

From: Horner, Trina
Sent: 5/28/2010 9:12:27 AM
To: 'Roscow, Steve' (steve.roscow@cpuc.ca.gov)
Cc:
Bcc:
Subject: RE: Draft invalid opt out letter

Steve, I was only responding to Dawn's e-mail, which by the way was sent at 6:44 p.m. I had to send it early this morning because I was not going to have an opportunity otherwise this morning to engage.

From: Roscow, Steve [mailto:steve.roscow@cpuc.ca.gov]
Sent: Friday, May 28, 2010 9:09 AM
To: Horner, Trina; Weisz, Dawn
Cc: [Redacted] Velasquez, Carlos A.;
jdalessi@navigantconsulting.com; kdusel@navigantconsulting.com
Subject: RE: Draft invalid opt out letter

Trina,

You sent your note about about the "complete information" sentence last night at 6 pm and you sent your "where's the response to my note" at 7 am this morning--some of us need to NOT work between 6 pm and 7 am--is that fair?

To your point, this entire letter is only needed because PG&E intentionally set up opt-out mechanisms that removed the legislatively established connection between a customer's first receiving terms and conditions and their subsequent decision on whether to opt-out. So I think it is important to communicate that information to the customer in this letter, so they are not confused. PG&E's efforts to avoid taking responsibility for this are just dragging this out.

We'll get to your edits and your questions as soon as we can today.

Steve

From: Horner, Trina [mailto:TNHc@pge.com]
Sent: Fri 5/28/2010 7:06 AM
To: Weisz, Dawn; Roscow, Steve
Cc: [Redacted] Thomas; Velasquez, Carlos A.;
jdalessi@navigantconsulting.com; kdusel@navigantconsulting.com
Subject: RE: Draft invalid opt out letter

Hi Dawn and All,

This version Dawn circulated substitutes "generating" for "purchasing", which confuses me. Again, PG&E doesn't believe it is true to say MEA is generating any electricity -- certainly purchasing. Am I incorrect about that?

I haven't seen any response from anyone about my point below on whether the sentence "This was necessary to ensure that customers first received complete information from Marin Clean Energy before exercising their choice." As I mentioned yesterday, this particular letter is not to address whether customers had information from MCE before exercising their choice. This letter is about customers who opted out using a method that was invalid. So from the perspective of a customer reading this letter, this sentence is confusing, out of context, and implies something different from what happened in this case.

From: Weisz, Dawn [mailto:DWeisz@co.marin.ca.us]
Sent: Thursday, May 27, 2010 6:44 PM
To: Horner, Trina; steve.roscow@cpuc.ca.gov
Cc: [Redacted] carlos.velasquez@cpuc.ca.gov;
jdalessi@navigantconsulting.com; kdusel@navigantconsulting.com
Subject: RE: Draft invalid opt out letter

So I have attached what I think is the current version. With one comment added. Is this the final version to approve?

From: Horner, Trina [mailto:TNHc@pge.com]
Sent: Thursday, May 27, 2010 5:55 PM
To: steve.roscow@cpuc.ca.gov; Weisz, Dawn
Cc: [Redacted] carlos.velasquez@cpuc.ca.gov;
jdalessi@navigantconsulting.com; kdusel@navigantconsulting.com
Subject: Re: Draft invalid opt out letter

Steve and all,

We deleted the sentence "This was necessary to ensure customers first received...", because the implication is that the customers had not first been notified by MEA. That WAS the case with certain other opt outs, that WERE processed before MEA notified customers. Those customer opt outs have been invalidated and those customers notified by separate letter that we drafted with ED some weeks ago now.

In this case, this letter is to let customers know their METHOD of opt out -and therefore the opt out itself - was invalid. But these customers all did opt out after receiving MEA's first customer notice, so they were informed. So we were concerned that including this sentence would lead to confusion. I would just ask you to look at that paragraph with this distinction in mind and reconsider.

On the paragraph separation, I am fine with what you suggest. I consolidated when I thought the "you still have control" sentence was going to be the only sentence in that paragraph.

Trina

From: Roscow, Steve <steve.roscow@cpuc.ca.gov>
To: Horner, Trina; Weisz, Dawn <DWeisz@co.marin.ca.us>
Cc: [Redacted] Velasquez, Carlos A.
<carlos.velasquez@cpuc.ca.gov>; jdalessi@navigantconsulting.com
<jdalessi@navigantconsulting.com>; kdusel@navigantconsulting.com
<kdusel@navigantconsulting.com>
Sent: Thu May 27 16:37:04 2010
Subject: RE: Draft invalid opt out letter

Trina,

thanks again--

I don't mind the suggestion to remove the and/or.

However, I don't agree with the deletion from the first paragraph: This was necessary to ensure that customers first received complete information from Marin Clean Energy before exercising their choice.

To me, that sentence sets up the message further down "You will be receiving a notice shortly from MEA that clearly describes your rights and options with respect to opting out of MEA service."

I also don't like combining the sentence above into a single closing paragraph with the "we regret" sentiment—those need to be separated, obviously.

Steve

From: Horner, Trina [mailto:TNHc@pge.com]
Sent: Thursday, May 27, 2010 4:28 PM
To: Roscow, Steve; Weisz, Dawn
Cc: [Redacted] Velasquez, Carlos A.;
jdalessi@navigantconsulting.com; kdusel@navigantconsulting.com
Subject: RE: Draft invalid opt out letter

.....one last edit that we wanted to raise that wasn't in the last version: I suggest in the attached draft, and highlighted in yellow to distinguish the incremental change, deleting the words "and/or generating", as in the next bill we don't believe it's true to say there will be any MEA "generation" in this next bill

cycle. Of course if that is true then to represent that is fine.

Trina

From: Horner, Trina
Sent: Thursday, May 27, 2010 4:16 PM
To: 'Roscow, Steve'; Weisz, Dawn
Cc: [Redacted] Velasquez, Carlos A.;
jdalessi@navigantconsulting.com; kdusel@navigantconsulting.com
Subject: RE: Draft invalid opt out letter

Steve and Dawn, attached are a few edits from PG&E. I accepted all changes from Steve's original email this morning, and then overlayed both PG&E's and Dawn's suggestions (as later modified by Steve, below) - so hopefully this captures both MEA's and PG&E's reactions to the letter since this morning.

One note -- PG&E is fine with the language Dawn suggested below, but just to be clear, last week's decision does not limit communications with customers about the opt-out process, exclusively to the CCA-provided notices. We think it will help avoid customer confusion to include the opt-out telephone number and web site information in this letter, so the customer isn't juggling multiple letters on this topic, but in the interest of getting this letter out we're fine with not including it.

Let me know if you have any questions about this draft. And PG&E is fine with this being a joint PG&E/CPUC letter.

Trina

From: Roscow, Steve [mailto:steve.roscow@cpuc.ca.gov]
Sent: Thursday, May 27, 2010 3:42 PM
To: Weisz, Dawn
Cc: [Redacted] Thomas; Velasquez, Carlos A.;
jdalessi@navigantconsulting.com; kdusel@navigantconsulting.com; Horner, Trina
Subject: RE: Draft invalid opt out letter

Dawn, thanks—for the most part I like your clarification, except that I feel this section should include the term “opt out” since the letter is basically telling the customer, “you tried to opt out, you are not opted out, so here is how you may still opt out”

How about something like You will be receiving a notice shortly from MEA that clearly describes your rights and options with respect to opting out of MEA service.

Steve

From: Weisz, Dawn [mailto:DWeisz@co.marin.ca.us]
Sent: Thursday, May 27, 2010 2:46 PM
To: Roscow, Steve
Cc: Redacted; Velasquez, Carlos A.;
jdalessi@navigantconsulting.com; kdusel@navigantconsulting.com; Horner, Trina
Subject: RE: Draft invalid opt out letter

Hi Steve,

MEA does not need to sign on to this letter. However, there is one point that needs to be clarified. As per the CPUC decision on May 20th, opt out information is not supposed to be provided outside of the 'CCA provided notices.'

So this change is needed:

Your rights and options

Your energy choice options are still completely open to you, and under your control. You will be receiving a notice shortly from MEA that clearly describes your rights and options. ~~If you wish to have MEA continue purchasing the electricity you receive, no action is needed on your part. If you wish to opt out and have PG&E purchase the electricity you receive, you may inform MEA of your choice to opt out by calling their dedicated phone line at 1-888-632-3674.~~

I have also attached the document in track changes. Other than that I think it is ok to go out.

Thank you,

Dawn

From: Roscow, Steve [mailto:steve.roscow@cpuc.ca.gov]
Sent: Thursday, May 27, 2010 11:25 AM
To: Horner, Trina; Weisz, Dawn; kdusel@navigantconsulting.com; jdalessi@navigantconsulting.com
Cc: [Redacted] Velasquez, Carlos A.
Subject: RE: Draft invalid opt out letter

All,

Attached is the much-edited "non-tariffed opt out letter". Clanon has suggested that it be another PG&E/CPUC letter, though there is still time for MEA to join this one as well, of course.

So if you all could let me know on that ASAP, that would be great.

As far as edits, I have tried to duplicate the tone and neutrality of the "letter to 6,000" that is mailing today, so let me know if it needs more attention in that regard. Also, I've tried to update the narrative to reflect that the opt-out process is about to change, while still making it clear to the customers what has happened, and why.

Suggestions welcome...

Steve

From: Horner, Trina [mailto:TNHc@pge.com]
Sent: Tuesday, May 11, 2010 5:19 PM
To: Roscow, Steve; DWeisz@co.marin.ca.us; kdusel@navigantconsulting.com;

jdalessi@navicantconsulting.com; Velasquez, Carlos A.

Cc: Redacted

Subject: Draft invalid opt out letter

All,

Following up on our meeting today, attached is a draft of a letter that PG&E proposes to send to the invalid opt-out customers we discussed today. Let us know your thoughts on this draft. And as John mentioned, we're thinking that a letter from PG&E is less likely to cause customer confusion since PG&E accepted, and now needs to rescind, the opt-out. Frankly, as this letter apologizes for any inconvenience the customer has experienced, MEA might want to distance themselves from the events leading up to this letter. But let us know your thoughts and edits as you read it.

Thanks,

Trina <<DRAFT Eligible Phase I Rescind letter - 051110.doc>>

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