



BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA

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Application of Pacific Gas and Electric Company for Approval of the 2009-2011 Low Income Energy Efficiency and California Alternate Rates for Energy Programs and Budget (U39M).	Application 08-05-022 (Filed May 15, 2008)
Application of San Diego Gas and Electric Company (U902M) for Approval of Low-Income Assistance Programs and Budgets for Program Years 2009-2011.	Application 08-05-024 (Filed May 15, 2008)
Application of Southern California Gas Company (U904G) for Approval of Low-Income Assistance Programs and Budgets for Program Years 2009-2011.	Application 08-05-025 (Filed May 15, 2008)
Application of Southern California Edison Company (U338E) for Approval of Low-Income Assistance Programs and Budgets for Program Years 2009, 2010 and 2011.	Application 08-05-026 (Filed May 15, 2008)

**REPLY COMMENTS OF THE DIVISION OF RATEPAYER ADVOCATES
ON THE PROPOSED DECISION DENYING THE PETITION
OF SAN DIEGO GAS & ELECTRIC COMPANY AND
SOUTHERN CALIFORNIA GAS COMPANY TO MODIFY DECISION 08-11-031**

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I. INTRODUCTION

Pursuant to Rule 14.3 of the Rules of Practice and Procedure for the California Public Utilities Commission (“Commission”), the Division of Ratepayer Advocates (“DRA”) hereby files its Reply Comments on the September 28, 2010 *Proposed Decision*

Denying Petition of San Diego Gas & Electric Company¹ and Southern California Gas Company² To Modify 08-11-031 (“PD”).

DRA supports the contention of SDG&E, SoCalGas, (“Joint Utilities”), ACCES, Telacu and Maravilla, Synergy, and the Energy Efficiency Council that the PD should be modified to include omitted Low Income Energy Efficiency (LIEE) measures. In particular, adding in measures to the LIEE program is an important benefit to low-income consumers that the Commission should neither delay nor deny. DRA also supports the contention of the Joint Utilities and Disability Rights Advocates (DisabRA) that D.08-11-031 should better describe the Commission-approved approach of soliciting disabled customer status from customers. Aiding the ability of the utility to track its disabled customers is critical to achieving the goal that 15% of LIEE-treated households be disabled as set forth in D.08-11-031.

The Commission should encourage and support the type of ongoing program refinement such as the instant requests by the Joint Utilities to enhance the LIEE measures offered to low-income customers and enhance the utilities’ ability to better identify low-income disabled customers.

II. DISCUSSION

A. It Is Critical That The Commission Approve Installation of Inadvertently Omitted LIEE Measures

DRA joins the chorus of support for modifying D.08-11-031 with regard to authorizing inadvertently omitted LIEE measures.³ The Joint Utilities requested D.08-11-031 be modified to authorize the installation of certain LIEE measures such as furnace clean and tune, attic insulation, duct testing and sealing, and air sealing. These measures were inadvertently omitted and therefore are not reflected in Attachments F2

¹ SDG&E

² SoCalGas

³ Opening Comments of the Joint Utilities, the Energy Efficiency Council, ACCES, Telacu and Maravilla, and Synergy Companies on The Proposed Decision Denying SDG&E and SoCalGas’ Petition to Modify D.08-11-031, October 18, 2010

and F3 of D.08-11-0-31. The Joint Utilities reiterate this request in their Opening Comments because many LIEE customers will needlessly be denied this benefit if the Commission does not make the requested modification. For the most effective program, the Commission should welcome the inclusion of cost-effective measures into LIEE program at any time. As the Energy Efficiency Council states, “The Commission should be deeply troubled by this inadvertent omission and be requiring The Petitioner (and any other IOU who realizes at any time during the budget cycle that measures were inadvertently omitted) to IMMEDIATELY implement these missed measures, not telling them to wait until program year 2012.”⁴ While the PD is certainly correct that it is preferable for “all applicants to be mindful of what they include in their applications and make and seek corrections early on in the budget cycle after a decision is issued,”⁵ a three year program cycle must allow room for updates to improve the program.

B. The Commission Should Authorize Furnace Clean and Tune as an Add-Back Measure for Health & Safety

DRA supports the positions in Opening Comments that Furnace Clean and Tune is essential to LIEE program penetration and is essential to health & safety of LIEE customers.

C. The Commission Should Modify Ordering Paragraph 31 Regarding Disabled Status

DRA supports DisabRA’s request that the Commission modify Ordering Paragraph 31 to clarify the permissible means of utilities asking customers if someone in the customer’s household is disabled. DisabRA believes clarification will enhance the implementation of D.08-11-031 and is in the best interest of customers. Although the Joint Utilities indicate in their Opening Comments that they will implement the written option to identify without Commission approval, DisabRA’s explains that the current

⁴ Opening Comments of the Energy Efficiency Council on The Proposed Decision Denying SDG&E and SoCalGas’ Petition to Modify D.08-11-031, October 18, 2010, p.3.

⁵ Proposed Decision Denying SDG&E and SoCalGas’ Petition to Modify D.08-11-031, October 18, 2010, p.6.

language in D.08-11-031 is not clear enough. The Commission should make the requested modification to Ordering Paragraph 31 as recommended by DisabRA.

III. CONCLUSION

DRA respectfully requests that the Commission approve the above requested measures by DRA and other parties.

Respectfully submitted,

/s/ RASHID A. RASHID

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October 25, 2010

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of “**REPLY COMMENTS OF THE DIVISION OF RATEPAYER ADVOCATES ON THE PROPOSED DECISION DENYING THE PETITION OF SAN DIEGO GAS & ELECTRIC COMPANY AND SOUTHERN CALIFORNIA GAS COMPANY TO MODIFY DECISION 08-11-031**” in **A.08-05-022 et al.**, by using the following service:

E-Mail Service: sending the entire document as an attachment to an e-mail message to all known parties of record to this proceeding who provided electronic mail addresses.

U.S. Mail Service: mailing by first-class mail with postage prepaid to all known parties of record who did not provide electronic mail addresses.

Executed on **October 25, 2010** at San Francisco, California.

/s/ ALBERT HILL

Albert Hill

SERVICE LIST A.08-05-022 et al.

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