



Jane K. Yura
Vice President
Regulation and Rates

Pacific Gas and Electric Company
77 Beale St., Mail Code B10B
P.O. Box 770000
San Francisco, CA 94177

Fax: 415.973.6520

June XX, 2010

Advice XXXX-E

(Pacific Gas and Electric Company ID U 39 M)

Public Utilities Commission of the State of California

Subject: Revisions to Electric Rule 23 - Community Choice Aggregation Service To Facilitate The Exchange Of Customer Opt-Out Information.

Pacific Gas and Electric Company (PG&E) hereby submits for filing revisions to its electric tariffs. The affected tariff sheets are listed on the enclosed attachment 1.

Purpose

This Advice Filing seeks Commission approval and authorization to adopt and implement revisions to Rule 23, Section J.2 (with respect to release of the identity of customers who have opted out prior to mass enrollment) including directing PG&E to disclose customer-specific information to a Community Choice Aggregator (CCA) as provided under Rule 23, and to waive, to the extent necessary, the standard CCA tariff language contained in PG&E's Electric Rule 23.C.3.a and the customer privacy requirements in PG&E's Electric Rule 9.M. Also, PG&E is proposing a revision to Rule 23, Section I.7 to clarify that PG&E will only send opt-out confirmation notices to customers whose opt-out request has been processed by PG&E at the request of the CCA.

Background

On June 1, 2010, in compliance with Ordering Paragraphs (OP) 3 and 4 of California Public Utilities Commission's (Commission) Decision (D.) 10-05-050, PG&E submitted Advice 3679-E proposing revisions in the language in its Electric Rule 23 to clarify the opt-out procedures that will be used and to include that information in the CCA specific information provided by the CCA pursuant to Commission Resolution E-4250, dated April 8, 2010.

With the experience PG&E has gained in working with CCAs and the recent changes in the opt-out process where either PG&E or the CCA may be processing customer opt-out requests, PG&E is proposing a revision to its CCA tariff which would provide for the exchange of customer-specific opt-out information between PG&E and the CCA. In

addition to the tariff revision, PG&E seeks: (1) a specific finding from the Commission that providing opt out information and names to a CCA prior to mass enrollment does not conflict with Assembly Bill (AB) 117 and other applicable law and will not adversely affect the privacy rights of PG&E's customers, and waiving Rules 9 and 23 to the extent necessary to allow the provision of this customer-specific information to a CCA, and (2) a Commission resolution or order directing PG&E to release this customer-specific information to a CCA pursuant to the terms of proposed Section J.2 of Rule 23.

Tariff Revisions

PG&E proposes the following tariff revisions to its Electric Rule 23 -- *Community Choice Aggregation Service*:

1. Section I.7 was revised to read:

"7. If PG&E is processing the customer opt-out requests, PG&E shall provide notice to the customer when the customer's opt-out request has been processed unless the CCA and PG&E agree that the CCA shall provide such notice."

2. Section J.2 was revised to read:

"2. Within fifteen (15) days after conclusion of the Initial Notification Period, PG&E shall provide to the CCA one (1) update of its customer enrollments, providing individual customer information and energy usage data for those customers scheduled for mass enrollment.

During the period between the commencement of the initial customer notification and the mass enrollment date, if PG&E has been requested by the CCA to provide an opt-out process and the CCA provides a list to PG&E of the customers in that phase, if applicable, on or before the date of the first notice, PG&E shall provide to the CCA at a minimum, a weekly update of those customers for which PG&E has processed opt-out requests. During the period between the commencement of the Initial Notification Period and the close of the Follow-up Notification Period, if a CCA uses its own opt-out process, it shall provide PG&E at a minimum, a weekly update of those customers for which the CCA has processed opt-out requests. Neither PG&E nor the CCA shall disclose such individual customer information to third parties except on a confidential basis for purposes directly and solely related to CCA or utility service.

A CCA has the option to request additional customer information pursuant to Schedule E-CCAINFO."

This filing will not affect any other rates or charges, cause the withdrawal of service, or conflict with any other rate schedule or rule.

Protests

Anyone wishing to protest this filing may do so by letter sent via U.S. mail, by facsimile or electronically, any of which must be received no later than **June XX, 2010** which is 20 days after the date of this filing. Protests should be mailed to:

CPUC Energy Division
Tariff Files, Room 4005
DMS Branch
505 Van Ness Avenue
San Francisco, California 94102

Facsimile: (415) 703-2200
E-mail: ijnj@cpuc.ca.gov and mas@cpuc.ca.gov

Copies of protests also should be mailed to the attention of the Director, Energy Division, Room 4004, at the address shown above.

The protest also should be sent via U.S. mail (and by facsimile and electronically, if possible) to PG&E at the address shown below on the same date it is mailed or delivered to the Commission:

Jane K. Yura
Vice President, Regulations and Rates
Pacific Gas and Electric Company
77 Beale Street, Mail Code B10B
P.O. Box 770000
San Francisco, California 94177

Facsimile: (415) 973-6520
E-mail: PGETariffs@pge.com

Effective Date

PG&E requests that this advice filing become effective on Month XX, 2010. This advice letter is submitted with a Tier 3 designation and requires a resolution.

Notice

In accordance with General Order 96-B, Section IV, a copy of this advice letter is being sent electronically and via U.S. mail to parties shown on the attached list. Address changes to the General Order 96-B service list and all electronic approvals should be directed to email PGETariffs@pge.com. Advice letter filings can also be accessed electronically at: <http://www.pge.com/tariffs>.

Jane K. Yura
Vice President - Regulation and Rates

Attachments

cc: Service list for R.03-10-003



ELECTRIC RULE NO. 23
COMMUNITY CHOICE AGGREGATION SERVICE

Sheet 22

I. CCA CUSTOMER OPT-OUT PROCESSES (Cont'd.)

5. A customer opting out of CCA Service during the Follow-up Notification Period and after enrollment in CCA Service shall be returned to its previous service, without penalty, on the customer's next scheduled meter read date, consistent with CCASR processing timing as defined in Section M.
6. If a CCA using PG&E's opt-out process pursuant to subsection 1 receives a customer request to opt-out, the CCA should refer the customer to PG&E's standard opt-out process. Otherwise, the CCA should inform PG&E of such opt-out requests in a fashion that is mutually agreeable to the utility and the CCA so that PG&E can update its records.
7. If PG&E is processing the customer opt-out requests, PG&E shall provide notice to the customer when the customer's opt-out request has been processed unless the CCA and PG&E agree that the CCA shall provide such notice. (T)
8. After the conclusion of the Initial Notification Period, in advance of the date of commencing Automatic Enrollment and prior to the customer's enrollment in CCA Service, PG&E or the CCA may continue to accept customer opt-out requests and the utility and the CCA may make best efforts to process such requests before the customer's account switches to CCA Service. Opt-out requests that cannot be processed before the account switches shall be processed following the CCASR processing timing to return the customer's account to its previous service, as defined in this Rule.9. After the customer's account has switched to CCA Service, PG&E shall notify the CCA of customer Opt-out requests using the CCASR process as defined in Section M.
10. Customers making a positive election to CCA Service are not eligible for opt-out privileges and will return to Bundled Service under the provisions of Section L of this rule.
11. If a CCA elects to use a postcard or reply letter for the opt-out mechanism, the reply letter or postcard opt-out service must include a customer specific utility identifier preprinted on the reply letter/card if PG&E makes such an identifier available to the CCA.

J. CCA SERVICE MASS ENROLLMENT PROCESSES

PG&E shall provide a Mass Enrollment process whereby all eligible CCA customers that have not opted out of CCA Service shall be automatically enrolled in CCA Service on the customers' regular scheduled meter read dates over a one (1) billing month period, subject to phasing.

(Continued)

Advice Letter No: 3679-E
 Decision No. D.10-05-050

Issued by
Jane K. Yura
 Vice President
 Regulation and Rates

Date Filed June 1, 2010
 Effective May 20, 2010
 Resolution No. _____



ELECTRIC RULE NO. 23
 COMMUNITY CHOICE AGGREGATION SERVICE

Sheet 23

J. CCA SERVICE MASS ENROLLMENT PROCESSES (Cont'd.)

1. In advance of implementing the Mass Enrollment process, PG&E must be in receipt of the CCA's confirmation, indicating the CCA has fulfilled its Initial Notification requirements. PG&E has no responsibility for verifying that the CCA has complied with its notification requirements.
2. Within fifteen (15) days after conclusion of the Initial Notification Period, PG&E shall provide to the CCA one (1) update of its customer enrollments, providing individual customer information and energy usage data for those customers scheduled for mass enrollment.

(D)

Deleted: The update shall exclude all customer information for which PG&E has processed opt-out requests.

During the period between the commencement of the initial customer notification and the mass enrollment date, if PG&E has been requested by the CCA to provide an opt-out process and the CCA provides a list to PG&E of the customers in that phase, if applicable, on or before the date of the first notice, PG&E shall provide to the CCA at a minimum, a weekly update of those customers for which PG&E has processed opt-out requests. During the period between the commencement of the Initial Notification Period and the close of the Follow-up Notification Period, if a CCA uses its own opt-out process, it shall provide PG&E at a minimum, a weekly update of those customers for which the CCA has processed opt-out requests. Neither PG&E nor the CCA shall disclose such individual customer information to third parties except on a confidential basis for purposes directly and solely related to CCA or utility service.

(N)

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(N)

____ A CCA has the option to request additional customer information pursuant to Schedule E-CCAINFO.

(L)

(L)

3. The mass enrollment shall commence at a time not less than thirty (30) days and not more than forty-five (45) days after the conclusion of the Initial Notification Period, unless another date is mutually agreed to by the CCA and PG&E, and shall be processed over a one billing month period by billing cycle unless the CCA and utility have agreed to specialized services for CCA enrollment or Phase-in services as defined in this Rule. A CCA has the option to request additional customer information pursuant to Schedule E-CCAINFO.
4. For each account in the mass enrollment, the utility shall switch the customer's account on its scheduled meter reading date, providing confirmation to the CCA.
5. Following the Mass Enrollment, the Utility shall provide the CCA with an update to its customer enrollments, providing individual customer information and energy usage data, and the switch dates for those customers that were actually enrolled in the CCA's CCA Service.
6. Effective beginning on the date of the transfer, the CCA is solely responsible for providing the electric power needs of its customers.

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ELECTRIC RULE NO. 23
 COMMUNITY CHOICE AGGREGATION SERVICE

Sheet 23

7. Customer opt-out requests processed after the account has switched to CCA Service shall be returned to its previous service by the initiation of a CCASR and under the CCASR process timing, as defined in Section M. (L)
8. The CCA shall update its records within three (3) working days from the date of receiving a customer's opt-out notification from PG&E to remove the opt-out customer from CCA Service and eliminate future CCA Customer Notification concerning a customer's option to opt-out of the CCA Program, as defined in Section H of this Rule from the CCA. (L)
9. Except as otherwise provided for in this Rule, no special metering shall be necessary or permitted during the mass enrollment process. (L)

(Continued)

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