

Decision 07-09-037 September 20, 2007

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of Pacific Gas and Electric Company  
for Authority to Increase Revenue Requirements  
to Recover the Costs to Deploy an Advanced  
Metering Infrastructure. (U 39 E)

Application 05-06-028  
(Filed June 16, 2005)

**OPINION MODIFYING DECISION 06-07-027 REGARDING  
PACIFIC GAS AND ELECTRIC COMPANY'S AUTHORITY  
TO DEPLOY ADVANCED METERING INFRASTRUCTURE**

**Summary**

Decision (D.) 06-07-027 authorized Pacific Gas and Electric Company (PG&E) to deploy a new Advanced Metering Infrastructure (AMI), and to file an Automated Data Exchange (ADE) proposal within one year of the decision's effective date. This decision grants PG&E's petition for modification of D.06-07-027 to extend the time period to file an ADE proposal to within three years of the original July 20, 2006 effective date of D.06-07-027. This proceeding is closed.

**Background**

In PG&E's AMI proceeding, the School Project for Utility Rate Reduction (SPURR), the Silicon Valley Leadership Group (SVLG), and e-Meter, as Joint Parties, proposed that PG&E implement an Automated Data Exchange that would make customer data available to qualified third parties at the same time and on the same terms as such data would be made available to PG&E's internal departments. The Commission ordered PG&E to file an ADE application and

cost recovery proposal after the utility conducted publicly noticed open workshops. The text of the decision also stated the application should be filed “no later than one year from the effective date of the decision.” (D.06-07-027, *mimeo.*, p. 57.) The decision inadvertently did not include the decision text’s one-year requirement in an ordering paragraph, but PG&E treated the deadline as if included in the ordering paragraph and therefore filed this petition to extend the deadline.

### **Procedural History**

PG&E filed the petition for modification on July 3, 2007, pursuant to Rule 16.4 of the Commission’s Rules of Practice and Procedure. Notice of the petition appeared in the Commission’s July 9, 2007 Daily Calendar. The Division of Ratepayer Advocates (DRA) filed a timely response on August 2, 2007 and the assigned Administrative Law Judge allowed PG&E to file a reply on August 10, 2007.

### **Discussion**

A petition for modification of a Commission decision must concisely state the justification for the requested relief and must propose specific wording to carry out all requested modifications to the decision. Any new or changed facts must be supported by an appropriate declaration or affidavit. (Rule 16.4(b).) PG&E met these requirements.

PG&E’s petition, the attached declaration, and the other attached documents demonstrate that PG&E complied with the requirements included in D.06-07-027. And after completing the workshops and, based on the results of a market study, PG&E and other parties agree there is insufficient demand to justify the time and expense necessary to implement the ADE service now.

The ADE service was a customer-driven proposal which the Commission adopted in order to respond to the perceived benefits of the service and the needs of customers. ADE is not a necessary or integral part of the overall AMI program. We can therefore defer consideration of ADE for two more years without harming the AMI program objectives.

DRA proposed that the Commission grant a two years extension, pointing out that it will take time until there is a large number of meters actually deployed and in service. DRA concludes:

The Commission should direct PG&E to develop a new ADE proposal under a schedule that would allow ADE to be implemented as soon as there are a substantial number of AMI meters activated (under the current deployment schedule, in approximately two years). The ADE system should provide residential and small commercial customers, as well as larger customers, access to their own usage data, in a way that is useful to customers interested in conserving energy and making energy efficiency improvements in their homes and businesses. (DRA Response, pp. 6 - 7.)

PG&E replied that:

[It] shares DRA's support of data products that will further the state policy goals of promoting energy efficiency and reducing electricity demand during peak periods. PG&E wishes, however, ... to note that some of [DRA's] suggestions appear to be contrary to the requirements for an ADE proposal specified in the Decision. Also, while PG&E concurs with DRA concerning the need to provide customers with access to their interval data information, PG&E plans to ultimately address much of this need through the Customer Web Presentment (CWP) service rather than ADE. (PG&E Reply, p. 1.)

In the underlying decision, D.06-07-027, we presented our discussion and policy determination on customer access to data (*mimeo.*, pp. 53 - 56) and as a result ordered PG&E to conduct open workshops before filing an application for

ADE. This decision on the request for an extension of time is not the forum to modify that determination to specifically adopt or deny any of DRA's current suggestions included in its comments. We can clarify, however, that our intention in requiring workshops was to ensure all parties had an open forum so that PG&E would have a full spectrum of input before filing an informed application that would best meet the needs of customers and service providers. Given the extension of time granted here, we expect PG&E to continue with further timely workshops where DRA and others can express their views before PG&E files either the ADE application or offers its CWP service.

### **Comments on Proposed Decision**

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to § 311(g)(2), the otherwise applicable 30-day period for public review and comment is being waived.

### **Assignment of Proceeding**

Michael R. Peevey is the assigned Commissioner and Douglas Long is the assigned Administrative Law Judge in this proceeding.

### **Findings of Fact**

1. PG&E conducted open workshops and prepared a detailed market analysis to develop a viable ADE proposal in compliance with D. 06-07-027. Based on those workshops and market analysis, PG&E and other parties agree there is insufficient demand to justify the time and expense necessary to implement the ADE service now.
2. Future enhancements and service offerings, including consideration of further input from all stakeholders in subsequent timely workshops, are possible either through ADE or CWP.

### **Conclusions of Law**

1. It is reasonable to extend by two years the deadline in D.06-07-027 for PG&E to file an application to offer an ADE service.
2. Further timely workshops are in the public interest and consistent with D.06-07-027.
3. A.05-06-028 should be closed.
4. The decision should be effective immediately so that PG&E can have certainty regarding the date to file its ADE application

### **O R D E R**

#### **IT IS ORDERED** that:

1. The deadline for Pacific Gas and Electric Company (PG&E) to file an application to offer an Automated Data Exchange (ADE) service is extended to three years from the July 20, 2006, the effective date of Decision (D.) 06-07-027.
2. Ordering Paragraph 12 in D.06-07-027 is modified to read:

PG&E shall conduct timely publicly noticed open workshops prior to filing an application for authority to implement an Automated Data Exchange to allow customers and customer-authorized third parties access to detailed account data. PG&E shall file the Automated Data Exchange application no later than three years, from the effective date of this decision, or by July 19, 2009.

3. Application 05-06-028 is closed.

This order is effective today.

Dated September 20, 2007, at San Francisco, California.

MICHAEL R. PEEVEY

President

DIAN M. GRUENEICH

JOHN A. BOHN

RACHELLE B. CHONG

TIMOTHY ALAN SIMON

Commissioners