



BEFORE THE PUBLIC UTILITIES COMMISSION OF THE
STATE OF CALIFORNIA

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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)

**JOINT COMPLIANCE FILING OF PACIFIC GAS AND ELECTRIC COMPANY, SAN DIEGO GAS &
ELECTRIC COMPANY AND SOUTHERN CALIFORNIA EDISON COMPANY ON INFORMAL WORKING
GROUPS 1, 2 AND 3**

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On behalf of PACIFIC GAS AND ELECTRIC
COMPANY, SAN DIEGO GAS & ELECTRIC
COMPANY, AND SOUTHERN CALIFORNIA EDISON
COMPANY

Dated: **November 15, 2010**

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WORKING GROUPS 1, 2 AND 3**

Pacific Gas and Electric Company (PG&E), San Diego Gas & Electric Company (SDG&E), and Southern California Edison Company (SCE) (collectively the IOUs) submit this joint compliance filing pursuant to the June 15, 2010 *Assigned Commissioner and the Administrative Law Judge Ruling Clarifying Scope and Scheduling Further Proceedings* (Ruling) and subsequent proceeding.

On June 15, 2010, the Assigned Commissioner and the Administrative Law Judge issued a ruling (Ruling) in this proceeding ordering that a technical workshop to address Phase III issues, which was held on July 12 and 13, 2010. The workshop covered potential changes to Direct Access (DA) switching rules, updates to Transitional Bundled Service (TBS) rates, financial security requirements for Energy Service Providers pursuant to Public Utilities Code Section 394.25(e), ensuring uniform compliance with resource requirements consistent with Senate Bill (SB) 695, and DA process improvements.

At the conclusion of the workshop, parties agreed to continue discussions of these topics in informal working groups, in an effort to identify areas of consensus and non-consensus, narrow the issues in dispute, and submit reports to the Commission on these efforts, recommending further disposition.

As documented in the *Status Update to the Assigned Commissioner and Administrative Law Judge from Steve Roscow and Kathryn Auriemma*, dated July 13, 2010, three working groups were formed to address similar topics in a single group, with each utility hosting a particular working group. Each group was open to participation by all parties. Participating parties included the Alliance for Retail Energy Markets (AReM), BlueStar Energy (BlueStar), California Alliance for Choice in Energy Solutions (CACES), California Large Energy Consumers Association (CLECA), California Manufacturers Association (CMTA), California State University (CSU), City of

Cerritos, Commercial Energy, Direct Access Customer Coalition (DACC), EnerNOC, Inc., Energy Users Forum (EUF), PG&E, SDG&E, School Project for Utility Rate Reduction (SPURR), SCE, The Utility Reform Network, and Walmart.

The working groups have each met on several occasions, as set forth below.

Group	Issue Areas from June 15 Ruling	IOU "host"	Dates and locations of meetings
1	<ul style="list-style-type: none"> Changes in Switching Rules Transitional Bundled Service Rate Updates ESP Financial Security Requirements under P.U. Code Section 394.25(e) 	PG&E	August 30, 2010 @ PG&E offices September 20, 2010 @ CSU Long Beach October 18, 2010 @CSU Long Beach
2	Ensuring Uniform Compliance with Resource Requirements under SB 695	SDG&E	August 30, 2010 @ PG&E offices September 20, 2010 @ CSU Long Beach October 18, 2010 @CSU Long Beach
3	DA Process Improvements	SCE	August 31, 2010 @ SCE offices (SF) September 20, 2010 @ CSU Long Beach October 18, 2010 @CSU Long Beach

The results of these working group meetings are described in the attached reports. Participating parties have had an opportunity to review and comment on these reports.

Respectfully submitted,

JENNIFER T. SHIGEKAWA
JANET S. COMBS

/s/ Janet S. Combs

By: Janet S. Combs

Attorneys for
SOUTHERN CALIFORNIA EDISON COMPANY

On behalf of PACIFIC GAS AND ELECTRIC
COMPANY, SAN DIEGO GAS & ELECTRIC
COMPANY, AND SOUTHERN CALIFORNIA
EDISON COMPANY

November 15, 2010

**ATTACHMENT A
WORKING GROUP 1 REPORT**

To: Kathryn Auriemma, Steve Roscow
CPUC Energy Division

From: Joint Parties

CC: Parties in R.07-05-025

Date: November 15, 2010

Re: Phase III Issues in Direct Access Rulemaking R.07-05-025

Joint Parties Report on switching rules, transitional bundled service rate updates and Electric Service Provider (“ESP”) Financial Security Requirements (Group 1)

SUMMARY OF WORKING GROUP

On July 12-13 2010, a workshop was held by Energy Division regarding Phase III issues in the Commission’s Direct Access Rulemaking. The issues were split into three working groups covering 1) switching rules, transitional bundled service rate updates and ESP Financial Security Requirements; 2) ensuring uniform compliance with resource requirements as between Investor Owned Utilities (“IOUs”) and ESPs; and 3) process improvements. Parties agreed to report progress to Energy Division on each of the working groups by November 15, 2010 and include any recommendations either substantively, procedurally, or both.

This report discusses the areas of non consensus between the joint parties on switching rules, transitional bundled service rate updates and ESP Financial Security Requirements. As discussed below, the Joint Parties have polar positions on the mandate for ESPs to provide financial security requirements as part of any DA program.

The parties met as a group on three separate occasions: August 30, September 20, and October 18. At this time, no consensus position can be offered from this group. It is the position of the parties that without some resolution and/or guidance from the Commission, the parties are at an impasse as these three issues are heavily intertwined and resolution of one cannot occur without clarity on all.

**ATTACHMENT B
WORKING GROUP 2 REPORT**

To: Kathryn Auriemma, Steve Roscow
CPUC Energy Division
From: Joint Parties
CC: Parties in R.07-05-025
Date: November 15, 2010
Re: Phase III Issues in Direct Access Rulemaking R.07-05-025

Joint Parties Report on Ensuring Uniform Compliance with Resource Requirements
(Group 2)

SUMMARY OF WORKING GROUP

On July 12-13 2010, a workshop was held by Energy Division regarding Phase III issues in the Commission's Direct Access Rulemaking. The issues were split into three working groups covering 1) switching rules, transitional bundled service rate updates and Electric Service Provider ("ESP") Financial Security Requirements; 2) ensuring uniform compliance with resource requirements as between Investor Owned Utilities ("IOUs") and ESPs; and 3) process improvements. Parties agreed to report progress to Energy Division on each of the working groups by November 15, 2010 and include any recommendations either substantively, procedurally, or both.

This report discusses the areas of consensus and non consensus of the joint parties on ensuring uniform compliance with resource requirements. As reflected herein, the Joint Parties agree that all issues associated with ensuring uniform compliance between IOUs and ESPs and cost allocation issues are all being addressed, have pending decisions, or are within the scope of other Commission proceedings and do not need to be addressed within the context of Direct Access OIR ("DA OIR") Phase III. Details of each resource requirement and what venue it is or should be addressed in are described below.

RESOURCE ADEQUACY ("RA")

Issue - Ensuring that the same RA requirements are applicable as specified in statute in SB 695. System RA issues have been addressed as a part of R.09-10-032 and earlier dockets. ESPs and IOUs are now subject to the same compliance requirements. A Local RA true-up mechanism, which the Commission adopted for 2010 is in place, however a similar mechanism is needed for 2011 and beyond.

Joint Recommendation - The Commission should resolve the Local RA true-up as a part of R.09-10-032.

Areas of non-consensus - None

RENEWABLE PORTFOLIO STANDARDS (“RPS”)

Issue - Ensuring that the same RPS requirements for IOUs are applicable to ESPs as specified in statute in SB 695.

Joint Recommendation - Issues are currently being addressed in R.08-08-009 and there is no need for litigation of these issues in the DA OIR proceeding. Proposed decisions were issued in R.08-08-009 and A.06-02-012.

Areas of non-consensus - Parties have differing opinions with regard to whether the proposed decisions should be adopted as drafted and whether they fully implement SB 695, but agree that those issues will be determined in the other proceedings, and need not be addressed in the DA OIR proceeding.

GREEN HOUSE GAS (“GHG”)

Issue - Ensuring that the same GHG requirements are applicable to IOUs and ESPs as specified in statute in SB 695.

Joint Recommendation – The rules for GHG requirements have not yet been adopted; therefore recommendations on the requirements are premature. CARB has authority to implement GHG compliance requirements. Parties agree that ensuring uniform compliance with respect to GHG implementation should be addressed through CARB and consequently need not be addressed in the context of this proceeding. However, see Qualifying Facility/Combined Heat &Power (“QF/CHP”) issues below, which some parties believe relate to GHG reduction. With respect to compliance costs incurred by the IOUs to satisfy GHG requirements, any rules ultimately adopted by the CPUC should ensure that migrating load cannot shift its fair share of GHG compliance costs on bundled service customers.

Areas of non-consensus - Parties are not in agreement that QF/CHP issues are included in the uniform compliance requirements of SB 695

COST ALLOCATION

Issue – SB 695 requires that the net capacity costs of resources acquired by the IOU at the direction of the CPUC to meet system and local reliability needs for the benefit of all customers should be allocated to all benefitting customers, including DA and Community Choice Aggregation (“CCA”) customers, along with associated RA credits.

Joint Recommendation - Issues have been scoped as a part of the Long Term Procurement Plan Track III (R.10-05-006). A ruling was issued September 14, 2010, calling for comments identifying any differences between SB 695 and existing procurement rules, and requesting proposals or refinements to the cost allocation method for consideration. Therefore, this issue will be addressed in LTPP proceeding, and there is no need to address these issues in this proceeding.

Areas of non-consensus - None

QUALIFYING FACILITY/COMBINED HEAT AND POWER COSTS

Issue – Whether SB 695 mandates for (i) imposing the “same requirements” with respect to implementation of AB 32 and (ii) cost allocation for facilities that are deemed to meet reliability

requirements that benefit all customers are applicable to QF/CHP facilities, including the facilities that have been proposed in recently proposed QF/CHP settlement that is pending before the Commission.

Joint Recommendation - There is no agreement among the parties that there is any SB 695 statutory obligation with respect to QF/CHP, and therefore there is no joint recommendation on this topic. The parties do acknowledge that related issues are being addressed with respect to the QF/CHP settlement proposal referenced above.

Areas of non-consensus - Parties disagree as to whether there is any SB 695 statutory obligation with respect to QF/CHP.

FEED IN TARIFFS COSTS/REQUIREMENTS

Issue – Whether the SB 695 mandates for imposing the same requirements and cost allocation apply to FITs.

Joint Recommendation - The AB 1613 cost allocation issue being addressed in R.08-06-024 (the proceeding to implement AB 1613). The requirements for expanded renewable FIT (described above) are being addressed in R.08-08-009, including applicability to non-IOU LSEs. Therefore, these issues are being dealt with in other proceedings, and do not need to be addressed in this proceeding.

Areas of non-consensus – Many. Parties disagree as to what SB 695 mandates with respect to same requirements and/or cost allocation as they apply to FITs.

**ATTACHMENT C
WORKING GROUP 3 REPORT**

Phase III Issues in Direct Access Rulemaking R.07-05-025

Joint Parties Report on DA Process Improvements Working Group (Group 3)

SUMMARY OF WORKING GROUP

On July 12-13 2010, a workshop was held by the California Public Utilities Commission (Commission) Energy Division regarding Phase III issues in the Commission's Direct Access (DA) Rulemaking. The issues were split into three working groups covering 1) switching rules, transitional bundled service rate component updates and ESP Financial Security Requirements; 2) ensuring uniform compliance with resource requirements; and 3) process improvements. Parties agreed to report progress to Energy Division on each of the working groups by November 15, 2010, and to include any recommendations either substantively, procedurally, or both.

Each of the three Investor Owned Utilities (IOUs) was asked to lead one of the working groups. This report, prepared by Southern California Edison, after multiple working sessions with the joint parties as defined in Decision (D.)10-03-022, discusses areas of consensus and non consensus among the joint parties regarding DA process improvements.

There are three (3) attachments to this report, which track the changes recommended by this working group to the following existing DA forms:

- Relocation Affidavit (Exhibit 1);
- Replacement Affidavit (Exhibit 2);
- Customer Assignment Notification (Exhibit 3).

ELIMINATE TWO AFFIDAVITS

Issue – With the implementation of D.10-03-022, two affidavits are no longer needed and can be eliminated:

- Original DA Declaration
- DA Load Growth Affidavit

Recommendation All parties agreed to eliminate these affidavits (see attached affidavits). Neither of these forms is a Filed Form, and thus requires no Advice Filing.

Areas of non-consensus – None

Neutral parties

ASSIGNMENT AFFIDAVIT

Issue – Currently, the Assignment Affidavit does not include any deadlines. As a result, it is unclear whether or not space must be held in reserve whenever a service account is closed pending an assignment affidavit that may be executed sometime in the future.

Recommendation - The Assignment Affidavit should be modified to include three new requirements (see attached):

1. Require that Assignment Affidavit be executed within 60 days after the current customer closes its service account.
2. Require that the new customer submit a DASR within 60 days of submitting the Assignment Affidavit.

Areas of non-consensus – None

Neutral parties

NEW REPLACEMENT AFFIDAVIT

Issue – Currently, the Relocation/Replacement Affidavit combines two different activities and places the same requirements on both. A replacement occurs when a customer must remodel, refurbish, or reconstruct facilities at an existing DA service account and no actual change of location occurs. This usually results in a change in the IOU service account number assigned to the customer, and requires that the DA contract for the service account be transferred to the new service account. However, many of the requirements that apply to relocations are not necessary for replacements and usually hamper the process of transferring the DA contract.

Recommendation - Develop a new Replacement Affidavit (see attached) which will be used when the existing facility taking DA service is remodeled, refurbished or reconstructed without a change in location. The new form will not require execution by an ESP and will eliminate other requirements that apply to relocations.

Areas of non-consensus – None

Neutral parties

MODIFY RELOCATION AFFIDAVIT

Issue – Currently, the Relocation Affidavit allows a customer to transfer DA status from existing DA account(s) to as many new accounts as desired without any load limitation. An existing DA customer could add several new DA accounts that exceed the DA cap and keep other customers from accessing DA service. In addition, there is no timeline for when a customer must submit a DASR after executing a relocation affidavit. Because space must be held in reserve whenever a relocation affidavit is executed, submission deadlines are necessary for the Relocation Affidavit and enrollment DASRs.

Recommendation – Make the following modifications to the Relocation Affidavit (see attached):

1. Remove references to replacements because a new Replacement Affidavit will be developed.
2. Require customers to submit a Relocation Affidavit within 60 days of closing their account at the current location.
3. Require customers to submit a DASR within 60 days of either a) the relocation declaration's acceptance by the Utility or b) establishment of electric service at the New Location, whichever is later.
4. Provide customers with the following relocation options:
 - a. Limit relocations on a one-to-one basis where the existing account must be turned off or returned to bundled service (no load limitations)

- b. Relocate from one or more existing DA service accounts to multiple locations so long as the resulting DA load is the same as, or substantially the same as, the DA load prior to the relocation.
5. Add Premises as defined in the Utilities' Rule 1 to the definitions of current and new locations.

Areas of non-consensus – None

Neutral parties

ELECTRONIC DASR NOTIFICATIONS TO CUSTOMERS

Issue – In D.08-05-009, the Commission stated that “notifying customers of the acceptance or rejection of a DASR via email rather than by U.S. Mail is an example of a process improvement that is likely possible, less costly than existing processes, and a more efficient means of providing notification. However, we do not have enough information at this time to conclude that SCE should be directed to implement this change.” (p.20) There are legal and customer confidentiality issues that need to be addressed.

Recommendation – The IOUs will investigate the legal issues, the customer confidentiality issues, and the costs and feasibility of implementing electronic Direct Access Service Request (DASR – not a Filed Form) notification for customers. Preliminary review indicates that using My Account may address legal and customer confidentiality issues.

Areas of non-consensus – None

Neutral parties

STANDARDIZATION OF 6-MONTH NOTICE SUBMISSIONS

Issue – With the implementation of D.10-03-022, the IOUs established a procedure for e-mailing 6-month notices.

Recommendation – To eliminate hundreds of duplicate submissions, and to increase the accuracy of the IOUs' processing of 6-month notices, the IOUs recommend increasing the timeframe to notify customers of acceptances and rejections from 20 days to 30 business days and to establish a standardized email subject line as follows:

1. Full customer name as first words in subject line
2. Phrase “6-month notice”
3. Company name of submitter (if other than customer)
4. Number of service accounts contained in the submission

For example: “Subject: Company_X 6-Month Notice ESP_Y (23).” This means that ESP_Y has submitted a 6-Month Notice for Company_X with 23 service accounts included in the email.

Areas of non-consensus – None

Neutral parties

MODIFY ENROLLMENT PROCESS

Issue – Rule 22.1, C6a(7) states, “If room under the 2011 Load Cap subsequently becomes available, SCE will update its website to notify customers that it is accepting Six Month Notice To Transfer To Direct Access Service forms.” However, the new additional enrollment periods cause significant resource impacts for all parties.

Recommendation – To reduce the impact of having multiple enrollment periods during a calendar year, the following changes will be made to the enrollment procedures:

1. Establish one enrollment period per year
 - If no load under the cap is available then the enrollment period will be used to establish a new wait list.
2. Establish an annual wait list beginning with the next enrollment period
 - When space becomes available after the initial enrollment acceptances, the IOU will notify the next customer on the wait list that their service account has been accepted and that they may submit DASRs to switch their accounts to DA service. The customer will have the right to refuse without penalty within 30 calendar days of notification.
 - For customers who reject the offer, the IOU will cancel their Six-Month Notices, and the available space would then be awarded to the next customer on the wait list.
 - A new wait list will be established annually. Customers could be added to wait list at any time during the year
3. These changes will likely require a Petition to Modify D.10-03-022.

Areas of non-consensus – None

Neutral parties

ESTABLISH LOTTERY ENROLLMENT

Issue – The current process of first-come, first-served for enrollment has created some issues for customers and IOUs, and parties wish to enhance the level playing field. .

Proposal #1 – The Direct Access Customer Coalition (DACC) has proposed that the current process be replaced with a lottery process as follows :

- 1) Submit via email Six-Month Notices during prescribed 5-business day window (actual date to be determined).
- 2) Upon IOU receipt of Six-Month Notices, IOU to send automatic receipt via email.
- 3) IOU to review/audit/confirm Six-Month Notices within 30 business days following close of the 10-business day submission window.
- 4) Each IOU will work with submitters to resolve deficiencies within two business days of notification.
- 5) The business day following the 30 business day review period, IOU will run the “randomizer” tool (Microsoft Access or some other tool agreed-upon by all parties) to determine each customer submission’s random “lottery” number and identify the accepted Six-Month Notices.
- 6) During these following 10 business days, customers will receive email notification that their Six-Month Notice has been accepted or placed on a wait list along with their initial sequence number and random “lottery” number.
- 7) All approved Six-Month Notices submitted in the prescribed 5 business day window (see #1 above), which were not accepted in the initial lottery, will be assigned a lottery placement for the annual wait

- list. At the end of the year, those wait-listed customers not awarded DA capacity during the year will expire.
- 8) These changes will likely require a Petition to Modify D.10-03-022.

Proposal #2 – EUF, CMTA and others proposed a Modified First Come, First Served process to deal with the issues caused by the technology constraints.

Under the Modified First Come, First Served proposal, all Six-Month Notices received during a short submission window are considered to be tied. The duration of the short submission window would be at least sixty minutes, but no longer than one day and the duration would be based on the minimum time needed for the utilities to receive and acknowledge the Six-Month Notices, including accounting for variations in internet transmission times and system constraints that limit the number of emails that can be received by a utility at any one time.

If there is not enough direct access capacity to satisfy the needs of all Six-Month Notices deemed to be tied, then the space would be allocated randomly among the those Six-Month Notices deemed to be tied.

All Six-Month Notices received after the submission window would be ranked on a First Come, First Served basis.

The primary difference between the two proposals is the length of the submission window.

Areas of non-consensus –

- Whether a First Come, First Served, a Modified First Come, First Served or a Lottery is used to allocate direct access capacity.
- The duration of the submission window mentioned in the DACC proposal.

Neutral parties

- SCE can support either the current first come, first served process or the proposed lottery process as described above. SCE estimates that it will not incur any significant costs to implement this proposed lottery process as described above. SCE will need to evaluate the impact of any changes to this proposal.
- PG&E has stated a preference for the lottery process for future enrollment windows.

POSTPONEMENT OF JANUARY ENROLLMENT WINDOW

Issue – Currently, Rule 22.1 requires that the next enrollment period be held January 3, 2011. Some parties expressed concern that this enrollment date would require that customers work with ESPs during the holidays in order to be able to submit 6-Month Notices by January 3, 2011.

Recommendation – Move the next enrollment period from January 3 to January 14, 2011. Parties agree that IOUs will file a letter with the Executive Director of the Commission requesting a delay in time to comply with the January 3, 2011 date until January 14, 2011.

Areas of non-consensus – None

Neutral parties

Exhibit 1 to Working Group 3 Report – Revised Relocation Affidavit



Direct Access Customer Relocation /
Replacement Declaration

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. ~~Under the provisions of the Agreement, the Customer has the right to receive direct access service from ESP for electric service loads located at the Current Location service address under the service accounts identified below and at the New Location.~~

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.~~

~~"Current Location" means one or more existing customer sites where the electric load of one or more customer accounts is currently being served under direct access, or is eligible for direct access service. "New Location" means either (1) the Current Location site or sites after the facilities have been refurbished, reconstructed or remodeled or (2) a different site or sites from the Current Location(s) which has been newly acquired or constructed by customer, at which the customer intends to accommodate all or part of the relocated business and operations from the Current Location(s). A New Location may not include bundled service accounts which have been in the customer's name for more than ninety (90) days; provided, however, that for affidavits submitted during the sixty (60) day transition period beginning January 18, 2005, after the effective date of Resolution E-3872, a customer may include bundled accounts acquired or constructed by the customer after September 20, 2001.~~

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.

35. All conditions of the Agreement necessary for a transfer of electric service from ~~Customer's~~ 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. ~~On or before September 20, 2001,~~ Customer entered into an agreement for electric power direct access service (Agreement) with ~~1)~~ the ESP as identified above, ~~or 2) the following ESP,~~ _____.
4. ~~4.~~ Customer ~~requests~~seeks to transfer its DA service provided by Utility and its electric power service provided by ESP from Current Location, ~~as noted on the attached form,~~ to New Location, as noted on the attached form. This ~~replacement or~~ 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 customer 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 customer account.

B. “Current Location” means one existing customer Premises where the electric load of one or more customer accounts are currently being served under DA. “New Location” means the same or different Premises from the Current Location which

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

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 customer accounts at a single Premises.

C. "Current Location" means one or more existing customer Premisesite where the electric load of one or more customer accounts is currently being served under DA direct access, or is eligible for direct access service. "New Location" means either (1) the Current Location site or sites after the facilities have been refurbished, reconstructed or remodeled or (2) a different Premisesite or sites from the Current Location(s) which has been newly acquired or constructed by customer, at which the customer intends to relocateaccommodate all or part of the relocatedits business and operations from the Current Location(s). The New Location may consist of one or more customer 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. A New Location may not include bundled service accounts which have been in the customer's name for more than ninety (90) days; provided, however, that for affidavits submitted during the sixty (60) day transition period beginning January 18, 2005, after the effective date of Resolution E-3872, a customer may include bundled accounts acquired or constructed by the customer after September 20, 2004.

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.

6. Customer warrants its total DAdirect access load as a result of the replacement or relocation does not exceed the load limitations provided in the Agreementits contract for direct access service and executed consistent with the Commission's direct access suspension rules.

7. Customer agrees to maintain, and make available to the California Public Utilities Commission (CPUC) upon request, all records since at least September 20, 2001, 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.

87. If the New Location is at a different site from the Current Location, 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/~~replacement~~ account only if each account at the Current Location(s) being combined for the relocation/~~replacement~~ 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/~~replacement~~ 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

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 ~~or Replacement~~ _____

Service Account Number _____

Service Address _____

City, State, Zip _____

Meter Number _____

Start Date for Relocation ~~or Replacement~~: _____

Service Account Number _____

Service Address _____

City, State, Zip _____

Meter Number _____

Start Date for Relocation ~~or Replacement~~: _____

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

Exhibit 2 to Working Group 3 Report – Revised Replacement Affidavit

Direct Access Customer Replacement 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 following ESP, _____.

4. Customer seeks to refurbish, reconstruct or remodel facilities at the Current Location, as noted below, and continue to serve these facilities under direct access at the Current Location. This replacement is in the normal course of business. “Current Location” means one existing customer site where the electric load of one customer account is currently being served under direct access.

Current Location Information

Name on Account: _____
Current Service Account Number _____
New Service Account Number _____
Service Address _____
City, State, Zip _____
Meter Number _____

5. Customer understands that this notice must be submitted within 60 days of closing its Current Service Account.

6. Customer understands that a DASR must be submitted within 60 days of ~~acceptance of this notice by Utility, or~~ establishment of electric service for the New Service Account; ~~whichever occurs last,~~ for this replacement to be valid.

(T)

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, including, but not limited to, the applicable meter and account numbers, and the associated direct access load.

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

This document may be submitted by fax at [XXX-XXX-XXXX](tel:XXX-XXX-XXXX) or email at name@email.com, provided the original is delivered to Utility within 10 business days thereafter.

Exhibit 3 to Working Group 3 Report – Revised Customer Assignment Notification

1. ESP Declaration

_____ (Name of ESP) (“ESP”) hereby warrants that:

- (1) Under the provisions of the Agreement, the Current Customer has the right to receive direct access service from an Electric Service Provider (ESP) for electric service loads located at the service address identified below (Current Location) under the service accounts identified below (Current Accounts).
- (2) Under the provisions of the Agreement, Current Customer has the right to assign its right to receive direct access service at the current location for load represented by the Current Accounts to “New Customer” (identified below).
- (3) All conditions of the Agreement necessary for a valid assignment from Current Customer to New Customer have been satisfied, including any necessary approvals by ESP.

Signed _____ (Authorized representative of ESP)

Date _____

2. New Customer Declaration

_____ (New Customer as identified below) hereby warrants that:

- (1) It consents to the assignment of rights by the Current Customer as described above under the ESP Declaration
- (2) It understands that the assigned right to receive direct access service is limited to electric power loads at the Current Location;
- (3) It understands that this notice must be submitted within 60 days after Current Customer closes its Service Account.
- (4) It understands that its service account may not have been in the New Customer’s name for more than ninety (90) days;
- (5) It understands that a Direct Access Service Request (DASR) must be submitted within 60 days of acceptance of this notice by Utility for this assignment to be valid

(64) It is familiar with the loads and the load history represented by the Current Accounts and understands that, pursuant to California Public Utilities Commission Decision (D.) 02-03-055, its right to receive direct access is limited to loads the same as, or substantially the same as, the loads represented by the Current Accounts.

Current Customer Information

Name: _____

Service Address (Current Location)

(Current Accounts): IOUUDG Service Account Number(s):

IOUUDG Meter Number(s):

Signed _____ (Authorized representative of New Customer)

Date _____

Upon receipt by Utility of the customer assignment notification, Utility shall review the information and notify ESP within five business days either that (a) the customer assignment notification has been accepted~~new customer information has been added to the ESP Listing~~; or (b) Utility has reasonable cause not to process the customer assignment notification. Upon receiving notification under subsection (a) above, ESP must~~may~~ submit a DADR within 60 days to ~~allow~~ Utility to process the assignment. Upon receiving notification under subsection (b) above, Utility and ESP shall confer as soon as possible to determine what further information needs to be provided in order for ESP to submit a DADR as provided above. This document may be executed in counterparts. FAX completed form to: xxx-xxx-xxxx OR E-Mail to: -and submitted by fax, provided the originals are delivered to the Utility within 10 calendar days thereafter.

CERTIFICATE OF SERVICE

I hereby certify that, pursuant to the Commission's Rules of Practice and Procedure, I have this day served a true copy of compliance filing of **JOINT COMPLIANCE FILING OF PACIFIC GAS AND ELECTRIC COMPANY, SAN DIEGO GAS & ELECTRIC COMPANY AND SOUTHERN CALIFORNIA EDISON COMPANY ON INFORMAL WORKING GROUPS 1, 2 AND 3** on all parties identified on the attached service list(s). Service was effected by one or more means indicated below:

Transmitting the copies via e-mail to all parties who have provided an e-mail address. First class mail will be used if electronic service cannot be effectuated.

Executed this **2nd day of December, 2010**, at Rosemead, California.

/s/ Henry Romero
Project Analyst
Henry Romero
SOUTHERN CALIFORNIA EDISON COMPANY

2244 Walnut Grove Avenue
Post Office Box 800
Rosemead, California 91770



California Public
Utilities Commission

CPUC Home

CALIFORNIA PUBLIC UTILITIES COMMISSION

Service Lists

PROCEEDING: R0705025 - CPUC - OIR REGARDING
FILER: CPUC
LIST NAME: LIST
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