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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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)

REPLY COMMENTS OF THE CONSUMER FEDERATION OF CALIFORNIA IN RESPONSE TO ADMINISTRITATIVE LAW JUDGE'S REQUEST FOR ADDITIONAL INFORMATION

Administrative Law Judge Regina DeAngelis ("ALJ DeAngelis") issued a Ruling dated October 27, 2010 ("Ruling") seeking additional information and setting a comment schedule. The Ruling addressed cost of separate meters, how a customer should pay for separate meters, whether there should be a submetering protocol, customer education and outreach, electrical vehicle applicable rate schedules, and Smart Grid overlap issues. Opening comments in response to the ALJ DeAngelis' request were filed November 12, 2010. Consumer Federation of California ("CFC") hereby submits these reply comments in response to ALJ DeAngelis'requests.

I. COST OF SEPARATE METER

Many parties agreed that PEV customers who choose to use a separate meter should bear the cost of that meter. DRA pointed to Commission precedents supporting the notion that "relevant customer class[es] should bear the cost incremental cost." [1]Parties such as Clean Energy Fuels "recommended assignment of cost responsibility" so as to preclude

[1] DRA Opening Comments in response to ALJ DeAngelis' Ruling at 2.

cross-subsidization by non-participating customers.[2] Finally there were parties that felt that separate meters should be borne by the general body of ratepayers.

As mentioned earlier, CFC recognizes the long-term benefits of plug in electric vehicles. However, these goals can still be achieved without unnecessary costs to the average ratepayer. Plug-in Electric vehicles are expensive and those who purchase these vehicles will most likely be those who are more economically inclined. It makes sense that if a customer is able to afford a plug-in vehicle, the same customer will also be able to afford one's own separate meter/meter installation. However, other options are available, such as submetering and whole house metering so as to maintain flexibility and encourage access to electric vehicles.

With regards to financing a separate meter, it is important to weigh the benefit of flexibility of payment options for a particular customer purchasing a separate meter against the potential cost to non-participating customers. As mentioned earlier, charges paid by the customer upfront is the best option to ensure that other ratepayers aren't carry the cost. With meter charges, the question becomes whether the utilities' initial financing of the separate meter is paid with ratepayer funds. Under meter charges or on-bill financing options, the utility may ratebase the initial investment using general ratepayer funds and then collect the cost from the individual customers. Consequently, general ratepayers would still be paying for the separate meter without any benefit to them. In the alternative, if the utility initially finances the meter using shareholder funds instead of ratepayer funds, then meter charges would be the next best option as the utility would pay for the upfront cost and the cost would be recovered through meter charges on the PEV customer class only.

[2] Clean Energy Fuels Corporation Opening Comments in response to ALJ DeAngelis' Ruling at 2.

I. SUBMETERING PROTOCOL

SDG & E recommended a wait-and-see approach with regards to the PEV market before developing submeters, while other parties agreed that submeters should be an option and that there should be minimum standards in place for submeters. CFC urges the Commission to adopt a submetering protocol so that customers faced with a choice between different metering options, will be able to choose meters with minimum standards in place to ensure safety, quality and accuracy of such meters. CFC also believes that there should be minimum standards in place, if applicable, for separate PEV meters.

There was general consensus concerning the adoption of metering requirements similar to the requirements developed in Decision 98-12-080 for direct access meters. Many parties agreed, including CFC, that each requirement developed for direct access cannot be applied exactly to PEV submeters, however, the requirements developed for direct access meters can be tailored appropriately to fit PEV meters.

A. SUBMETERING STANDARDS SHOULD BE CONSISTENT ON A WHOLESALE AND RETAIL LEVEL

Although this may be outside the scope of this particular question, when it comes time for the Commission to adopt a submetering protocol, the Commission should take measures to ensure that standards are consistent on both a wholesale and retail level. For example, submetering working groups can divided into wholesale and retail teams. These teams can hold joint sessions to ensure the two sets of metering standards are as consistent as possible.

II. UTILITY CUSTOMER EDUCATION AND OUTREACH

As mentioned earlier, CFC is hesitant to support Education and Outreach programs designed by utilities, and is more supportive of outreach programs developed by entities that are more likely to be impartial to private business interests, like the Commission or community based organizations. However, CFC does believe that there is room for educating PEV owners as a branch of the utilities customer service.

In addition, CFC cautions the Commission to adopt PG & E's recommendation regarding notification and exchange of a customer's information without further scrutiny. PG & E's recommendation reads as follows[3]:

> [T]here 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 an 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 data clearinghouse should 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.

CFC urges the Commission to consider the privacy implications with regards to exchange of customer-specific information to develop this data clearinghouse. Currently, the Commission is addressing privacy issues in the Smart Grid proceeding and in the process of promulgating regulations to protect customer privacy.

[3] PG & E reply comments in response to ALJ's Ruling at 5.

This data clearinghouse would also involve third party exchange of customer information and therefore similar safeguards would need to be implemented.

Dated December 3, 2010

Respectfully submitted,

_____//s//_____,

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CERTIFICATE OF SERVICE

I, Nicole A. Blake, hereby certify that I have this day served a true and original copy ofthis **REPLY COMMENTS OF THE CONSUMER FEDERATION OF CALIFORNIA IN RESPONSE TO ADMINISTRITATIVE LAW JUDGE'S REQUEST FOR ADDITIONAL INFORMATION** on all known parties of record in proceeding R.09-08-009 by delivering a copy via email to the current service list or by delivering a copy via U.S. First Class mail to those parties of the current service list with undeliverable email addresses.

Executed on December 3, 2010, in San Mateo, CA.

By: _____//s//_____

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