

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



FILED

10/21/24
04:59 PM
R1807005

Order Instituting Rulemaking to Consider
New Approaches to Disconnections and
Reconnections to Improve Energy Access
and Contain Costs.

Rulemaking 18-07-005
(Filed July 12, 2018)

**REPLY COMMENTS OF THE UTILITY REFORM NETWORK, CENTER
FOR ACCESSIBLE TECHNOLOGY, AND NATIONAL CONSUMER
LAW CENTER ON THE PROPOSED INTERIM DECISION
EXTENDING DISCONNECTION RATE CAPS**

David Cheng, Staff Attorney
The Utility Reform Network
360 Grand Avenue, #150
Oakland, CA 94610
(619) 398-3680 x103
dcheng@turn.org

Melissa W. Kasnitz, Legal Director
Center for Accessible Technology
3075 Adeline Street, Suite 220
Berkeley, CA 94703
(510) 841-3224
service@c4at.org

Olivia Wein, Senior Attorney
National Consumer Law Center
1001 Connecticut Avenue, NW, Suite 510
Washington, DC 20036
(202)452-6252, x103
owein@nclc.org

October 21, 2024

**REPLY COMMENTS OF THE UTILITY REFORM NETWORK, CENTER FOR
ACCESSIBLE TECHNOLOGY, AND NATIONAL CONSUMER LAW
CENTER ON THE PROPOSED INTERIM DECISION EXTENDING
DISCONNECTION RATE CAPS**

I. INTRODUCTION

Pursuant to Rule 14.3 of the Commission’s Rules of Practice and Procedure, The Utility Reform Network (“TURN”), Center for Accessible Technology (“CforAT”) and National Consumer Law Center (“NCLC”) (together, “Joint Consumers”) submit these timely joint reply comments in response to opening comments by UCAN and CalCCA on the Proposed Interim Decision Extending Disconnection Rate Caps (“Interim PD”), issued on September 26, 2024. TURN, CforAT and NCLC agree with UCAN and CalCCA that additional data and study are needed before the Commission can effectively consider changes to the existing disconnection rate caps. This is consistent with the position taken by the Joint Consumers in substantive comments about the disconnection rate cap filed in this docket on October 4, 2024.

II. UCAN AND CALCCA APPROPRIATELY NOTE THE NEED FOR MORE DATA AND STUDY BEFORE THE CAP SHOULD BE REMOVED

In opening comments, UCAN correctly notes that the IOUs are currently disconnecting customers at rates well below their authorized caps, both on average and in each individual month since disconnections were allowed to resume.¹ Furthermore, UCAN notes that SDG&E’s 12-month disconnection rate was just 1.48% as of August 2024, yet SDG&E’s arrearages have already dropped 24%.² This supports the Joint Consumers’ previous statement that there is no evidence whether a non-zero disconnection rate cap would increase the level of arrearages, since knowing that one could possibly be disconnected for nonpayment is very different from

¹ UCAN Opening Comments, pp. 3-5.

² UCAN Opening Comments, p. 5.

knowing that one will not be disconnected regardless of whether one pays.³ CalCCA similarly notes that the extension of the disconnection caps will provide time for the Commission to evaluate data to determine the impact of disconnection caps on customer disconnection risk and arrearages.⁴ The Joint Consumers agree with UCAN and CalCCA and urge the Commission to maintain the disconnection caps.

III. JOINT CONSUMERS PREVIOUSLY REQUESTED COMPARABLE ACTION IN SUBSTANTIVE COMMENTS

As noted by Joint Consumers in Joint Reply Comments on the Administrative Law Judge’s Ruling on Disconnection Caps, filed on October 4, 2024, “the IOUs are not able to estimate the effect of disconnection rate caps on arrearages, nor are they able to support the claim that a higher disconnection rate cap would reduce arrearages.”⁵ On this basis, more data is needed to evaluate the impact of the cap on consumer debt.

In order to address this issue, Joint Consumers suggested that, “[i]n the future, the Commission could perform a comprehensive review that looks at many of the factors related to disconnections – the affordability of rates, the effectiveness of various policies and programs at reducing disconnections, the economic environment, and other relevant factors. This would help the Commission determine the effect of a non-zero disconnection rate cap on arrearages. Such an evaluation would require data, in-depth analysis, and input from various stakeholders, and TURN, CforAT, and NCLC would welcome the opportunity to participate in such a study.”⁶

³ Joint Consumers Reply Comments (October 4, 2024), pp. 2-3.

⁴ CalCCA Opening Comments, p. 3.

⁵ Joint Consumers Reply Comments, p. 4.

⁶ Joint Consumers Reply Comments, p. 4.

Consistent with the recommendations of UCAN and CalCCA, now is the appropriate time for such a review. The Commission should extend the current disconnection caps for the duration of time required for a comprehensive study and evaluation to take place, and should only take further action on the basis of such a study and evaluation.

IV. CONCLUSION

Joint Consumers appreciate the opportunity to provide reply comments and respectfully ask the Commission to extend the disconnection caps until a more in-depth study of the relationship between disconnection caps and arrearages could be conducted.

Dated: October 21, 2024

Respectfully submitted,

By: _____/S/_____

David Cheng
Staff Attorney

THE UTILITY REFORM NETWORK
360 Grand Avenue, #150
Oakland, CA 94610
Phone: (619) 398-3680 x103
E-mail: dcheng@turn.org
Authorized to sign for CforAT and NCLC