

Decision 00-12-036 December 21, 2000

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking on the Commission’s Proposed Policies Governing Restructuring California’s Electric Services Industry and Reforming Regulation.

Rulemaking 94-04-031
(Filed April 20, 1994)

Order Instituting Investigation on the Commission’s Proposed Policies Governing Restructuring California’s Electric Services Industry and Reforming Regulation.

Investigation 94-04-032
(Filed April 20, 1994)

OPINION EXTENDING CERTAIN MONTHLY REPORTING REQUIREMENTS

1. Summary

This decision extends the reporting requirements for two monthly reports that are submitted by the utility distribution companies (UDCs) to the Commission’s Energy Division. These reports contain information about: (1) direct access implementation activities; and (2) which entities are installing direct access meters and which entities are providing electricity billing services. The UDCs are directed to continue submitting these monthly reports through the month ending September 30, 2002, unless further extended by the Commission.

2. Background

In Decision (D.) 97-05-040, the Commission directed the UDCs to submit monthly reports beginning on November 15, 1997, to the Director of the Energy Division and to other interested parties, regarding their direct access

implementation activities for the prior month. Originally, this reporting requirement was to have terminated with the report ending for the month of June 30, 1999. (D.97-05-040, Ordering Par. 5.e.(5), p. 93.) The Commission's Energy Division requested that this requirement be extended, and in D.99-05-034, the Commission extended the reporting requirement to terminate with the report ending for the month of December 31, 2000. The Commission also allowed the Energy Division to collect additional information in these monthly reports. (D.99-05-034, Ordering Par. 14, p. 140.)

The Commission also adopted a requirement in D.99-05-034 that the UDCs provide the Commission with information about which entities are installing direct access meters, and which entities are billing for electrical services. This monthly information is provided in a format agreeable to the Energy Division. D.99-05-034 provides that this monthly reporting requirement is to terminate with the activities ending for the month of December 31, 2000, unless extended by the Commission. (D.99-05-034, pp. 107-108; Ordering Par. 16, p. 141.)

The Energy Division has requested that both reporting requirements described above be extended.

3. Discussion

We first address the reporting requirement for direct access implementation activities. The requirement for the UDCs' monthly reporting of direct access implementation activities will expire with the report for the month ending December 31, 2000. Ordering Paragraph 14.b. and d. of D.99-05-034 specifically reserved the Commission's right to extend the reporting requirement.

As noted at page 106 of D.99-05-034, these monthly reports provide the Commission with valuable data about the number of customers participating in direct access, and for compiling statistics about the market. In addition, these

reports provide information about the ability of the UDCs to process the direct access transactions.

Given the price spikes in electricity experienced during this past summer, we believe that the monthly reports should be extended so that we can track the participation of customers in the direct access marketplace. Accordingly, we will require the UDCs to continue submitting the monthly report on their respective direct access implementation activities through the month ending September 30, 2002, unless further extended by the Commission. The UDCs shall continue to report the information in the format requested by the Energy Division.

Since D.99-05-034 modified the language in D.97-05-040 to provide that the Commission could extend the reporting requirement, there is no need to modify the language and ordering paragraph in D.97-05-040, as modified by D.99-05-034. Instead, this decision shall serve as notice to the UDCs that the reporting of their monthly direct access implementation activities shall be extended through the month of September 30, 2002, unless further extended by the Commission.

The second reporting requirement, which the Energy Division recommends be extended, is the monthly report concerning the installation of direct access meters and the billing of electricity services. As noted at page 107 of D.99-05-034, the Commission retains regulatory oversight over electricity metering and billing.

The monthly reports submitted by the UDCs provide the Commission with information about who is installing direct access meters, and which entities are providing billing services for electricity. Not only is this information of value for oversight of the entities who provide these services, but, in addition, this information provides us with information about competition in the provisioning of metering and billing services.

Due to the value of these monthly reports, we will also extend the reporting requirement as provided for in Ordering Paragraph 16.b. of D.99-05-034, and require the UDCs to continue submitting their monthly reports on which entities are installing direct access meters, and which entities are performing the billing of electricity. The UDCs shall continue to submit these monthly reports, in the format requested by the Energy Division, through the month ending September 30, 2002, unless further extended by the Commission.

Comments on Draft Decision

The draft decision of ALJ Wong in this matter was mailed to the parties in accordance with Section 311(g)(1) of the Public Utilities Code and Rule 77.7 of the Rules of Practice and Procedure. No comments to the draft decision were filed.

Findings of Fact

1. In D.97-05-040, the UDCs were directed to submit monthly reports to the Director of the Energy Division and to other interested parties, regarding their direct access implementation activities.
2. The direct access implementation activity reporting requirement was extended in D.99-05-034 to terminate with the report ending for the month of December 31, 2000, unless further extended by the Commission.
3. D.99-05-034 also imposed upon the UDCs a requirement that they report on which entities are installing direct access meters, and which entities are billing for electricity.
4. The second reporting requirement is to terminate with the activities ending for the month of December 31, 2000, unless further extended by the Commission.
5. The Energy Division has requested that both of the reporting requirements be extended.

6. The reports on the direct access implementation activities provide the Commission with valuable data about the number of customers participating in direct access, for compiling statistics about the market, and about the ability of the UDCs to process the direct access transactions.

7. The Commission retains regulatory oversight over electricity metering and billing.

8. The reports containing information about who installs direct access meters and who bills customers for electricity is of value for oversight of these entities, and for providing the Commission with information about competition in the provisioning of these services.

9. There is no need to modify the language in D.97-05-040 or D.99-05-034 to reflect the extension of the reporting requirements.

Conclusions of Law

1. The requirement for the monthly reporting of direct access implementation activities should be extended through the month ending September 30, 2002, unless further extended by the Commission.

2. The requirement for the monthly reporting of which entities are installing direct access meters, and which entities are performing the billing of electricity should be extended through the month ending September 30, 2002, unless further extended by the Commission.

3. This decision shall serve as notice to the UDCs that the two reporting requirements discussed in this decision shall be extended through the month of September 30, 2002, unless further extended by the Commission.

O R D E R

IT IS ORDERED that:

1. The reporting requirement regarding the direct access implementation activities for each month, as directed in Decision (D.) 97-05-040, and as modified by D.99-05-034, shall continue as provided below:

- (a) The utility distribution companies (UDCs) shall continue to submit to the Director of the Energy Division, and to other interested parties, a monthly report containing the information described in D.97-05-040 in the format as directed by the Energy Division.
- (b) Unless further extended by the Commission, this reporting requirement shall terminate with the report ending for the month of September 30, 2002.

2. The reporting requirement covering which entities are installing direct access meters, and which entities are doing the billing of electrical services, as directed in D.99-05-034, shall continue as provided below:

- (a) The UDCs shall continue to submit to the Energy Division a monthly report containing the information described in D.99-05-034 in the format as directed by the Energy Division.

(b) Unless further extended by the Commission, this reporting requirement shall terminate with the report ending for the month of September 30, 2002.

This order is effective today.

Dated December 21, 2000, at San Francisco, California.

LORETTA M. LYNCH
President
HENRY M. DUQUE
JOSIAH L. NEEPER
RICHARD A. BILAS
CARL W. WOOD
Commissioners