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October 21, 2010

Karen Miller, Public Advisor  
Kyle DeVine, Assistant Public Advisor  
505 Van Ness Avenue  
San Francisco, CA 94102

**Re: Draft Resolution CSID-004 (CHANGES Pilot Program)**

Dear Ms. Miller and Ms. DeVine:

On October 1, 2010, the California Public Utilities Commission (CPUC) distributed Draft Resolution (Res.) CSID-004, which would implement a pilot program to provide limited English proficient (LEP) consumers an in-language education, complaint resolution and outreach program for energy matters. This pilot program, to be called Community Help and Assistance with Natural Gas and Electricity Services (CHANGES), would be provided by the same contractor and community based organizations currently involved in the CPUC's Telecommunications Education and Assistance in Multiple-Languages (TEAM) program.<sup>1</sup> The program would be paid for by the ratepayers of Pacific Gas & Electric Company (PG&E), San Diego Gas & Electric Company (SDG&E), Southern California Edison Company (SCE), and Southern California Gas Company (SoCalGas).<sup>2</sup> On October 19, 2010, the Office of Commissioner Grueneich held an All Party Meeting for the parties to R.10-02-005, for the purpose of educating parties about the CHANGES pilot program being proposed in Draft Res. CSID-004.

The CPUC solicited comments on Draft Res. CSID-004 by October 21, 2010, and reply comments by October 26, 2010.<sup>3</sup> The Utility Reform Network (TURN) accordingly submits these comments on the CHANGES pilot program, as proposed in Draft Res. CSID-004 and explained further at the All Party Meeting.

As a general matter, TURN is highly supportive of expanding the TEAM program model to encompass energy issues, as proposed by the CPUC. TURN has worked for many years with energy consumers, providing education and individual complaint resolution. Based on our direct

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<sup>1</sup> Draft Res. CSID-004, p. 2.

<sup>2</sup> Ibid.

<sup>3</sup> Id., p. 6.

work with consumers, we cannot emphasize enough the need for CBO involvement in assisting energy consumers with understanding and lowering their bills, avoiding service disconnection, and resolving complaints with energy utilities. However, we caution that such work can be quite complex and time-consuming. As a result, the benefits of CHANGES to consumers will depend upon the quality of training received by the CBOs, their outreach strategies, and the usefulness of the education materials provided to consumers. In the sections below, TURN presents several recommendations to ensure that the CHANGES pilot program delivers its intended results.

**1. The CHANGES pilot program should include CBOs which represent the geographic and cultural diversity of LEP consumers in California.**

The proposed CHANGES pilot will be implemented by a subset of the same CBOs already working with the TEAM program.<sup>4</sup> According to Draft Res. CSID-004, “Representatives at the CBOs are from the same cultures they serve, enabling them to possess the insights necessary for such a program and also to provide in-language assistance which is culturally sensitive.”<sup>5</sup>

TURN agrees that it is very important to include culturally competent CBOs located within the communities they serve. For this reason, TURN recommends that CHANGES reach beyond the TEAM list where necessary to reflect the cultural and geographic diversity of California’s LEP consumers. While TURN understands that a pilot need not necessarily be comprehensive, we note that the TEAM list includes no CBOs north of Sacramento, leaving a large part of PG&E’s service territory un-served. Likewise, the TEAM list includes no CBOs providing services in Spanish in San Jose or Bakersfield, areas with large Latino populations and Spanish-speaking, LEP consumers (among others absent from the CBO list). TURN would be happy to work with the CPUC to bridge such cultural and geographic gaps by identifying additional CBOs for inclusion in the CHANGES pilot program.

In addition to the cultural and geographic representation of participating CBOs, other factors that may impact outreach include required travel and the extent to which targeted communities are unable to access services during “traditional” work hours/days. For instance, communities located in the Central Valley, central coast and rural communities require different approaches to outreach. Working in rural communities requires traveling to different locations and events and working outside of the nine-to-five hour workday. In addition, working with the ethnic media is required in order to reach low-income, LEP members of rural communities, as targeted communities tend to rely on ethnic media rather than mainstream media, where available. Effective outreach to such communities includes bilingual materials, integrates media along with other outreach strategies, and is tailored to the particular media outlet/mode of each community.

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<sup>4</sup> Id., p. 2, as further clarified at the All Party Meeting on Oct. 19, 2010.

<sup>5</sup> Id., p. 4.

**2. Consumer Groups should be consulted during the preparation of education and outreach materials for the CHANGES pilot program.**

The CHANGES pilot program, as proposed, will include the following three components: Education, Outreach, and Complaint Resolution. Draft Res. CSID-004 explains, “[T]he CBOs may be using materials provided by the IOU(s), and approved by the CPUC for their education or outreach components of the program.”<sup>6</sup> TURN recommends that consumer groups be invited to review such materials and provide input on their design and content.

Based on our experiences in working directly with consumers on utility energy issues, consumer groups can assist the CPUC in developing a successful outreach and education program, one that meets the following objectives:

- To provide culturally appropriate, accurate, reliable and objective consumer information to limited-English energy consumers.
- To provide information, assistance and referral to individual consumers regarding grievances or complaints.
- To teach or empower individual consumers to access consumer information on their own and advocate on their own behalf.
- To utilize the local ethnic and community media to educate consumers about the availability of CBOs to assist consumers in lowering their energy usage and bills, avoiding disconnection, and resolving disputes with the utility company.

The CHANGES pilot program can and should be designed to deliver these results. The quality and content of outreach and education materials is a critical to this end.

Consumer groups provide a unique perspective on effective communications with targeted communities. For instance, while utility materials and CPUC materials tend to present information from the “program perspective”, consumer groups have learned from working with consumers that other approaches are also necessary. TURN hears from many consumers on fixed incomes, just above the LIEE-eligibility cutoff, who want to lower their bills through conservation and efficiency. These consumers would not qualify for LIEE and could not afford to replace appliances through the utility EE rebate programs. However, these consumers should be provided with in-language information about low- and no-cost conservation and efficiency options. Conservation and efficiency education for all consumers is essential to helping consumers lower their usage, manage their bills, and avoid service termination (while also delivering environmental benefits to everyone).

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<sup>6</sup> Id., p. 5.

**3. A robust complaint resolution program component requires good training for CBOs and coordination with the CPUC's Consumer Affairs Branch.**

Draft Res. CSID-004 explains that “the CBOs will work directly with the consumers and the IOUs to assist customers with issues such as, bill inquiries, avoidance of service disconnections, or restoration of service.”<sup>7</sup> Providing complaint resolution services can be complicated and time-consuming. Complaint resolution requires knowing what to ask consumers to understand the nature of the problem; identifying whether the issue presented should be treated as a complaint; educating consumers about their rights and potential remedies; utilizing various options for complaint resolution; and teaching consumers about avenues for additional redress, including the CPUC's informal and formal complaint processes. Good training for service providers is thus an integral part of program success.

Training for CBOs providing complaint resolution as part of the CHANGES pilot program should include the presentation of objective materials and reflect an appreciation for the value of consumer advocacy and consumer empowerment. It would be wholly inappropriate for the utility companies to provide this training or prepare training materials – no matter how well-intentioned they are. Utilities are simply not in the best position to train the advocates who will be working on behalf of consumers in dispute with the utility. Accordingly, TURN strongly recommends that consumer groups be invited to participate in the preparation of training materials and/or the training of CBOs who will provide complaint resolution as part of the CHANGES pilot program.

Related, the participating CBOs should be trained to work directly with the CPUC's Consumer Affairs Branch (CAB) on complaint resolution, not just with the utilities. CBOs should be instructed on how to file complaints with the CPUC and track CAB results, as necessary. They should also be trained to teach consumers how to file CAB complaints on their own, should that be necessary in the future.

CAB already has a well-defined process for tracking and addressing consumer complaints. The CPUC relies on CAB's database of consumer complaints to understand trends in consumer problems across utilities. TURN understands from the All Party Meeting that the CPUC intends to have a separate CHANGES complaint database. While we can appreciate that this database could facilitate program evaluation, there is no reason to completely segregate the complaints arising from LEP consumers served by the CHANGES pilot program from CAB's central database. Moreover, it would be counterproductive to *de facto* deprive these consumers of CAB's services, simply because they rely on CBOs participating in the CHANGES pilot program for complaint resolution, which might not be trained to use CAB's services. For these reasons, TURN advocates training CBOs to work directly with CAB, as needed.

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<sup>7</sup> Id., p. 5.

#### **4. Conclusion**

TURN applauds the CPUC's proposed expansion of the TEAM model to include energy issues in the CHANGES pilot program. To maximize the benefits delivered to limited English proficient energy consumers through CHANGES, TURN encourages the CPUC to include additional CBOs which represent the geographic and cultural diversity of targeted consumers in California. TURN also urges the CPUC to consult with consumer groups during the preparation of program education and outreach materials, as well as the training of CBOs to provide complaint resolution. TURN would welcome the opportunity to assist you in further developing the CHANGES pilot program, along the lines discussed above.

Sincerely,

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Cc: Parties to R.10-02-005