

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Rulemaking regarding whether, or subject to what Conditions, the suspension of Direct Access may be lifted consistent with Assembly Bill 1X and Decision 01-09-060.

Rulemaking 07-05-025
(Filed May 24, 2007)

**DECISION ADOPTING PROCESS IMPROVEMENTS
FOR ADMINISTERING ENROLLMENTS OF DIRECT ACCESS RIGHTS**

1. Introduction

This decision adopts revised procedures regarding the processing of enrollments of Direct Access (DA) rights pursuant to Decision 10-03-022, whereby qualifying customers became eligible to enroll in DA, subject to new limits pursuant to Senate Bill (SB) 695 (Stats. 2009, ch. 337).¹ These provisions apply within the service territories of Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company.

¹ DA offers eligible retail customers the option to purchase electric power from a competitive provider. See Decision (D.) 95-12-063, as modified by D.96-01-009 (1995) 64 Cal. PUC 2d 1, 24, and codified in Assembly Bill 1890 (Stats. 1996, ch. 854). On October 11, 2009, SB 695 was signed into law as an urgency statute, adding Section 365.1 (b) to the Public Utilities Code, which states in pertinent part:

The commission shall allow individual retail nonresidential end-use customers to acquire electric service from other providers in each electrical corporation's distribution service territory, up to a maximum allowable total kilowatt hours annual limit.

In this decision, we also grant the February 23, 2012 motion of Alliance for Retail Energy Markets, Direct Access Customer Coalition, and Retail Energy Supply Association for a waiver of the requirement to file motions for future status reports regarding the DA enrollment process. We also establish an ongoing requirement for updated status reports on the DA enrollment process to be prepared and published annually by the Energy Division, as discussed below. Finally, we adopt the uncontested proposals, as explained below, for improvements to promote fairness, transparency, and efficiency in the DA enrollment process.

2. Background

Under the process adopted in Decision (D.) 10-03-022, qualifying customers or their designated agents submitted a notice of intent (NOI) to sign up for Direct Access (DA) during the Open Enrollment Window (OEW) and thereafter as additional load became available under the annual caps. The new enrollments were to be phased in over four-years, starting in 2010, subject to annual caps. During the OEW for 2010 (designated as Year 1 of the phase-in), customers submitting NOIs significantly exceeded the cap on DA transactions allowed under D.10-03-022.

Alliance for Retail Energy Markets (AReM) and California Alliance for Choice in Energy Solutions subsequently filed a joint motion on June 4, 2010, requesting that the Investor-Owned Electric Utilities (IOUs) produce a status report on the DA enrollment process for the Year 1 OEW to provide assurance to interested parties that management of the large number of requests to enroll in DA was conducted in compliance with the first-come/first-served requirements of D.10-03-022.

By the ruling dated June 23, 2010, assigned Commissioner Michael Peevey declined to require IOUs each to produce a status report, but directed the Commission's Energy Division (ED) to produce a status report on the results of its own internal review of IOU compliance with D.10-03-022 in managing the Year 1 DA enrollment process. ED provided the Year 1 status report on July 16, 2010, as updated on August 2, 2010, presenting an analysis of the IOUs' process, and the extent of DA over-subscription. ED did not find evidence that the utilities administered the NOI process unfairly.

On April 20, 2011, AReM, Retail Energy Supply Association (RESA),² and Direct Access Customer Coalition (DACC) (collectively, Joint Parties) filed a motion for an updated status report for the Year 2 and 3 DA enrollment process to ensure continued compliance with D.10-03-022, to provide information to determine whether or how enrollment processes could be improved, and to inform the public about the DA demand. On July 1, 2011, the assigned Administrative Law Judge (ALJ) granted the motion, and directed ED to produce the status report by July 15, 2011.

On February 23, 2012, AReM, DACC, and RESA filed a new motion for an updated status report on the OEW process for the completion of the phase-in period. In addition, because parties had to file a motion each time to obtain updated status reports on DA enrollments, the Joint Parties requested a blanket waiver of the requirement for parties to file new motions to obtain subsequent status report updates on DA enrollment implementation results. While the four-year phase-in of DA enrollments as authorized under D.10-03-022 had completed, the Joint Parties indicated that future status reports on DA implementation may still be useful. The Joint Parties argued, however, that filing a motion each time to obtain such reports is a waste of resources and time.

The February 23, 2012 motion proposed that ED prepare ongoing annual status reports summarizing the results of the DA enrollment process for the previous year for each utility, to include information regarding retail customer demand for DA service and the effectiveness of the DA enrollment process.

Responses to the February 23, 2012 motion were filed on March 9, 2012 by Pacific Gas and Electric Company (PG&E) and jointly by Southern California Edison Company (SCE) and San Diego Gas & Electric Company (SDG&E). The IOUs generally support the request for a blanket waiver to the extent that status reports are limited to an annual basis. PG&E recommended, however, that before the Commission rules on the waiver request, interested parties discuss and resolve (1) the details of the ongoing process that should be followed if and when space becomes available under the overall direct access cap, and; (2) the reporting requirements that should accompany the process. PG&E also asked for more specificity in terms of information to be provided in subsequent status reports and the frequency of the reports.

In their response to the February 23, 2012 motion, the IOUs also noted that in November 2010, parties had submitted a Working Group Report in this proceeding, containing proposed process improvements for managing the DA load cap after the increases authorized by D.10-03-022 are phased in.²

The IOUs stated that it was timely for the Commission to take action on the Working Groups' proposed process improvements.

By the ruling dated March 26, 2012, the ALJ granted the request for an updated status report to include (1) the results of the enrollment process for

² See Joint Compliance Filing of PG&E, SDG&E and SCE on Informal Working Groups 1, 2 and 3, dated November 15, 2010, Attachment C, Working Group 3 Report.

Years 3 and 4 including numbers of customers and amount of load associated with accepted NOIs; the numbers of rejected NOIs broken down by before and after 9 AM on the first day of enrollment; (2) the time that elapsed to fill the Year 3 and Year 4 caps and thereafter; and (3) the number of customers that submitted an accepted notice to switch for Years 1, 2 and 3, but failed to complete the Direct Access Service Request process and were placed on Transitional Bundled Service.

The March 26, 2012, ruling deferred action on the request for a blanket waiver from the requirement to file motions to obtain future reports pending further clarification regarding the information to be provided in such reports and their frequency. On May 31, 2012, a subsequent ALJ ruling was issued, soliciting comments on the blanket waiver request and the Working Group Report's recommendations regarding:

1. The ongoing process to be followed if and when additional space becomes available under the DA load cap;
2. The specific reporting requirements that should accompany the process;
3. Potential objections to the November 15, 2010 Working Group Report proposals for process improvements for managing the DA load cap after phase-in is complete;
4. The specific information to be provided in subsequent status report updates on DA implementation results; and
5. Frequency intervals for providing future status reports.

A response to the May 31, 2012 ruling was filed on July 10, 2012. The responsive comments were jointly sponsored by AReM, California Manufacturers & Technology Association (CMTA), DACC, Energy Users Form (EUF) (i.e., the DA Parties), as well as by the IOUs. The July 10, 2012 joint

comments represent the consensus of all active parties in this phase of the proceeding.

The response contained a consensus proposal that ED prepare annual status reports on an ongoing basis, summarizing the results of the DA enrollment process for the previous year for each utility. The status reports would include information on retail customer demand for DA service and the effectiveness of the DA enrollment process. The status reports also would include the following information:

1. Number of valid Six-Month Notices submitted to the utility during the Submission Period. Duplicate Six-Month Notices will not be reported;
2. Amount of DA load, in annual gigawatt hours (gWh), available under the Overall DA Load Cap as of the commencement date of the lottery; and
3. Lottery number assigned to the last customer given an opportunity to switch during the year. (Assuming 1, 2, 3...) Number of customers and associated annual gWh of customer loads that remained on the waiting list as of December 31 of the previous year.

Under the consensus proposal, the utilities would provide the above information to the ED by April 1 of each year, for the previous year, beginning in 2014. The Joint Parties propose that ED aggregate the utility information, and issue a status report in May of each year, beginning in 2014. The blanket waiver would be no longer valid and the utilities would be relieved of the reporting responsibility if the process changes in such a way that the required data is no longer relevant (i.e., if the DA limits are lifted), or if the submission process is eliminated.

3. Discussion

3.1 Blanket Waiver and Ongoing Status Reporting

No party opposes the request for a blanket waiver from the requirement to file motions to obtain subsequent status reports on the DA enrollment process. We grant the request for a blanket waiver. For each year, covering 2010, 2011, and 2012, parties have had to submit a motion to obtain information on the status of the enrollment of direct access customers. The requested information is not available to the public unless provided, in aggregated fashion, by the IOUs or the Commission. Release of this information is in the public interest, because it demonstrates compliance with the law and Commission order and indicates the demand for DA by California consumers.

In order to provide ongoing updates regarding the DA enrollment process, we direct ED to prepare annual status reports as to the DA enrollment process. We adopt the consensus proposal that future status reports contain the following:

1. Number of valid Six-Month Notices submitted by the utility during the Submission Period. Duplicate Six-Month Notices will not be reported.
2. Amount of DA load, in annual gWh, available under the Overall DA Load Cap as of the commencement date of the lottery.
3. Lottery number assigned to the last customer given an opportunity to switch during the year. (Assuming 1, 2, 3....) Number of customers and associated annual gWh of customer loads that remained on the waiting list as of December 31 of the previous year.

We also adopt the requirement that IOUs each provide the above information to the ED by April 1 of each year, for the previous year, beginning in 2014. The ED will aggregate the utility information, and issue a status report in

May of each year, beginning in 2014. The blanket waiver will be no longer valid and the utilities will be relieved of the reporting responsibility if the process changes in such a way that the required data is no longer relevant (i.e., if the DA limits are lifted), or if the submission process is eliminated.

3.2 DA Enrollment Process Improvements

We also adopt the recommendations of parties for DA enrollment process improvements, as set forth in the July 10, 2012 joint response to the ALJ ruling. In the November 15, 2010 Working Group Report, an annual enrollment was proposed, which would align with an annual request for status reports. The November 15, 2010, Working Group Report suggested process improvements for managing the DA load cap after the phase-in is completed. The suggested improvements were to:

- a. Eliminate the Original DA Declaration and DA Load Growth Affidavit;
- b. Modify the Customer Assignment Affidavit;
- c. Develop a new Replacement Affidavit;
- d. Modify the Relocation Affidavit;
- e. Implement an electronic DA Service Request;
- f. Standardize the Six-Month Notice Submissions;
- g. Modify the DA enrollment process;
- h. Establish a lottery enrollment; and
- i. Postpone the January 2011 enrollment window.

In their July 10, 2012 response to the ALJ ruling, the Joint Parties expressed no objections to the Commission's adoption of the Working Group proposals for process improvements, but noted that Items g through i above are replaced with the proposed lottery process (set forth in Appendix 1). In this decision, we adopt the uncontested recommendations that were specifically addressed in the July 10,

2012 response to the ALJ ruling, namely adoption of a lottery process to replace the current first-come/first-served process, and adoption of the revised customer relocation affidavit form. The remaining suggested process improvements summarized in the November 15, 2010, Working Group Report were not explicitly addressed in the July 10, 2012 joint response to the ALJ ruling. Accordingly, we take no action on those suggestions in this decision. To the extent that formal Commission approval is deemed necessary for any remaining suggested process improvements, a request for Commission approval should be filed as a Tier 2 advice letter.

3.3 Lottery Process

During the technical workshop to address DA process improvements, parties recognized that the current process of first-come/first-served for DA enrollment had created some issues for customers and the utilities. To foster a level playing field, the working group recommended that the first-come/first-served DA enrollment process be replaced with a lottery process. The Joint Parties filing comments on July 10, 2012, reached agreement that a lottery process be implemented as set forth in Appendix 1 of this decision. No party opposes the adoption of the proposed Lottery Process.³ We agree that the proposal for a lottery process is fair to all concerned parties. We find the proposal offers a useful improvement to facilitate a level playing field, and hereby adopt the proposal as set forth in Appendix 1.

³ EUF and CMTA support parties' proposed lottery process, but express preference for the first-come/first-served process (referred to as Option 2 in the Working Group Report), which EUF, CMTA and others proposed in the 2010 Working Group meetings.

3.5 Revised Customer Relocation Affidavit Form

The Joint Parties also propose a modification to the November 2010 Working Group Report's revised Customer Relocation Affidavit Form, to add a new option where the customer can qualify for DA in connection with changing the location of some or all of its business premises. The revised language is as follows⁴:

D. "Current Location" means one or more existing customer Premises where the electric load of one or more service accounts is currently being served under DA. "New Location" means different Premises than the Current Location to which the customer intends to relocate all or part of its business and operations from the Current Location. The New Location may only consist of one service account at which the customer has been receiving bundled service. The New Location shall not be eligible for DA service until all electric service accounts billing under the same customer of record at the Current Location have been terminated. Customer must submit this request to Utility no later than 90 days from the date all the service accounts at the Current Location have been terminated.

We conclude that the proposal for a revised Relocation Affidavit provides useful clarity regarding options when a DA customer relocates some or all of its business from one location to another. The proposed revisions are supported by all parties. We hereby adopt them.

Waiver of Comment Period

Pursuant to Rule 14.6(b) of the Commission's Rules of Practice and Procedure, all parties stipulated to waive the 30-day public review and comment period required by Section 311 of the Public Utilities Code and the opportunity to

⁴ See Appendix 2.

file comments on the proposed decision. Accordingly, this matter was placed on the Commission's agenda directly for prompt action.

Assignment of Proceeding

Mark J. Ferron is the assigned Commissioner and Thomas J. Pulsifer is the assigned ALJ in this proceeding.

Findings of Fact

1. DA offers eligible retail customers the option to purchase electric power from a competitive provider subject to prescribed limits. In D.10-03-022, the Commission authorized limited additional DA transactions within the service territories of California's three largest IOUs – PG&E, SCE, and SDG&E – in accordance with the provisions of SB 695.

2. ED has previously prepared and circulated annual status reports regarding the DA enrollment process to ensure continued compliance with the requirements of D.10-03-022, to provide information to determine whether or how enrollment processes could be improved, and to inform the public about the DA demand.

3. While the four-year phase-in of direct access under D.10-03-022 is now complete, future status reports on direct access implementation may be useful. Information regarding retail customer demand for DA service and the effectiveness of the DA enrollment process may be help to determine whether any changes should be made to the enrollment process in the future and will provide insight regarding the effect of DA regulatory requirements.

4. Requiring parties to file a motion each time to obtain future status reports, however, would be a waste of resources and time. Granting a blanket waiver of the requirement to file a motion each time an updated status report on the DA enrollment process offers a more efficient alternative.

5. Future status reports on the DA enrollment process, as prescribed in Ordering Paragraph 2 below, will provide useful information.

6. The November 10, 2010 Working Group presented proposals to:

- a) Eliminate the Original DA Declaration and DA Load Growth Affidavit;
- b) Modify the Customer Assignment Affidavit;
- c) Develop a new Replacement Affidavit;
- d) Modify the Relocation Affidavit;
- e) Implement an electronic DA Service Request;
- f) Standardize the Six-Month Notice Submissions;
- g) Modify the DA enrollment process;
- h) Establish a lottery enrollment; and
- i) Postpone the January enrollment window.

7. The process improvements in the Working Group Report offer useful improvements in the processing of DA enrollments. Items g through i, in Findings of Fact 6, above, are replaced with the proposed lottery process in parties' July 10, 2012 comments, as described in Appendix 1.

8. The lottery process set forth in Appendix 1 is designed to provide a fairer allocation process and to level the playing field in the allocation of DA enrollments.

9. The revised DA Relocation Affidavit template, set forth as Appendix 2 of this decision, is designed to provide further clarity regarding options when a DA customer relocates some or all of its business from one location to another.

Conclusions of Law

1. The motion for a blanket waiver from the requirement to file future motions for status reports on the DA enrollment process should be granted, provided that the requirements set forth below for the preparation and

circulation of future status reports by the ED are adopted in accordance with the requirements of Ordering Paragraphs 2 and 3 below.

2. The modification to the November 2010 Working Group Report's revised Relocation Affidavit should be adopted, to add a new option where the customer can qualify as set forth in the ordering Paragraphs and Appendix 2 of this decision.

3. To foster a level playing field, the current DA enrollment process should be replaced with a lottery process as set forth in Appendix 1 of this decision.

O R D E R

IT IS ORDERED that:

1. The Joint Parties' motion is granted for a blanket waiver of the requirement to file a motion each time a status report update on the Direct Access enrollment process, pursuant to Decision 10-03-022, is requested.

2. The Commission's Energy Division shall prepare annual status reports summarizing the results of the Direct Access enrollment process for the previous year for each utility. The status reports shall include information regarding retail customer demand for Direct Access service and the effectiveness of the Direct Access enrollment process. Energy Division shall issue a status report in May of each year, beginning in 2014.

3. The Energy Division status reports set forth in Ordering Paragraph 2 shall include the following information:

- a. Number of valid Six-Month Notices submitted by the utility during the Submission Period. Duplicate Six-Month Notices will not be reported;

- b. Amount of Direct Access load, in annual gigawatt hours, available under the Overall DA Load Cap as of the commencement date of the lottery; and
 - c. Lottery number assigned to the last customer given an opportunity to switch during the year. (Assuming 1, 2, 3....) Number of customers and associated annual gigawatt hours of customer loads that remained on the waiting list as of December 31 of the previous year.
4. Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas and Electric Company shall each provide the information in Ordering Paragraph 4 to the Energy Division by April 1 of each year, for the previous year.
5. The blanket waiver of the requirement to file motions for future status reports on Direct Access enrollment shall expire and no longer be valid if the adopted Direct Access enrollment process changes in a way such that the required data in the status report is no longer relevant (i.e., if the Direct Access limits are lifted), or if the submission process is eliminated. Upon expiration of the blanket waiver, the utilities are relieved of reporting requirements established in this decision.
6. The process for submitting a Six-Month Notice request for Direct Access enrollment as set forth in Appendix 1 is adopted, and supersedes the previously existing Direct Access enrollment process.
7. The revised Relocation Affidavit set forth in Appendix 2 of this decision is adopted to incorporate the following language as follows:
 - D. "Current Location" means one or more existing customer Premises where the electric load of one or more service accounts is currently being served under DA. "New Location" means different Premises than the Current Location to which the customer intends to relocate all or part of its business and operations from the Current Location. The New

Location may only consist of one service account at which the customer has been receiving bundled service. The New Location shall not be eligible for DA service until all electric service accounts billing under the same customer of record at the Current Location have been terminated. Customer must submit this request to Utility no later than 90 days from the date all the service accounts at the Current Location have been terminated.

8. Any additional Direct Access enrollment process improvements sought by parties should be requested by filing a Tier 2 advice letter.

This order is effective today.

Dated _____, at San Francisco, California.

APPENDIX 1

Appendix 1

RANDOM NUMBER LIST SWITCHING AND ENROLLMENT PROCESS

The following process is adopted for submitting a Six-Month Notice request for enrollment:

1) DA customers or their authorized agent may submit Six-Month Notices via email or an online IOU form during a prescribed 5-business day window (Submission Period) in the second full business week in April of 2013 for space under the established Overall Load Cap that may become available commencing in October of 2013 and continuing through 2014. Beginning in 2014, the Submission Period will be the second full week in June of each year for space under the established Overall Load Cap that may become available during the 12 months of the subsequent calendar year. The Submission Period will begin on Monday at 9:00 a.m. Pacific Time and end on Friday at 5:00 p.m. Pacific Time. Six-Month Notices received prior to 9:00 a.m. Monday or after 5:00 p.m. Friday will be rejected. Submissions must be made by or on behalf of an individual customer and shall include the following information:

- a. Customer Name, Six-Month Notice, Submitter Name, and number of Service Accounts being submitted.
- b. A completed Six-Month Notice may cover multiple Service Accounts but they must all be for the same customer, under that customer's Federal Taxpayer ID. A Six-Month Notice found to include multiple Taxpayer IDs will be considered to have a deficiency. Upon email notification from the IOU of such deficiency, DA customers or their authorized agent shall have 5-business days to correct the Taxpayer ID or submit a new Six-Month Notice for the Service Account(s) covered by a different Taxpayer ID.
- c. A prioritized list of the submitted Service Accounts (in the event the available space under the established Overall Load Cap cannot accommodate the entire list).

2) Upon IOU receipt of each Six-Month Notice, the IOU will send an automatic receipt via email, addressed to the party from whom the notice was received, acknowledging that the Notice was received. The purpose of this e-mail shall be just to confirm that the submission was received. It shall neither confer any priority, nor impact the lottery process.

3) Any duplicate Six-Month Notices covering the same Service Accounts will be discarded. If more than one Six-Month Notice is received for a Service Account, only one will be confirmed; all others will be ineligible. For any Six-Month Notice that the IOU determines to be ineligible, it will send via e-mail a notice to the party from whom the Six-Month Notice was received that it has been determined to be ineligible. If the party believes that the IOU's determination of ineligibility is in error, the party will have 5-business days to dispute the IOU's determination, upon which the IOU will review its determination and advise the submitter of the information required to resolve the dispute.

4) IOU to review/audit/confirm Six-Month Notices within 30-business days following close of the Submission Period.

5) During the review and audit process, a Six-Month Notice that is found to have a deficiency (e.g., incorrect service account number) may be accepted on the condition that it is corrected by the customer within 5-business days after the IOU notifies the customer of such deficiency. Six-Month Notices will be void in the event a deficiency in a Six-Month Notice is not corrected by the customer within 5-business days, but only as to the service account(s) for which there was an uncorrected deficiency.

6) Six-Month Notices will be accepted subject to all deficiencies being resolved and availability of space under the established Overall Load Cap. By

the 30th-business day of the review period, each IOU will run the “randomizer” tool (Microsoft Access or some other tool agreed-upon by all parties) to assign a random number to each customer submission.

7) The Six-Month Notices will be ordered in sequence by their randomly assigned number and accepted subject to the established Overall Load Cap. Remaining Six-Month Notices will be placed on a Wait List in the order assigned by randomizer, and will be maintained on that Wait List for the subsequent calendar year until the next enrollment period commences.

8) Within 10-business days, following the 30 day review period, customers will receive email notification that their Six-Month Notice has been accepted or placed on the Wait List along with their initial sequence number, based upon the random “lottery” number.

9) All Six-Month Notices on the Wait List on the last business day of each calendar year will be cancelled and superseded by the following year’s Wait List.

10) On the last business day of each month, the IOU will determine if there is room under the Overall Load Cap and notify the first customer on the Wait List that there is available space under the Overall Load Cap:

- a. If the available space under the Overall Load Cap is sufficient to accommodate all of the customer’s Wait-Listed Service Accounts, the IOU will notify the customer of the DASR Due Date for each accepted Service Account at least 45 days in advance of the customer’s earliest possible switch date. During this process, a Six-Month Notice that is found to have a deficiency (e.g., incorrect service account number) may be accepted on the condition that it is corrected by the customer within 5-business days after the IOU notifies the customer of such deficiency. Six-Month Notices will be void in the event a deficiency in a Six-Month Notice is not corrected by the customer within 5-business days, but only as to the service account(s) for

which there was an uncorrected deficiency. Customers will have 15-business days either to accept or decline the space offered, without penalty. Should the customer decline the space offered, the customer is removed from that year's Wait List and remains on utility bundled service. The IOU will then notify the next customer on the list.

- b. If the available space under the Overall Load Cap is not sufficient to accommodate all of the customer's Service Accounts on the wait list, the IOU will notify the customer at least 45 days in advance of the customer's earliest possible switch date of the eligible Service Account(s) and the earliest possible switch date of the eligible Service Account(s) and will work with the customer to determine the Service Accounts to be switched. The remaining Service Accounts, if any, on the customer's list will remain on the Wait List. Customers will have 15-business days either to accept or decline the space offered, without penalty. Should the customer decline to accept the space offered, the customer is removed from that year's Wait List and remains on utility bundled service.
- c. Should a customer accept the offer and fail to submit a DASR by the DASR Due Date, the customer's account(s) will be switched to Transitional Bundled Service and be subject to the then current Switching Exemption Rules.

(End of Appendix 1)

APPENDIX 2

Appendix 2

Direct Access Customer Relocation Declaration Form

A. Electric Service Provider (ESP) Declaration

I, _____, state as follows:

1. I am an officer of _____ (*Name of ESP*) (“ESP”) authorized to make this declaration. I have personal knowledge of the matters set forth herein and if called upon as a witness could and would testify competently thereto.

2. Pursuant to a valid agreement (Agreement) by and between _____ (Name of ESP) and _____ (Name of Customer), ESP provides electric power service to Customer at the Current Location, as specified below.

3 As stated herein, Customer requests to transfer its direct access (DA) service provided by Utility and electric power service provided by ESP at the Current Location, to the New Location, as specified in this document. This relocation is requested in the normal course of business.

4. Under the provisions of the Agreement, the Customer has the right to receive electric power service from ESP for electric service loads located at the New Location.

5. All conditions of the Agreement necessary for a transfer of electric service from Current Location to New Location have been satisfied, including any necessary approvals by ESP.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this ____ day of _____, _____ at

_____, _____.
(City, State)

Signature

Title

Date

B. Customer Declaration

I, _____, state as follows:

1. I am an authorized representative of _____ (“Customer”) and I am authorized to make this declaration.
2. I have personal knowledge of the matters set forth herein and if called upon as a witness could and would testify competently thereto.
3. Customer entered into an agreement for electric power service (Agreement) with the ESP as identified above.
4. Customer requests to transfer its DA service provided by Utility and its electric power service provided by ESP from Current Location to New Location, as noted on the attached form. This relocation is requested in the normal course of business.

Please check one:

_____ A. “Current Location” means one existing customer Premises¹ where the electric load of one service account (which may consist of one or more electric meters) is currently being served under DA. “New Location” means the same or different Premises from the Current Location which has been newly acquired or constructed by customer, at which the customer intends to relocate all or part of its business and operations from the Current Location. The New Location may only consist of one service account.

_____ B. “Current Location” means one existing customer Premises where the electric load of one or more service accounts are currently being served under DA. “New Location” means the same or different Premises from the Current Location which has been newly acquired or constructed by customer, at which the customer intends to relocate all or part of its business and operations from the Current Location. The New Location may consist of one or more service accounts at a single Premises.

_____ C. “Current Location” means one or more existing customer Premises where the electric load of one or more service accounts is currently being served under DA. “New Location” means a different Premises from the Current Location to which the customer intends to relocate all or part of its business and operations from the Current Location. The New Location may consist of one or more service accounts at a single or multiple Premises. Customer warrants that the total DA load of all active accounts at New Location after the relocation has been completed is limited to loads the same as, or substantially the same as, the loads represented by the Current Location. .

_____ D. “Current Location” means one or more existing customer Premises where the electric load of one or more service accounts is currently being served under DA. “New Location” means a different Premises than the Current Location to which the customer intends to relocate all or part of its business and operations from the Current Location. The New Location may only consist of one service account at which the customer has

¹ Premises is defined in Utility’s electric Rule 1.

been receiving bundled service. The New Location shall not be eligible for DA service until all electric service accounts billing under the same customer of record at the Current Location have been terminated. Customer must submit this request to Utility no later than 90 days from the date all the service accounts at the Current Location have been terminated.

5. Customer understands that a New Location cannot include bundled service accounts that have been in the customer's name for more than ninety (90) days. This section is not applicable if section 4.D. above is selected.
6. Customer warrants its total DA load as a result of the relocation does not exceed the load limitations provided in the Agreement.
7. Customer agrees to maintain, and make available to the California Public Utilities Commission (CPUC) upon request, all records associated with its electricity service and consumption at Current Location and New Location, including, but not limited to, the applicable meter and account numbers, and the associated direct access load.

8. Customer agrees to:

(Check one)

_____ Close its account(s) at Current Location on _____
(Expected date).

_____ Return its account(s) at Current Location(s) to bundled service
on _____ (Expected date).

_____ Split the load on the account(s) at Current Location as follows (this section
is only applicable if section 4.C above is selected).
Identify service account number(s) in the space below:

9. Customer understands that this notice must be submitted within 60 days of closing its account at the Current Location or moving part of its business or operations from the Current Location to a New Location.

10. Customer understands that a DASR must be submitted within 60 days of either a) this relocation declaration's acceptance by the Utility or b) establishment of electric service at the New Location, whichever is later, for this relocation to be valid.

11. Customer understands that continuous direct access status pursuant to Ordering Paragraph 4 of CPUC Decision 02-11-022 (exemption from paying the DWR components of the DA Cost Responsibility Surcharge) will transfer to a relocation account only if each account at the Current Location(s) being combined for the relocation account qualifies as continuous direct access. If the customer elects to combine a number of accounts that do not qualify as continuous direct access, then the relocation account will not qualify as continuous direct access.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this _____ day of _____, _____ at _____, _____.
(City, State)

Signature

Title

Date



An EDISON INTERNATIONAL Company

Name on Account:

Current Location Information

Service Account Number _____
Service Address _____
City, State, Zip _____
Meter Number _____
Service Account Number _____
Service Address _____
City, State, Zip _____
Meter Number _____

Service Account Number _____
Service Address _____
City, State, Zip _____
Meter Number _____

New Location Information

(The direct access service will occur at the New Location and if only part of its business or operations is relocated, the Current Location may also continue to receive direct access service)

Service Account Number _____
Service Address _____
City, State, Zip _____
Meter Number _____
Start Date for Relocation _____
Service Account Number _____
Service Address _____
City, State, Zip _____
Meter Number _____
Start Date for Relocation: _____

Service Account Number _____
Service Address _____
City, State, Zip _____
Meter Number _____
Start Date for Relocation: _____

(For more accounts, please list the additional information on a separate sheet and attach it to this form)

Upon receipt by Utility of the customer relocation declaration, Utility shall review the information and notify ESP within five business days either that (a) the relocation declaration has been accepted; or (b) Utility has reasonable cause not to process the customer relocation declaration. Upon receiving notification of the relocation declaration's acceptance under subsection (a) above, ESP must submit a DASR to Utility within 60 days of either a) this relocation declaration's acceptance by the Utility or b) establishment of electric service at the New Location, whichever is later. Upon receiving denial notification from Utility under subsection (b) above, Utility and ESP shall confer as soon as possible to determine what additional information is required in order for the relocation declaration to be accepted. This document may be executed in counterparts and submitted by fax or email, provided the originals are delivered to Utility within 10 business days thereafter.