

From: Roscow, Steve  
Sent: 6/25/2010 3:50:12 PM  
To: Horner, Trina (/O=PG&E/OU=CORPORATE/CN=RECIPIENTS/CN=TNHC);  
Redacted  
Cc: Fitch, Julie A. (julie.fitch@cpuc.ca.gov); Clanon, Paul (paul.clanon@cpuc.ca.gov);  
Velasquez, Carlos A. (carlos.velasquez@cpuc.ca.gov); Kahlon, Gurbux  
(gurbux.kahlon@cpuc.ca.gov); Redacted  
Redacted  
Bcc:  
Subject: Fw: PG&E opt out data still not disclosed

Redact Trina—

Regarding the note below that Dawn Weisz has forwarded today to Paul, Julie, and the rest of us:

Granted that lots of vacations have intervened, nevertheless, I had requested on June 3rd that PG&E suggest a solution to this back-and-forth about the list of customer-specific opt-outs (*"Rather than meeting again, I'd ask PG&E to suggest a specific solution."*), and Trina responded that *"we're working on a proposal and will check in with folks next week on that"*.

So we should have heard back during the week of June 7. I know that I did not hear back, and I'm inferring from internal e-mails that nobody else at the CPUC heard back, either. Now, 3 weeks after my request, we are hearing from MEA that PG&E has not yet offered a workable solution to their request. The draft AL doesn't do it for them. Could you all please go back to the drawing board and offer something responsive? MEA offers constructive solutions, so now it is your turn to respond in kind.

My goal is to get this off Paul and Julie's front burner.

Thanks again,

Steve Roscow

CPUC Energy Division

415-703-1189

**From:** Weisz, Dawn  
**Sent:** Wednesday, June 23, 2010 3:02 PM  
**To:** Redacted  
**Cc:** Redacted  
**Subject:** RE: Draft Advice Letter for Opt Out Information

Hi Redacted,

We really appreciate the time you took to brief us on the draft advice letter and for sending it our way. In reviewing it, we could not find any provisions that address our request for customer data showing when and how customers opted out. Instead, the draft letter addresses a different set of issues, most of which are actually not applicable any more, given recent CPUC decisions.

The proposed tariff language would also seek to impose reporting obligations on a CCA. While we appreciate you reaching out to us and while we would like to partner with you on this effort, MEA cannot support this advice letter as currently drafted.

As we mentioned previously, the request for customer date and method of opt out should already be provided under your existing tariff language as specified in Rule 23 as follows:

*Rule 23 B.2.c: Timeliness and Due Diligence*

*“Consistent with State law and Commission decisions, PG&E shall exercise due diligence in meeting its obligations and deadlines under this Rule”*

*Rule 23 C.b: “When a customer is enrolled in to CCA Service, the customer’s account information will*

*be sent to the CCA. Such information will include information such as metering information required for billing, settlement and other functions”*

*Rule 23 C.c: “A CCA has the option to request additional customer information pursuant to Schedule E-CCAINFO.”*

***ELECTRIC SCHEDULE E-CCAINFO Sheet 3***

***INFORMATION RELEASE TO COMMUNITY CHOICE PROVIDERS:***

*4. Customer-specific information or aggregated information that violates the 15/15 Rule, as listed above will be provided when the CCA has met all of the following conditions:*

- a. Signed Non-Disclosure Agreement.*
- b. Executed an Attestation stating that the city or county is investigating, pursuing or implementing CCA, and*
- c. Any registration or other requirements as imposed by the CPUC.*

MEA has met all of the conditions (4a, b and c) above. Here is a direct link to the information on your website: [http://www.pge.com/tariffs/tm2/pdf/ELEC\\_SCHS E-CCAINFO.pdf](http://www.pge.com/tariffs/tm2/pdf/ELEC_SCHS E-CCAINFO.pdf) We suggest that the customer confidentiality concerns raised by PG&E may be more directly addressed through a clarifying letter from the CPUC Energy Division. Longer term, a revision to the CCA-INFO tariff, stating that PG&E will provide opt-out information requested by the CCA once the CCA has executed a non-disclosure agreement, may be appropriate as well. Please let us know if you have any questions or need further clarification on this issue.

We expect that this information (customer opt out date and method) can be provided to us by the end of the week.

Again, thank you for your time and effort in sharing this draft letter with us. We look forward to hearing from you soon.

Thanks,

Dawn