

BEFORE THE PUBLIC UTILITIES COMMISSION OF
THE STATE OF CALIFORNIA



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Application of Pacific Gas and Electric Company (U-39-M) To Revise Its Electric Marginal Costs, Revenue Allocation, and Rate Design, including Real Time Pricing, to Revise its Customer Energy Statements, and to Seek Recovery of Incremental Expenditures

Application 10-03-014
(Filed March 22, 2010)

PROTEST OF DISABILITY RIGHTS ADVOCATES

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April 26, 2010

I. INTRODUCTION

Pursuant to California Public Utilities Commission (“Commission”) Rule of Practice and Procedure 2.6, Disability Rights Advocates (“DisabRA”) files this timely protest to the Application of Pacific Gas and Electric Company To Revise Its Electric Marginal Costs, Revenue Allocation, and Rate Design, including Real Time Pricing, to Revise its Customer Energy Statements, and to Seek Recovery of Incremental Expenditures, which was filed on March 22, 2010 and first appeared in the Commission’s Daily Calendar on March 25, 2010. DisabRA is concerned about the impact that PG&E’s rate design proposals could have on residential customers with disabilities, particularly given that people with disabilities are disproportionately low-income and also tend to be heavy energy consumers and thus may be impacted more than other customer segments by the creation of a third tier with higher rates that PG&E plans to establish for CARE customers who use relatively large amounts of energy. DisabRA also wishes to ensure that the Revised Customer Energy Statements (“RCES”) that PG&E intends to finalize through this proceeding are as accessible as possible to customers who have difficulty reading standard print and that alternative formats of these statements are made available to customers with disabilities who need them. These two issues are important to the people with disabilities in PG&E’s service territory that DisabRA represents, and DisabRA would like to see both issues addressed in this proceeding.

PG&E’s application proposes multiple changes in residential rates, several of which could have negative consequences for customers with disabilities. Although PG&E projects a net decrease in residential rates, most of this decrease comes from combining the top three tiers of residential customers, where tiers are defined by energy usage, and significantly lowering the rates for those in the top tier.¹ Because affluent customers with large homes are likely to occupy the top tier of energy consumption, and

¹ Application of Pacific Gas and Electric Company To Revise Its Electric Marginal Costs, Revenue Allocation, and Rate Design, including Real Time Pricing, to Revise its Customer Energy Statements, and to Seek Recovery of Incremental Expenditures (“Application”), p. 5.

because demographic data shows that people with disabilities are more often found in low-income households, few people with disabilities are likely to benefit from rate reductions at the top tier of energy use.² However, PG&E customers who are not in the top tier can anticipate a slight increase in rates under PG&E's proposal, and some of those who will experience the largest increase in rates relative to what they are currently paying are those participating in the California Alternative Rate for Energy ("CARE") program who are relatively heavy energy users. PG&E anticipates creating a third tier of CARE customers who use more than 130% of the baseline energy quantity and charging these customers a rate that is one-and-a-half times as high as the Tier 1 CARE rate.³ Thus, at the same time that PG&E is reducing rates for non-CARE residential customers who use more than 130% of the energy baseline, it is raising rates on low-income households who exceed the baseline by the same amount, building in a "conservation incentive" for these low-income customers that is not extended to their more well-resourced peers.⁴

This realignment of rates is likely to have a disproportionate impact on customers with disabilities for two reasons. First, because people with disabilities tend to cluster towards the lower end of income distributions, even a moderate increase in rates may be difficult for this population to absorb. Second, people with disabilities tend to use more energy than others at the same income level, both because they often spend more time at home than those without disabilities and because the assistive technology that many people with disabilities use to meet their mobility, communications and medical needs relies on electrical power. Relatively heavy energy consumers who are not at the very top tier of energy use are likely to undergo a rate hike under the new rate structure proposed by PG&E, and those individuals who have incomes low enough to qualify them

² Additionally, people with disabilities are more likely to be medical baseline customers, who will also see a disproportionate increase in their bills under PG&E's proposal.

³ Application, pp. 5-6.

⁴ See Application, p. 6.

for CARE and who use a relatively large amount of energy would experience particularly sharp rate increases through the new Tier 3 CARE rate. This includes medical baseline customers. Because many people with disabilities both have low incomes and use a relatively large amount of energy, DisabRA is concerned that PG&E's proposed changes to its rate structures will fall especially hard on people with disabilities, particularly those people with disabilities who can least afford them. These issues need to be addressed in detail in this proceeding.

The second matter that DisabRA wishes to raise in this protest involves the Revised Customer Energy Statements that PG&E plans to implement during this general rate case. DisabRA made certain recommendations with respect to maximizing the accessibility of PG&E bills when the prospect of redesigning PG&E bills was first raised in Application 06-06-026, and many of those recommendations were adopted by the Commission in Decision 07-07-047. While PG&E declares that it will comply with D.07-07-047 as it deploys its revised billing statements,⁵ DisabRA wishes to ensure that its recommendations on accessibility are incorporated into the new statement designs. This includes both maximizing the accessibility of standard print bills by providing key information in large, high-contrast type as well as ensuring that alternative formats of those statements are made available upon request. DisabRA will be tracking the development of the revised customer statements throughout this proceeding and recommends that the Commission remind PG&E of its continuing obligation to maximize the accessibility of those statements to its disabled customers.

While DisabRA reserves the right to raise other issues of concern throughout the course of this proceeding, the above two topics, each of which is clearly within the scope of this Application, are the primary areas on which we intend to focus.

⁵ Application, p. 7.

Signed: April 26, 2010

Respectfully submitted,

_____/s/_____

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CERTIFICATE OF SERVICE

I certify that I have, by electronic mail to the parties to which an electronic mail address has been provided, served a true copy of “Protest of Disability Rights Advocates” on all known parties to A. 10-03-014, et al.

Dated April 26, 2010, at Berkeley, California.

/s/
Kaitlin Anderson

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