

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



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Order Instituting Rulemaking on the
Commission's Own Motion to Address the
Issue of Customers' Electric and Natural
Gas Service Disconnection.

Rulemaking 10-02-005
(Filed February 4, 2010)

**COMMENTS OF SAN DIEGO GAS & ELECTRIC COMPANY
(U 902 E) AND SOUTHERN CALIFORNIA GAS COMPANY (U 904 G)**

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July 7, 2010

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I. INTRODUCTION

Pursuant to Rule 14.3 of the Rules of Practice and Procedure of the California Public Utilities Commission (the "Commission"), San Diego Gas & Electric Company ("SDG&E") and the Southern California Gas Company ("SoCalGas"), (collectively, the "Joint Utilities"), provide their Comments in to the proposed *Interim Decision Implementing Methods to Decrease the Number of Gas and Electric Utility Service Disconnections* ("PD"). The PD:

- Continues the requirement that all PG&E, SDG&E, SCE, and SoCalGas customer service representatives ("CSRs") must inform any customer that owes an arrearage on a utility bill that puts the customer at risk for disconnection that the customer has a right to arrange a bill payment plan extending for a minimum of three months in which to repay the arrearage.
- Continues to allow these CSRs the discretion to extend the period in which to pay the arrearage from three months up to twelve months.
- Provides that California Alternate Rates for Energy ("CARE") customers in the PG&E, SDG&E, SCE, and SoCalGas service territories are not required to pay additional reestablishment of credit deposits with a utility for either slow-payment/no-payment of bills or following a disconnection.

- Provides that no customer who is disabled or otherwise presents evidence that a disconnection would create a safety or health risk shall be disconnected without an in-person visit from a utility representative.
- Directs SDG&E and SoCalGas to develop an automatic payment plan that allows new customers or reconnecting customers a payment option that is in lieu of a cash deposit for credit. Requires PG&E and SCE to continue to offer their non cash credit deposit options to all new customers and those required to post a reestablishment of credit deposit following a disconnection.
- Directs PG&E, SDG&E and SCE to collect from customers a reestablishment of credit deposit following a disconnection based on twice the average monthly bill, rather than twice the maximum monthly bill. Requires SoCalGas to continue its current reestablishment of credit deposit amount of a two-month average bill.
- Directs SoCalGas and SDG&E to waive reestablishment of credit deposits for late payment of bills. Requires PG&E and SCE to continue their practice of not collecting credit deposits for late payment of bills.
- Directs SoCalGas, SDG&E, SCE and PG&E to recommend to the Commission uniform notice of disconnection procedures.
- Directs PG&E and SCE to provide a field representative who can collect on a bill during an in-person visit prior to disconnection for medical baseline, life support or disabled customers. Requires SDG&E and SoCalGas to continue this practice.
- Directs PG&E, SCE, SDG&E and SoCalGas to implement these customer service disconnection practices by October 1, 2010.

- Authorizes PG&E, SCE, SDG&E and SoCalGas to charge significant costs associated with complying with the new practices in this decision to their memorandum accounts.¹

The above disconnection measures were adopted, in large part, because the PD found that they “do not appear to have significant cost implications which would otherwise be borne by other ratepayers.”² Because there are potentially other, more costly, in-language and communications practices, which may prove useful in reducing utility disconnections, the Commission intends to analyze the cost effectiveness of these practices. Finally, the PD does not address any cost recovery associated with compliance with the disconnection practices proposed in the PD, but authorizes the utilities to record these costs in their memorandum accounts authorized by R.10-02-005. The Commission will assess the cost issues and cost recovery in the next phase of this proceeding.

II. OVERVIEW

The Joint Utilities must again commend the Commission for its laudable efforts to reduce the number of residential utility service disconnections due to nonpayment. SDG&E and SoCalGas have already taken significant steps to address the same goals, as demonstrated by their low levels of disconnection rates.³ SDG&E and SoCalGas have worked diligently to develop comprehensive and balanced approaches to help customers avoid disconnections, approaches that include financial assistance, direct utility interaction, and enhanced media outlets

¹ The PD further directs that all of the proposed disconnection measures be effective until January 1, 2012, the anticipated effective date of general rate cases (“GRCs”) for three of the four utilities. The PD also continues the disconnection data reporting requirements adopted in Rulemaking (“R.”) 10-02-005, but added other data reporting.

² PD, at p. 3.

³ SoCalGas’ CARE disconnect rate was below 0.40% in all but one month in 2007, and the average monthly CARE disconnect rate in 2009 was 0.35%, virtually the same level that existed before the economic crisis. Moreover, the average monthly disconnect rate for SoCalGas non-CARE customers was 0.19% in 2009, compared to 0.29% in 2008 and 0.27% in 2007. SDG&E’s CARE disconnect rate in 2009 averaged 0.30%—less than the level of .31% that existed before the economic crisis in 2007. Moreover, the average monthly disconnect rate for non-CARE residential customers was 0.12% in 2009, compared to 0.14% in 2008 and 0.15% in 2007.

and more outreach efforts to publicize customer assistance programs.⁴ In light of the fact that the economy is not recovering fast enough and new jobs are not being created soon enough,⁵ the Joint Utilities appreciate that the PD focuses the attention of the proceeding more on the neediest of residential customers and considers the costs associated with implementing these practices. The PD seeks to adopt practices that have minimal cost implications, while permitting the utilities to “include any significant additional costs of the adopted changes in their memorandum accounts.”⁶ This proposal represents a reasonable approach to develop new cost-effective measures that assist residential customers avoid disconnection, while offering restraint in not unduly burdening other ratepayers with additional measures without further cost consideration. The Joint Utilities appreciate the suggestions presented in the PD and submit the following comments.

III. DISCUSSION

A. Uniform Disconnection Notice

The PD directs the utilities to recommend to the Commission uniform notice of disconnection procedures before October 1, 2010.⁷ Specifically, the utilities are ordered to confer and jointly recommend notice procedures that can be uniformly applied to all the utilities. While the Joint Utilities have communicated with other utilities regarding this

⁴ See The Response of San Diego Gas & Electric Company and the Southern California Gas Company to the Order Instituting Rulemaking to Establish Ways to Improve Customer Notification and Education to Decrease the Number of Gas and Electric Utility Service Disconnections dated March 12, 2010, p. 5; *see also* Reply Comments of San Diego Gas & Electric Company and the Southern California Gas Company to the Order Instituting Rulemaking to establish ways to Improve Customer Notification and Education to Decrease the Number of Gas and Electric utility Service Disconnections, dated April 2, 2010, pp. 17-18.

⁵ In fact, many now posit that the nation will experience a double-dip, or W-shaped, recession, which occurs when the economy has a recession, emerges from the recession with a short period of growth, but quickly falls back into recession. See Jeannine Aversa, “Double-Dip Recession Defined,” *Huffington Post* (July 1, 2010); Annalyn Censky, “Double Dip Recession: What Are the Odds?” *CNNMoney.com* (June 9, 2010) available at http://money.cnn.com/2010/06/09/news/economy/double_dip_recession/index.htm.

⁶ PD, at p. 9.

⁷ PD, at Ordering Paragraph (“OP”) 10.

requirement and are committed to working with the other utilities on this matter, preliminary discussions have determined that there may be time and IT concerns that may inhibit our collective ability to meet the October 1 deadline. For example, the utilities will have to further research IT options and discuss necessary IT upgrades to determine whether the October 1 deadline can be met. This process will not happen overnight, but will progress as the utilities further consider the necessary updates and upgrades to their internal systems necessary to achieve uniform notice of disconnection procedures. The Joint Utilities are committed to working with the other utilities to develop a more uniform disconnection notice requirement and will work diligently to meet the October 1, 2010 deadline and commit to come back to the Commission as soon as possible if the October 1 deadline cannot be achieved.

B. Autopay

The PD requires that SDG&E and SoCalGas develop an automatic payment plan that allows new customers or reconnecting customers a payment option that is in lieu of a cash deposit for credit.⁸ SDG&E and SoCalGas currently have an auto debit program, which they propose can be used as an option in lieu of a cash deposit. Specifically, in lieu of paying a cash deposit, customers will be allowed to enroll in the program, and must remain in good standing for a minimum of twelve months.

C. Due Date of Monthly Disconnection Reports

The PD directs the utilities to provide their monthly disconnection reporting to the Energy Division by the 20th of each month.⁹ However, the Executive Director previously issued a response to a request from the Utilities in this proceeding to authorize the utilities to submit their reports on the 25th of the month due to the date upon which the necessary information is

⁸ PD, at OP 6.

⁹ PD, at p. 24.

available.¹⁰ Under the initial OIR, the monthly reports were due on the 12th day of the month, but the parties in the proceeding requested a change to the 25th of the month to allow more time to collect and verify the necessary data. For this same reason, the Joint Utilities request that the PD be modified to allow the utilities to submit their Monthly Disconnection Reports on the 25th of each month.

IV. CONCLUSION

The Joint Utilities appreciate this opportunity to provide comment to the PD and support it with the revisions proposed herein.

Respectfully submitted,

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July 7, 2010

¹⁰ Letter from Paul Clanon, Executive Director, California Public Utilities Commission to Harvey Morris, Assistant General Counsel, California Public Utilities Commission dated May 7, 2010.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing **COMMENTS OF SAN DIEGO GAS & ELECTRIC COMPANY (U 902 E) AND SOUTHERN CALIFORNIA GAS COMPANY (U 904 G)** on all parties identified in Docket No. R.10-02-005 by U.S. mail and electronic mail, and by Federal Express to the assigned Commissioner(s) and Administrative Law Judge(s).

Dated at San Diego, California, this 7th day of July, 2010.

/s/ JOEL DELLOSA
Joel Dellosa



California Public
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[TOP OF PAGE](#)
[BACK TO INDEX OF SERVICE LISTS](#)