



Jane K. Yura
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Pacific Gas and Electric Company
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Fax: 415.973.6520

December 13, 2010

Advice 3175-G/3777-E

(Pacific Gas and Electric Company ID U 39 M)

Public Utilities Commission of the State of California

Subject: Revisions to Gas and Electric Rules 1, 6, 7, 17, and 17.1, and New Sample Form No. 79-1128, Affidavit in Support of Customer Claim Qualifying as a Small Business Customer under Government Code Section 14837

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

Purpose

In compliance with Ordering Paragraphs (OP) 1, 2 and 3 of California Public Utilities Commission's (Commission) Decision (D.) 10-10-032¹ (the Decision), PG&E is revising the language in its Gas and Electric Rules 1, 6, 7, 17, and 17.1, and proposing new Sample Form No. 79-1128, *Affidavit in Support of Customer Claim as Qualifying as a Small Business Customer Under Government Code Section 14837*, to allow customers who do not qualify on the basis of annual usage to self-certify as a "small business customer" by meeting the definition of a "micro-business" under Government Code Section 14837.

Background

On May 6, 2010, the Commission issued Order Instituting Rulemaking (OIR) 10-05-005 to determine whether revisions or updates are necessary to utility tariff rules governing adjustments of customer bills due to meter and/or billing errors and whether utility deposit rules need to be revised to address concerns raised by business customers that were faced with utility back-bills that may date back several years. The OIR strictly limited any tariff revisions to treating small business customers the same as residential customers for specific billing and deposit purposes. The OIR also established a preliminary scoping memo identifying the issues and a schedule.

¹ D.10-11-037, dated November 18, 2010, corrected errors in OP 1(e) and 3 in D.10-10-032. Those corrections are incorporated into this filing.

On July 6, 2010, pursuant to the OIR, a workshop was held at the Commission's offices in San Francisco. Parties attending the workshop focused on three main issues:

1. A definition of a "small business customer."
2. Tariff policies addressing back-billing for small business customers.
3. Tariff policies addressing deposits for small business customers.

On July 28, 2010, an Assigned Administrative Law Judge's (ALJ) Ruling provided an opportunity for comments on a Business and Community Outreach Staff Report (Report). The Report, summarizing the comments of parties who attended the July 6th Workshop, states that parties generally were in agreement that a small business should be defined as one of the following:

1. A non-residential electric customer with annual consumption of 40,000 kWh or less or an energy demand of 20 kW or less.
2. A non-residential gas customer with an annual consumption of 10,000 therms or less.
3. A non-residential customer meeting Section 14837 of Government Code's definition of "micro-business."

The Report concluded that parties agreed to revise the back-billing tariff rule for small businesses such that the maximum back-billing period would be three months, rather than the current rule of three years. In addition, the Report recommended that the overcharge refund period for billing errors, currently six months, be revised to three years so it is the same as the overcharge refund period for metering errors.² Although the Report noted that parties were unable to agree on changes in deposit rules, the Commission's Business and Community Outreach (BCO) staff recommended changes in deposit rules that would effectively limit deposits to twice the average monthly bill rather than twice the maximum monthly bill. BCO staff also recommended small business disconnection notice practices and pursuit of alternative credit and payment policies.

On October 28, 2010, the Commission issued the Decision directing the utilities to revise their tariff rules for non-residential electric customers using 40,000 kilowatt hours or less, or have a demand of 20 kilowatts or less, or gas customers using 10,000 therms or less, or non-residential customers meeting the requirements of a micro-business as defined in Government Code Section 14837 (small business customers) as follows:

- a) Reduce the back-billing period from three years to three months for undercharges resulting from billing and metering errors;

² Current tariffs generally provide that overcharges for billing errors may be refunded for up to three years, while overcharges for metering errors may be refunded for up to six months. PacifiCorp's tariff Rule 9 is an exception as it provides that overcharges for both billing and metering errors be refunded for up to six months.

- b) Reduce the deposit requirements to twice the average monthly bill and permit the utilities to offer alternative credit mechanisms in lieu of deposits if customers select this option;
- c) Establish that refund periods for overcharges resulting from metering and billing errors be a maximum of three years;
- d) Specify that reestablishment of service deposits shall not apply when failure to pay results from charges that are backbilled;
- e) Establish that a small business customer, as specified above, shall receive a warning letter after the first late payment during any twelve-month period, which informs that a deposit to reestablish credit may be required if another late payment occurs within the same twelve-month period; and
- f) Clearly define the small business customers which qualify for these tariff revisions.
- g) Inform nonresidential customers subject to backbilling that they may self-certify as a micro-business under Government Code Section 14837.

In accordance with OP 1 and 3 of D.10-10-032, PG&E is submitting revisions to its gas and electric tariffs to implement the revised billing and credits practices for small business customers ordered by the Decision. In addition, in accordance with OP 2, PG&E has, or will, implement all of these measures by December 27, 2010.

Tariff Revisions

In accordance with OP 1 and 3 of D. 10-10-032, PG&E proposes the following tariff modifications:

Electric Rule 1 - Definitions

- Added a new definition for "Small Business Customer."

Electric Rule 6 - Establishment and Reestablishment of Credit

- Section B.2 was revised to state: (1) a Small Business Customer may not be required to reestablish credit if such bills are for retroactive charges resulting from a meter error or billing error as prescribed in Rules 17 and 17.1, and (2) provide for the issuance of a warning letter to Small Business Customers after the first late payment during any twelve-month period informing the customer that a deposit to reestablish credit may be required if another late payment occurs within the same twelve-month period.

Electric Rule 7 – Deposits

- Sections A.1.b and A.2 were revised to change the basis for deposits required to establishment or reestablishment credit for Small Business Customers from twice the “maximum” monthly bill to twice the “average” monthly bill and clarify the treatment of all other nonresidential customers.

Electric Rule 17 - Meter Tests and Adjustment of Bills for Meter Error

- Section B.1.a was revised to increase the maximum period for which PG&E will refund overcharges resulting from a fast meter from six months to three years.

Electric Rule 17.1 - Adjustment of Bills for Billing Error

- Section B.2.b was revised to decrease the maximum period for which PG&E will bill a Small Business Customer for undercharges resulting from a billing error from three years to three months, and clarify that a customer who had qualified as a Small Business Customer based upon annual usage during the period of the billing error would not become ineligible for the reduced back-billing period if their corrected usage caused them to exceed the annual usage limit.

Gas Rule 1 - Definitions

- Added a new definition for “Small Business Customer.”

Gas Rule 6 - Establishment and Reestablishment of Credit

- Section E.2 was revised to state that (1) a Small Business Customer may not be required to reestablish credit if such bills are for retroactive charges resulting from a meter error or billing error as prescribed in Rules 17 and 17.1, and (2) provide for the issuance of a warning letter to Small Business Customers after the first late payment during any twelve-month period informing the customer that a deposit to reestablish credit may be required if another late payment occurs within the same twelve-month period.

Gas Rule 7 – Deposits

- Sections A.1.b and A.2.a were revised to change the basis for deposits required to establishment or reestablishment credit for Small Business Customers from twice the “maximum” monthly bill to twice the “average” monthly bill and clarify the treatment of all other nonresidential customers.

Gas Rule 17 – Meter Tests and Adjustment of Bills for Meter Error

- Section B.1.a was revised to increase the maximum period for which PG&E will refund overcharges resulting from a fast meter from six months to three years.

Gas Rule 17.1 – Adjustment of Bills for Billing Error

- Section B.2.b was revised to decrease the maximum period for which PG&E will bill a Small Business Customer for undercharges resulting from a billing error from three years to three months, and clarify that a customer who had qualified as a Small Business Customer based upon annual usage during the period of the billing error would not become ineligible for the reduced back-billing period if their corrected usage caused them to exceed the annual usage limit.

Form No. 79-1128, Affidavit in Support of Customer Claim as Qualifying as a Small Business Customer under Government Code Section 14837

- New customer affidavit form to allow gas customers who do not qualify on the basis of annual gas usage, or electric customers who do not qualify on the basis of annual electric usage or maximum billing demand, to self-certify as a “Small Business Customer.” PG&E requests the authority to update the qualifications in the form as necessary to align it with future revisions to the code section without further approval from the Commission.

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 **January 3, 2011**,³ which is 21 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: anj@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.

³ The 20-day protest period concludes on a weekend, therefore, PG&E is moving this date to the following business day.

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 **December 13, 2010**, in accordance with OP 2 of D.10-10-032. This advice letter is submitted with a Tier 1 designation.

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.10-05-005

CALIFORNIA PUBLIC UTILITIES COMMISSION

**ADVICE LETTER FILING SUMMARY
ENERGY UTILITY**

MUST BE COMPLETED BY UTILITY (Attach additional pages as needed)

Company name/CPUC Utility No. **Pacific Gas and Electric Company (ID U39 M)**

Utility type:

ELC GAS
 PLC HEAT WATER

Contact Person: Olivia Brown

Phone #: 415.973.9312

E-mail: oxb4@pge.com

EXPLANATION OF UTILITY TYPE

ELC = Electric GAS = Gas
 PLC = Pipeline HEAT = Heat WATER = Water

(Date Filed/ Received Stamp by CPUC)

Advice Letter (AL) #: 3175-G/3777-E

Tier: 1

Subject of AL: Revisions to Gas and Electric Rules 1, 6, 7, 17, and 17.1, and New Sample Form No. 79-1128, Customer Affidavit Form for the Self-Certification of Small Business Customers under Government Code Section 14837, in Compliance with Decision 10-10-032

Keywords (choose from CPUC listing): Compliance, Forms

AL filing type: Monthly Quarterly Annual One-Time Other _____

If AL filed in compliance with a Commission order, indicate relevant Decision/Resolution #: D.10-10-032

Does AL replace a withdrawn or rejected AL? If so, identify the prior AL: No

Summarize differences between the AL and the prior withdrawn or rejected AL: N/A

Is AL requesting confidential treatment? If so, what information is the utility seeking confidential treatment for: No

Confidential information will be made available to those who have executed a nondisclosure agreement: N/A

Name(s) and contact information of the person(s) who will provide the nondisclosure agreement and access to the confidential information: N/A

Resolution Required? Yes No

Requested effective date: December 13, 2010

No. of tariff sheets: 22

Estimated system annual revenue effect (%): N/A

Estimated system average rate effect (%): N/A

When rates are affected by AL, include attachment in AL showing average rate effects on customer classes (residential, small commercial, large C/I, agricultural, lighting). N/A

Tariff schedules affected: Gas and Electric Rules 1. 6, 7, 17, 17.1 and New Sample Form No. 79-1128

Service affected and changes proposed: N/A

Protests, dispositions, and all other correspondence regarding this AL are due no later than 20 days after the date of this filing, unless otherwise authorized by the Commission, and shall be sent to:

**CPUC, Energy Division
Tariff Files, Room 4005
DMS Branch**

**505 Van Ness Ave., San Francisco, CA 94102
jnj@cpuc.ca.gov and mas@cpuc.ca.gov**

**Pacific Gas and Electric Company
Attn: Jane K. Yura, Vice President, Regulation and Rates**

**77 Beale Street, Mail Code B10B
P.O. Box 770000
San Francisco, CA 94177
E-mail: PGETariffs@pge.com**

**ATTACHMENT 1
Advice 3175-G**

Cal P.U.C. Sheet No.	Title of Sheet	Cancelling Cal P.U.C. Sheet No.
28651-G	GAS RULE NO. 1 DEFINITIONS Sheet 15	24126-G
28652-G	GAS RULE NO. 1 DEFINITIONS Sheet 16	19429-G
28653-G	GAS RULE NO. 6 ESTABLISHMENT AND REESTABLISHMENT OF CREDIT Sheet 3	18873-G
28654-G	GAS RULE NO. 7 DEPOSITS Sheet 1	28472-G
28655-G	GAS RULE NO. 7 DEPOSITS Sheet 2	27250-G
28656-G	GAS RULE NO. 17 METER TESTS AND ADJUSTMENT OF BILLS FOR METER ERROR Sheet 2	14451-G
28657-G	GAS RULE NO. 17.1 ADJUSTMENT OF BILLS FOR BILLING ERROR Sheet 2	14458-G
28658-G	GAS RULE NO. 17.1 ADJUSTMENT OF BILLS FOR BILLING ERROR Sheet 3	
28659-G	Gas Sample Form 79-1128 Customer Affidavit Form for the Self-Certification of Small Business Customers under Government Code Section 14837 Sheet 1	
28660-G	GAS TABLE OF CONTENTS Sheet 1	28637-G
28661-G	GAS TABLE OF CONTENTS Sheet 6	28564-G

**ATTACHMENT 1
Advice 3175-G**

**Cal P.U.C.
Sheet No.**

Title of Sheet

**Cancelling Cal
P.U.C. Sheet No.**

28662-G

GAS TABLE OF CONTENTS
Sheet 11

28314-G



GAS RULE NO. 1
DEFINITIONS

Sheet 15

SCHEDULED METER READING DATE: The date PG&E has scheduled a Customer's meter to be read for the purposes of ending the current billing cycle and beginning a new one. PG&E's meter reading schedule is published annually, but is subject to periodic change.

SERVICE PIPE: All pipe, valves, and fittings from and including the connection at the main, up to and including the stop-cock on the riser.

SERVICE-PIPE EXTENSION: Extension of a Service Pipe as defined above, in accordance with the service-extension rules.

SHRINKAGE: The amount of gas used by PG&E's Gas Department and the lost and unaccounted for supply, both of which are a function of moving gas for a Customer.

SMALL BUSINESS CUSTOMER: A non-residential Customer with annual gas usage of 10,000 therms, or less, per meter during the most recent 12 month period, or who meets the definition of a "micro-business" under California Government Code 14837. This definition does not include non-residential Customers who are on a fixed usage or unmetered usage rate schedule.

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SMARTMETER™: Trademark used by PG&E with permission of trademark owner for use in conjunction with PG&E's Advanced Metering Infrastructure (AMI) project (approved by the Commission in D.06-07-027) and in conjunction with the marketing of any or all related goods and services of PG&E associated with AMI.

STANDARD ATMOSPHERIC PRESSURE: A pressure of 14.73 pounds per square inch absolute (psia).

STANDARD CUBIC FOOT OF GAS: The quantity of gas that occupies one cubic foot at standard temperature under standard atmospheric pressure and is free of water vapor (dry), unless otherwise specified.

STANDARD TEMPERATURE: 60 degrees Fahrenheit, based on the international temperature scale.

STORAGE INJECTION: Quantities of gas delivered into storage facilities for later use by Customers.

STORAGE WITHDRAWAL: Quantities of gas delivered from storage facilities for use by Customers.

STRAIGHT FIXED VARIABLE (SFV): A rate design method which allocates all fixed costs to the demand charge and all variable costs to the commodity, or usage, component.

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(Continued)

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 Decision No. D.10-10-032

Issued by
Jane K. Yura
 Vice President
 Regulation and Rates

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 Effective _____
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GAS RULE NO. 1
DEFINITIONS

Sheet 16

STUB SERVICE: A lateral pipe, including valves and fittings, from and including the connection at the main to a dead end near the curb or property line of the street in which the main is located.

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SUBMETERING: Where the master-metered customer installs, owns, maintains, and reads the meters for billing the tenants in accordance with Rule 18.

TARIFF SCHEDULES: The entire body of effective rates, rentals, charges, and rules, collectively, of PG&E, including title page, preliminary statement, rate schedules, rules, sample forms, service area maps, and list of contracts and deviations.

TARIFF SHEET: An individual sheet of PG&E's tariffs.

TEMPORARY SERVICE: Service for enterprises or activities which are temporary in character or where it is known in advance that service will be of limited duration. Service which, in the opinion of PG&E, is for operations of a speculative character of which the permanence has not been established is also considered temporary service.

TRACT OR SUBDIVISION: An area for family dwellings which may be identified by filed subdivision plans or as an area in which a group of dwellings may be constructed about the same time, either by a large scale builder or by several builders working on a coordinated basis.

TRANSMISSION SYSTEM: The Transmission System is PG&E's backbone and local gas transmission lines, including gathering and Stanpac lines.

UTILITY: Pacific Gas and Electric Company (PG&E).

UTILITY USERS TAX: A tax imposed by local governments on PG&E's customers. PG&E is required to bill customers within the city or county for the taxes due, collect the taxes from customers, and then pay the taxes to the city or county. The tax is calculated as a percentage of the charges billed by PG&E for energy use.

WHOLESALE/RESALE CUSTOMER: A Customer who takes service under gas Schedule G-WSL—Gas Transportation Service to Wholesale/Resale Customers, which applies to the transportation of natural gas for resale.

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GAS RULE NO. 6
 ESTABLISHMENT AND REESTABLISHMENT OF CREDIT

Sheet 3

E. REESTABLISHMENT OF CREDIT—ALL CLASSES OF SERVICE, EXCEPT TRANSMISSION SERVICES

1. An applicant who previously has been a customer of PG&E and whose gas service has been discontinued by PG&E during the last twelve months of that prior service because of nonpayment of bills, may be required to reestablish credit by depositing the amount prescribed in Rule 7 for that purpose, and by paying bills regularly due; except, an applicant for residential service will not be denied service for failure to pay such bills for other classes of service.

2. A customer who fails to pay bills before they become past due as defined in Rule 11, and who further fails to pay such bills within five days after presentation of a discontinuance of service notice for non-payment of bills, may be required to pay said bills and reestablish credit by depositing the amount prescribed in Rule 7; except, a Small Business Customer, as defined in Rule 1, may not be required to reestablish credit if such bills are for retroactive charges resulting from a meter error or billing error as prescribed in Rules 17 and 17.1. In addition, a customer who has been identified by PG&E as a Small Business Customer, as defined in Rule 1, will receive a warning letter after a late payment during any twelve-month period informing the customer that a deposit to reestablish credit may be required if another late payment occurs within the same twelve-month period. This Rule will apply regardless of whether or not service has been discontinued for such nonpayment.

3. A customer using other than residential service may be required to reestablish credit in accordance with Rule 6.B. in case the conditions of service or basis on which credit was originally established have, in the opinion of PG&E, materially changed.

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 (N)

F. REESTABLISHMENT OF CREDIT—SHIPPERS TAKING PG&E'S FIRM INTERSTATE RIGHTS

The establishment of credit requirements for shippers in Rule 6.C. shall apply to any shipper who is required by the interstate pipeline(s) to reestablish credit.

G. REESTABLISHMENT OF CREDIT—TRANSMISSION SERVICES

Customers of PG&E's transmission services including, but not limited to, transportation, storage, parking and lending, shall reestablish credit in accordance with Rule 25.

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 Vice President
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GAS RULE NO. 7
DEPOSITS

Sheet 1

A. AMOUNT OF DEPOSIT

1. ESTABLISHMENT OF CREDIT

- a. Residential accounts: The amount of deposit required to establish credit shall be twice the average monthly bill as estimated by PG&E.
- b. Nonresidential accounts: The amount of deposit required to establish credit for a nonresidential customer who is not a Small Business Customer, as defined in Rule 1, may be twice the maximum monthly bill as estimated by PG&E. The amount of deposit required to establish credit for a Small Business Customer account may be twice the average monthly bill as estimated by PG&E. (T)
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 (T)
- c. Residential and nonresidential accounts: The amount of deposit taken to establish credit may be subject to adjustment upon request by the customer or upon review by PG&E.
- d. Customers of PG&E's transmission services including, but not limited to, transportation, storage, parking and lending, shall establish credit in accordance with Rule 25.

2. REESTABLISHMENT OF CREDIT

- a. The amount of deposit required to reestablish credit for residential and nonresidential Small Business Customer accounts, as defined in Rule 1, may be twice the average bill as determined by PG&E. The amount of deposit required to reestablish credit for all other nonresidential accounts may be twice the maximum bill as determined by PG&E. (T)
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 (T)
- b. Reestablishment of credit, deposits, return of deposits, and interest on deposits for PG&E transmission service including, but not limited to, transportation, storage, parking and lending, is set forth in Rule 25.

(Continued)

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GAS RULE NO. 17
METER TESTS AND ADJUSTMENT OF BILLS FOR METER ERROR

Sheet 2

A. METER TESTS (Cont'd.)

Every gas meter, when installed for the use of any Customer, shall be in good order and shall have been adjusted to register within one percent over or two percent under the proper registration when passing gas at a rate which will cause a pressure drop in the meter not to exceed one-half inch of water column. The meter shall be adjusted so that the open flow test agrees with the check flow test within one percent, provided however, that no meter shall be put in service which on any test proves in excess of one percent over the proper registration.

B. ADJUSTMENT OF BILLS FOR METER ERROR

Meter error is the incorrect registration of the Customer's energy usage resulting from a malfunctioning or defective meter. It does not include incorrect registration attributable to billing error or unauthorized use.

Where, as the result of a meter test (except for "Meters Other Than Displacement Gas Meters," as described in Section C), a meter is found to be nonregistering or incorrectly registering, PG&E may render an adjusted bill to the Customer for the amount of any undercharge, without interest. PG&E shall issue a refund or credit to the Customer for the amount of any overcharge, without interest, computed back to the date that PG&E determines the meter error commenced, except that the period of adjustment shall not exceed the limits set forth below. Such adjusted bill shall be computed as follows:

1. FAST METER

a. RESIDENTIAL AND NONRESIDENTIAL SERVICE

If a meter for either residential or nonresidential service is found to be registering more than two percent fast, PG&E will calculate the amount of the overcharge for refund to the Customer based on the corrected meter readings or PG&E's estimate of the natural gas usage for a period of three years. However, if it is known that the period of meter error was less than three years, the overcharge will be calculated for only those months during which the meter error occurred. (T) (T)

(Continued)

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GAS RULE NO. 17.1
ADJUSTMENT OF BILLS FOR BILLING ERROR

Sheet 2

B. ADJUSTMENT OF BILLS FOR BILLING ERROR (Cont'd.)

1. BILLING ERROR RESULTING IN OVERCHARGES TO THE CUSTOMER
 (Cont'd.)

a. RESIDENTIAL AND NONRESIDENTIAL SERVICE

If either a residential or nonresidential service is found to have been overcharged due to billing error, PG&E will calculate the amount of the overcharge, for refund to the Customer, for a period of three years. However, if it is known that the period of billing error was less than three years, the overcharge will be calculated for only those months during which the billing error occurred.

(L)

(Continued)

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GAS RULE NO. 17.1
ADJUSTMENT OF BILLS FOR BILLING ERROR

Sheet 3

B. ADJUSTMENT OF BILLS FOR BILLING ERROR (Cont'd.)

(L)

2. BILLING ERROR RESULTING IN UNDERCHARGES TO THE CUSTOMER

b. NONRESIDENTIAL SERVICE

If a nonresidential service is found to have been undercharged due to a billing error, PG&E may bill the Customer for the amount of the undercharge for a period of three years. However, if it is known that the period of billing error was less than three years, the undercharge will be calculated for only those months during which the billing error occurred.

- i. bill the Customer for the amount of the undercharge for a period of three months if the Customer is a Small Business Customer, as defined in Rule 1; or
- ii. bill the Customer for the amount of the undercharge for a period of three years if the Customer is not a Small Business Customer, as defined in Rule 1.

(L)

A customer who qualified as a Small Business Customer based upon annual usage under Rule 1 during the period of the billing error, but exceeds the annual maximum usage as a result of applying the three-month back-billing to calculate annual usage shall be treated as a Small Business Customer under the Section B.2.b.i, above, for any undercharges.

(N)

However, if it is known that the period of billing error was less than three months or three years, as applicable, the undercharge will be calculated for only those months during which the billing error occurred.

(N)

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Gas Sample Form 79-1128
Customer Affidavit Form for the Self-Certification of Small Business Customers
under Government Code Section 14837

Sheet 1 (N)
(N)
(N)

PLEASE REFER TO
ATTACHED SAMPLE FORM

Advice Letter No: 3175-G
Decision No. D.10-10-032

Issued by
Jane K. Yura
Vice President
Regulation and Rates

Date Filed December 13, 2010
Effective _____
Resolution No. _____



I. Customer Declaration:

I, _____, state as follows:

1. I am authorized to make this declaration as the Customer ("Customer") or as an authorized representative of the Customer _____ and
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 warrants he qualifies as a "small business customer," as defined under California Government Code Section 14837. A "micro-business" is defined as a small business, in aggregate with its affiliates, which either has average annual gross receipts of three million five hundred thousand dollars (\$3,500,000) or less over the previous three years, or is a manufacturer, as defined in subdivision (c), with 25 or fewer employees." Subdivision (c) provides that "(c)"Manufacturer" means a business that meets both of the following requirements: (1) It is primarily engaged in the chemical or mechanical transformation of raw materials or processed substances into new products [and] (2) It is classified between Codes 31 to 33, inclusive, of the North American Industry Classification System."

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: _____
Customer or Authorized Representative of the Customer

Title: _____

II. Required Customer Information (Please Type or Print):

Name On Account: _____
Service Address: _____
City, State, Zip: _____

III. PG&E Reply Information:

Please return the completed affidavit by United States Postal Service to:

Pacific Gas and Electric Company
Attention: Billing
PO Box 8329
Stockton, Ca 95208

* See North American Industry Classification System Website, [http://www.census.gov/cgi-bin/sssd/naics/naicsrch?chart_code=31&search=2007 NAICS Search](http://www.census.gov/cgi-bin/sssd/naics/naicsrch?chart_code=31&search=2007%20NAICS%20Search)

¹ Automated Document, Preliminary Statement, Part A



GAS TABLE OF CONTENTS

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**ATTACHMENT 1
Advice 3777-E**

Cal P.U.C. Sheet No.	Title of Sheet	Cancelling Cal P.U.C. Sheet No.
29720-E	ELECTRIC RULE NO. 1 DEFINITIONS Sheet 25	15564-E
29721-E	ELECTRIC RULE NO. 6 ESTABLISHMENT AND REESTABLISHMENT OF CREDIT Sheet 2	21156-E
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29724-E	ELECTRIC RULE NO. 17.1 ADJUSTMENT OF BILLS FOR BILLING ERROR Sheet 2	12054-E
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29727-E	ELECTRIC TABLE OF CONTENTS RULES Sheet 10	29675-E
29728-E	ELECTRIC TABLE OF CONTENTS SAMPLE FORMS Sheet 17	29532-E



ELECTRIC RULE NO. 1
DEFINITIONS

Sheet 25

SCHEDULED METER READING DATE: The date PG&E has scheduled a Customer's meter to be read for the purposes of ending the current billing cycle and beginning a new one. PG&E's meter reading schedule is published annually, but is subject to periodic change.

SCHEDULING COORDINATOR: An entity meeting requirements as set forth by the Commission, FERC, and these tariffs.

SERVICE ACCOUNT: Same as "Account."

SINGLE-CUSTOMER SUBSTATION: A substation owned by PG&E and dedicated to serve a specific customer. Substations transform electricity from transmission to distribution voltage.

SMALL BUSINESS CUSTOMER: A non-residential Customer who: (1) has a maximum billing demand of 20 kW, or less, per meter for at least 9 billing periods during the most recent 12 month period, or (2) has an annual usage of 40,000 kWh, or less, during the most recent 12 month period, or (3) meets the definition of a "micro-business" under California Government Code 14837. This definition does not include non-residential Customers who are on a fixed usage or unmetered usage rate schedule.

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SMALL CUSTOMER: Customers on demand-metered schedules (A-10 and E-19V), with less than 20 kW maximum billing demand per meter for at least 9 billing periods during the most recent 12 month period; or (2) any customer on a non-demand metered schedule (A-1 and A-6); or (3) any customer on a residential rate schedule.

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ELECTRIC RULE NO. 6
 ESTABLISHMENT AND REESTABLISHMENT OF CREDIT

Sheet 2

B. REESTABLISHMENT OF CREDIT—ALL CLASSES OF SERVICE

1. An applicant who previously has been a customer of PG&E and whose electric service has been discontinued by PG&E during the last twelve months of that prior service because of nonpayment of bills, may be required to reestablish credit by depositing the amount prescribed in Rule 7 for that purpose, and by paying bills regularly due; except, an applicant for residential service will not be denied service for failure to pay such bills for other classes of service.

2. A customer who fails to pay bills before they become past due as defined in Rule 11, and who further fails to pay such bills within five days after presentation of a discontinuance of service notice for nonpayment of bills, may be required to pay said bills and reestablish credit by depositing the amount prescribed in Rule 7; except, a Small Business Customer, as defined in Rule 1, may not be required to reestablish credit if such bills are for retroactive charges resulting from a meter error or billing error as prescribed in Rules 17 and 17.1. In addition, a customer who has been identified by PG&E as a Small Business Customer, as defined in Rule 1, will receive a warning letter after the first late payment during any twelve-month period informing the customer that a deposit to reestablish credit may be required if another late payment occurs within the same twelve-month period. This rule will apply regardless of whether or not service has been discontinued for such nonpayment.

3. A customer using nonresidential service may be required to reestablish credit in accordance with Rule 6.A.2 in case the conditions of service or basis on which credit was originally established have, in the opinion of PG&E, materially changed.

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ELECTRIC RULE NO. 7
DEPOSITS

Sheet 1

A. AMOUNT OF DEPOSIT

1. ESTABLISHMENT OF CREDIT

- a. Residential accounts: The amount of deposit required to establish credit shall be twice the average monthly bill as estimated by PG&E.
- b. Nonresidential accounts: The amount of deposit required to establish credit for a nonresidential customer who is not a Small Business Customer, as defined in Rule 1, may be twice the maximum monthly bill as estimated by PG&E. The amount of deposit required to establish credit for a Small Business Customer account may be twice the average monthly bill as estimated by PG&E.
- c. Residential and nonresidential accounts: The amount of deposit taken to establish credit may be subject to adjustment upon request by the customer or upon review by PG&E.

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2. REESTABLISHMENT OF CREDIT

The amount of deposit required to reestablish credit for residential and nonresidential Small Business Customer accounts, as defined in Rule 1, may be twice the average monthly bill as determined by PG&E. The amount of deposit required to reestablish credit for all other nonresidential accounts may be twice the maximum bill as determined by PG&E.

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B. RETURN OF DEPOSIT

- 1. PG&E may refund a customer's deposit by draft or by applying the deposit to the customer's account and the customer will be so advised. If the customer establishes service at a new location, PG&E may retain the deposit for such new account, subject to the conditions of Sections B.3 and B.4 following.
- 2. Upon discontinuance of service, PG&E will refund the customer's deposit or the balance thereof which is in excess of unpaid bills for service furnished by PG&E.
- 3. When the customer's credit is otherwise established in accordance with Rule 6, PG&E will refund the deposit either upon the customer's request for return of the deposit or upon review by PG&E.

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ELECTRIC RULE NO. 17
METER TESTS AND ADJUSTMENT OF BILLS FOR METER ERROR

Sheet 2

B. ADJUSTMENT OF BILLS FOR METER ERROR

Meter error is the incorrect registration of the Customer's energy usage resulting from a malfunctioning or defective meter. It does not include incorrect registration attributable to billing error or unauthorized use.

Where, as the result of a meter test, a meter is found to be nonregistering or incorrectly registering, PG&E may render an adjusted bill to the Customer for the amount of any undercharge, without interest. PG&E shall issue a refund or credit to the Customer for the amount of any overcharge, without interest, computed back to the date that PG&E determines the meter error commenced, except that the period of adjustment shall not exceed the limits set forth below. Such adjusted bill shall be computed as follows:

1. FAST METER

a. RESIDENTIAL AND NONRESIDENTIAL SERVICE

If a meter for either residential or nonresidential service is found to be registering more than two percent fast, PG&E will calculate the amount of the overcharge for refund to the Customer based on the corrected meter readings or PG&E's estimate of the energy usage for a period of three years. However, if it is known that the period of meter error was less than three years the overcharge will be calculated for only those months during which the meter error occurred.

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2. SLOW METER

a. RESIDENTIAL SERVICE

If a meter for residential service is found to be registering more than 25 percent slow, PG&E may bill the Customer for the amount of the undercharge based on the corrected usage or PG&E's estimate of the energy usage for a period of three months. However, if it is known that the period of meter error was less than three months, the undercharge will be calculated for only those months during which the meter error occurred.

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ELECTRIC RULE NO. 17.1
ADJUSTMENT OF BILLS FOR BILLING ERROR

Sheet 2

B. ADJUSTMENT OF BILLS FOR BILLING ERRORS (Cont'd.)

1. BILLING ERROR RESULTING IN OVERCHARGES TO THE CUSTOMER

a. RESIDENTIAL AND NONRESIDENTIAL SERVICE

If either a residential or nonresidential service is found to have been overcharged due to billing error, PG&E will calculate the amount of the overcharge, for refund to the Customer, for a period of three years. However, if it is known that the period of billing error was less than three years, the overcharge will be calculated for only those months during which the billing error occurred.

2. BILLING ERRORS RESULTING IN UNDERCHARGES TO THE CUSTOMER

a. RESIDENTIAL SERVICE

If a residential service is found to have been undercharged due to a billing error, PG&E may bill the Customer for the amount of the undercharge for a period of three months. However, if it is known that the period of billing error was less than three months, the undercharge will be calculated for only those months during which the billing error occurred.

b. NONRESIDENTIAL SERVICE

If a nonresidential service is found to have been undercharged due to a billing error, PG&E may:

- i. bill the Customer for the amount of the undercharge for a period of three months if the Customer is a Small Business Customer, as defined in Rule 1; or (T)
- ii. bill the Customer for the amount of the undercharge for a period of three years if the Customer is not a Small Business Customer, as defined in Rule 1. (T)

A Customer who qualified as a Small Business Customer based upon annual usage under Rule 1 during the period of the billing error, but exceeds the annual maximum usage as a result of applying the three-month back-billing to calculate annual usage shall be treated as a Small Business Customer under the Section B.2.b.i, above, for any undercharges.

However, if it is known that the period of billing error was less than three months or three years, as applicable, the undercharge will be calculated for only those months during which the billing error occurred. (T)

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Sample Electric Form 79-1128
Customer Affidavit Form for the Self-Certification of Small Business Customers
under Government Code Section 14837

Sheet 1 (N)
(N)
(N)

PLEASE REFER TO ATTACHED
SAMPLE FORM

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I. Customer Declaration:

I, _____, state as follows:

- 1. I am authorized to make this declaration as the Customer ("Customer") or as an authorized representative of the Customer _____ and
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 warrants he qualifies as a "small business customer," as defined under California Government Code Section 14837. A "micro-business" is defined as a small business, in aggregate with its affiliates, which either has average annual gross receipts of three million five hundred thousand dollars (\$3,500,000) or less over the previous three years, or is a manufacturer, as defined in subdivision (c), with 25 or fewer employees. Subdivision (c) provides that "(c)"Manufacturer" means a business that meets both of the following requirements: (1) It is primarily engaged in the chemical or mechanical transformation of raw materials or processed substances into new products [and] (2) It is classified between Codes 31 to 33, inclusive, of the North American Industry Classification System."

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: _____ Customer or Authorized Representative of the Customer

Title: _____

II. Required Customer Information (Please Type or Print):

Name On Account: _____
Service Address: _____
City, State, Zip: _____

III. PG&E Reply Information:

Please return the completed affidavit by United States Postal Service to:

Pacific Gas and Electric Company
Attention: Billing
PO Box 8329
Stockton, Ca 95208

* See North American Industry Classification System Website, http://www.census.gov/cgi-bin/sssd/naics/naicsrch?chart_code=31&search=2007 NAICS Search

¹ Automated Document, Preliminary Statement, Part A



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**PG&E Gas and Electric
Advice Filing List
General Order 96-B, Section IV**

Alcantar & Kahl LLP	Division of Business Advisory Services	Occidental Energy Marketing, Inc.
Ameresco	Douglass & Liddell	OnGrid Solar
Anderson & Poole	Downey & Brand	Praxair
Arizona Public Service Company	Duke Energy	R. W. Beck & Associates
BART	Dutcher, John	RCS, Inc.
Barkovich & Yap, Inc.	Economic Sciences Corporation	Recurrent Energy
Bartle Wells Associates	Ellison Schneider & Harris LLP	SCD Energy Solutions
Bloomberg	Foster Farms	SCE
Bloomberg New Energy Finance	G. A. Krause & Assoc.	SMUD
Boston Properties	GLJ Publications	SPURR
	Goodin, MacBride, Squeri, Schlotz & Ritchie	San Francisco Public Utilities Commission
Braun Blasing McLaughlin, P.C.	Green Power Institute	Santa Fe Jets
Brookfield Renewable Power	Hanna & Morton	Seattle City Light
CA Bldg Industry Association	Hitachi	Sempra Utilities
CLECA Law Office	In House Energy	Sierra Pacific Power Company
CSC Energy Services	International Power Technology	Silicon Valley Power
California Cotton Ginners & Growers Assn	Intestate Gas Services, Inc.	Silo Energy LLC
California Energy Commission	Lawrence Berkeley National Lab	Southern California Edison Company
California League of Food Processors	Los Angeles Dept of Water & Power	Spark Energy, L.P.
California Public Utilities Commission	Luce, Forward, Hamilton & Scripps LLP	Sunshine Design
Calpine	MAC Lighting Consulting	Sutherland, Asbill & Brennan
Casner, Steve	MBMC, Inc.	Tabors Caramanis & Associates
Chris, King	MRW & Associates	Tecogen, Inc.
City of Palo Alto	Manatt Phelps Phillips	Tiger Natural Gas, Inc.
City of Palo Alto Utilities	McKenzie & Associates	TransCanada
Clean Energy Fuels	Merced Irrigation District	Turlock Irrigation District
Coast Economic Consulting	Modesto Irrigation District	United Cogen
Commercial Energy	Morgan Stanley	Utility Cost Management
Consumer Federation of California	Morrison & Foerster	Utility Specialists
Crossborder Energy	NLine Energy, Inc.	Verizon
Davis Wright Tremaine LLP	NRG West	Wellhead Electric Company
Day Carter Murphy	Navigant Consulting	Western Manufactured Housing Communities Association (WMA)
		eMeter Corporation
Defense Energy Support Center	Norris & Wong Associates	
Department of Water Resources	North America Power Partners	
Dept of General Services	North Coast SolarResources	