*See Rule 6.2*).

Entities that file responses will be granted party status.

In addition to comments on the Preliminary Scope and Schedule, the Commission seeks comments from parties on what information will be needed and how that information should be presented to expeditiously resolve this proceeding (for example, is the documentation contained in the annual reports required by D.14-03-021 sufficient? In A.17-05-007 and A.17-05-008, SoCalGas and SDG&E provided written testimony. Is written testimony needed to resolve this proceeding or is information best brought in through some other procedural mechanism?)

**8. Service of Order Instituting Rulemaking**

This OIR shall be served upon all respondents. In addition, this OIR shall be served on the Official Service List for the predecessor proceeding, R.11-02-018 (*Order Instituting Rulemaking into Transfer of Master-Meter/Submeter systems at Mobilehome parks and Manufactured Housing Communities to Electric and Gas Corporations*) as well as the service list for the consolidated proceeding A.17-05-007 (*Application of Southern California Gas Company for Approval to Extend the Mobilehome Park Utility Upgrade Program*). Service of the OIR does not confer party status or place a person who has received such service on the Official Service List for this proceeding, other than respondents.

**9. Filing and Service of Comments and Other Documents**

The Commission's Rules of Practice and Procedure govern filing and service of comments and other documents in the proceeding.

Parties are direct to submit prepared testimony, and any exhibits that are offered in evidence, as "supporting documents" using the Electronic Filing System on the Commission's website at <http://www.cpuc.ca.gov/PUC/efiling>. All other exhibits that have been marked for identification shall be submitted by no later than three business days from the conclusion of evidentiary hearings, if applicable.

**10. Addition to Official Service List**

Addition to the official service list is governed by Rule 1.9(f) of the Commission's Rules of Practice and Procedure.

Respondents are parties to the proceeding (see Rule 1.4(d)) and will be immediately placed on the official service list.

Any person will be added to the "Information Only" category of the official service list upon request, for electronic service of all documents in the proceeding, and should do so promptly in order to ensure timely service of comments and other documents and correspondence in the proceeding. (See Rule 1.9(f).) The request must be sent to the Process Office by e-mail ([process\\_office@cpuc.ca.gov](mailto:process_office@cpuc.ca.gov)) or letter (Process Office, California Public Utilities Commission, 505 Van Ness Avenue, San Francisco, California 94102). Please include the Docket Number of this rulemaking in the request.

Persons who file responsive comments thereby become parties to the proceeding (see Rule 1.4(a)(2)) and will be added to the "Parties" category of the official service list upon such filing. *In order to assure service of comments and other documents and correspondence in advance of obtaining party status, persons should*

*promptly request addition to the "Information Only" category as described above; they will be removed from that category upon obtaining party status.*

**11. Subscription Service**

Persons may monitor the proceeding by subscribing to receive electronic copies of documents in this proceeding that are published on the Commission's website. There is no need to be on the official service list in order to use the subscription service. Instructions for enrolling in the subscription service are available on the Commission's website at <http://subscribecpuc.cpuc.ca.gov/>.

**12. Intervenor Compensation**

Intervenor compensation is permitted in this proceeding. Any party that expects to claim intervenor compensation for its participation in this Rulemaking must file its notice of intent to claim intervenor compensation within 30 days of the filing of a response to the OIR, except that notice may also be filed within 30 days of the prehearing conference. Intervenor compensation rules are governed by § 1801 et seq. of the Public Utilities Code. Parties new to participating in Commission proceedings may contact the Public Advisor's office for assistance. Contact information is set forth in Section 13, below.

**13. Public Advisor**

Any person or entity interested in participating in this rulemaking who is unfamiliar with the Commission's procedures should contact the Commission's Public Advisor in San Francisco at (415) 703-2074 or (866) 849-8390 or e-mail [public.advisor@cpuc.ca.gov](mailto:public.advisor@cpuc.ca.gov). The TTY number is (866) 836-7825.

**14. Public Outreach**

Pub. Util. Code § 1711(a) states:

Where feasible and appropriate, except for adjudication cases, before determining the scope of the proceeding, the commission shall seek the

participation of those who are likely to be affected, including those who are likely to benefit from, and those who are potentially subject to, a decision in that proceeding. The commission shall demonstrate its efforts to comply with this section in the text of the initial scoping memo of the proceeding.

Public outreach efforts related to this proceeding will be discussed in the Scoping Memo.

**IT IS ORDERED** that:

1. The Commission opens this Rulemaking pursuant to Rule 6.1 of the Commission's Rules of Practice and Procedure to evaluate the Mobilehome Park Pilot Program adopted in Decision 14-03-021 and to determine whether to adopt a permanent Mobilehome Park Utility Program, and if so, under what parameters and rules. This Rulemaking will use a Staff Proposal, to be incorporated into the record of this proceeding by written ruling shortly after issuance of this Order Instituting Rulemaking, as a starting place to develop the record of this proceeding. The Rulemaking will also address specific programmatic modifications proposed by utilities and parties.

2. The preliminary categorization is ratesetting.

3. The preliminary determination is that hearing is needed.

4. The preliminary scope of issues is as stated in "Section 3" above.

5. A prehearing conference will be set for no later than 45 days from issuance of this Order Instituting Rulemaking (OIR). Comments on the OIR are due 15 days after issuance and replies are due 20 days after issuance. The schedule for the remainder of the proceeding will be adopted in the Assigned Commissioner's Scoping Memo.

6. Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas & Electric Company, Southern California Gas Company, Liberty

Utilities, Southwest Gas Company, Bear Valley Electric Service, and PacifiCorp are listed as respondents to this Order Instituting Rulemaking.

7. Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas & Electric Company, Southern California Gas Company, Liberty Utilities, Southwest Gas Company, Bear Valley Electric Service and PacifiCorp must, and other parties may, file comments to this Order Instituting Rulemaking no later than 15 days after issuance. Reply comments are due no later than 20 days after issuance.

8. The Executive Director will cause this Order Instituting Rulemaking to be served on all respondents and on the service lists for the following Commission proceedings: Rulemaking 11-02-018 *Order Instituting Rulemaking into Transfer of Master-Meter/Submeter systems at Mobilehome parks and Manufactured Housing Communities to Electric and Gas Corporations* and Application 17-05-007 *Application of Southern California Gas Company for Approval to Extend the Mobilehome Park Utility Upgrade Program* (consolidated with Application 17-05-008, *Application of San Diego Gas & Electric Company for Approval to Extend the Mobilehome Park Utility Upgrade Program*).

9. *Ex Parte* communications in this rulemaking are governed by Public Utilities Code Section 1701.3 and Article 8 of the Commission's Rules of Practice and Procedure. Communications with the assigned Administrative Law Judge shall occur either through formal filing or via e-mail sent to the entire service list in this proceeding.

10. A party that expects to request intervenor compensation for its participation in this proceeding must file its notice of intent to claim intervenor compensation within 30 days of the filing of reply comments, except that notice



may be filed within 30 days of a prehearing conference in the event that one is held (*See* Rule 17.1(a)(2).)

This order is effective today.

Dated \_\_\_\_\_, at San Francisco, California.