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09-21-11
10:54 AM

MP1/gd2 9/21/2011

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Pacific Gas and Electric Company for Approval of Modifications to its SmartMeter™ Program and Increased Revenue Requirements to Recover the Costs of the Modifications. (U39M)

Application 11-03-014
(Filed March 24, 2011)

(NOT CONSOLIDATED)

Application of Utility Consumers' Action Network for Modification of Decision 07-04-043 so as to Not Force Residential Customers to Use Smart Meters.

Application 11-03-015
(Filed March 24, 2011)

(NOT CONSOLIDATED)

Application of the County of Santa Barbara, the Consumers Power Alliance, et al For Modification Of D.08-09-039 And A Commission Order Requiring Southern California Edison Company (U338E) To File An Application For Approval Of A Smart Meter Opt-Out Plan.

Application 11-07-020
(Filed July 26, 2011)

**ASSIGNED COMMISSIONER'S RULING
CONCERNING CUSTOMER REQUESTS TO DELAY
INSTALLATION OF A SMART METER**

This Assigned Commissioner's Ruling establishes certain requirements that must be included in the procedures adopted by Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company to allow customers who currently have an analog meter and have

asked to be on the utility delay list to keep their analog meter while the Commission considers an opt-out program.¹

Discussion

On March 24, 2011, Pacific Gas and Electric Company (PG&E) filed Application (A.) 11-03-014 seeking Commission approval of modifications to its SmartMeter program to provide its customers an option to opt-out of its smart meter program. PG&E's application was in response to a directive by Commission President Michael Peevey. On that same day, the Utility Consumers' Action Network filed A.11-03-015 seeking modification of Decision (D.) 07-04-043 to order San Diego Gas & Electric Company (SDG&E) to develop a proposal or proposals to allow residential SDG&E customers to opt-out of the mandatory use of smart meters. On July 26, 2011, the County of Santa Barbara, along with 17 other applicants, filed A.11-07-020 seeking modification of D.08-09-039 and an order requiring Southern California Edison Company (SCE) to file an application for approval of a smart meter opt-out plan.

A workshop to consider various opt-out options that could be offered by PG&E, SCE, and SDGE (collectively, the investor owned utilities or IOUs) was held on September 14, 2011. At the workshop, questions concerning the procedures for customers who currently have analog meters and have requested to delay installation of a smart meter were raised and discussed. Based on the discussion at the workshop, there appears to be some confusion on how a customer may request a delay and the duration of such a delay. The IOU

¹ For purposes of these proceedings, the term "smart meter" means a digital electric or gas meter installed at a customer's property that transmits customer usage data from the meter to the utility through wireless communications.

representatives also stated they would appreciate further direction from the Commission concerning such delay lists.

Although the investor owned utilities have stated that they currently have procedures in place for customers² seeking to delay installation of a smart meter, I agree that additional guidance is needed. While I do not believe it is necessary to adopt a uniform set of procedures applicable to all the IOUs, each IOU's procedures must include the following:

1. The IOU shall provide information on its website that if a customer currently has an analog meter, the customer may request a delay in the installation of a smart meter. The information shall include instructions for how the customer may make such a request.
2. The IOU shall provide the customer sufficient advance notice that a smart meter will be installed so that the customer may request that installation be delayed.
3. Any customer who currently has an analog meter and requests a delay in the installation of a smart meter shall be placed immediately on a "delay list."
4. Once a customer has been placed on the delay list, a smart meter shall not be installed at the customer's location unless:
 - a. The customer contacts the IOU and requests that he/she be removed from the delay list; or
 - b. The IOU sends a letter to the Commission's Executive Director for authority to install a smart meter at the customer's location. A copy of that

² For purposes of these procedures, "customer" refers to the customer of record for the account.

letter shall also be sent to the affected customer. The IOU must receive written authorization from the Executive Director before installing a smart meter at any customer account on the IOU's delay list.

The investor owned utilities shall include the foregoing requirements in their procedures for customers who currently have analog meters and wish to delay installation of a smart meter no later than three business days after the mailing date of this Assigned Commissioner's Ruling. Southern California Gas Company (SoCalGas) has stated that it will not deploy smart meters in its service territory until the end of 2012. As such, it does not make sense to require SoCalGas to have its procedures to allow customers to delay installation of a smart meter in place at this time.

IT IS RULED that no later than three business days after the mailing date of this Assigned Commissioner's Ruling, Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company shall include the following requirements as part of their procedures for customers who currently have analog meters and wish to delay installation of a smart meter:

1. The investor-owned utility (IOU) shall provide information on its website that if a customer currently has an analog meter, the customer may request a delay in the installation of a smart meter. The information shall include instructions for how the customer may make such a request.
2. The IOU shall provide the customer sufficient advance notice that a smart meter will be installed so that the customer may request that installation be delayed.

3. Any customer who currently has an analog meter and requests a delay in the installation of a smart meter shall be placed immediately on a “delay list.”
4. Once a customer has been placed on the delay list, a smart meter shall not be installed at the customer’s location unless:
 - a. The customer contacts the IOU and requests that he/she be removed from the delay list; or
 - b. The IOU sends a letter to the Commission’s Executive Director for authority to install a smart meter at the customer’s location. A copy of that letter shall also be sent to the affected customer. The IOU must receive written authorization from the Executive Director before installing a smart meter at any customer account on the IOU’s delay list.

Dated September 21, 2011, at San Francisco, California.

/s/ MICHAEL R. PEEVEY
Michael R. Peevey
Assigned Commissioner