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December 27, 2010

**ADVICE LETTER 2221-E / 2001-G**  
(U 902-M)

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

**SUBJECT: REVISION OF TARIFF RULES FOR SMALL BUSINESS CUSTOMERS  
PURSUANT TO D.10-10-032**

San Diego Gas & Electric (SDG&E) hereby submits for filing with the California Public Utilities Commission (Commission) revisions to its electric and gas tariffs Rule No. 01, Definitions; Rule No. 06, Establishment; and Re-Establishment of Credit; Rule No. 7, Deposits; Rule No. 18, Adjustment of Bills; and tariff forms, applicable throughout its service territory, as shown on Attachment A and B.

**PURPOSE**

This filing is made in compliance with Decision (D.) 10-10-032 and proposes to modify its tariffs as follows:

1. Clearly define small business customers by adding the definition of Small Business Customer to Rule No. 1.
2. Revise to state that the adjustment of bills to correct a billing error that resulted in undercharges to a small business customer shall not to exceed three months;
3. Revise to state that adjustment of bills for any customer to correct for fast meter conditions resulting in overcharges shall not exceed three years;
4. Revise to state that adjustment of bills for small business customers to correct for slow meter conditions or for energy used but not registered shall not exceed three months;
5. Add that small business customers are entitled to receive one warning letter per 12-month period prior to any deposit caused by a late payment;
6. Add that the re-establishment of credit for small business customers shall not apply when failure to pay charges resulting from a back-billing;
7. Add an affidavit to inform nonresidential customers subject to back-billing that they may self-certify as a small business customer by qualifying as a micro-business as defined in California Government Code section 14837 and
8. Reduce the maximum deposit amount to twice the average monthly bill for qualifying small business customers.

## **BACKGROUND**

On May 6, 2010, the Commission issued Order Instituting Rulemaking (R.) 10-05-005 to determine whether revisions or updates are necessary to electric and gas utility tariff rules governing adjustments of small business customer bills due to meter and/or billing errors and whether deposit rules need to be revised. R.10-05-005 was initiated by complaints from small business customers that were unexpectedly faced with large utility back-bills for service dating back several years. These customers could not pay such large bills in the short timeframes that the utilities required, nor could they recover these funds from their customers. The Commission concluded that small business customers suffer the same problems as residential customers and thus should be treated the same way for billing and metering errors and back-billing purposes.

On November 2, 2010, the Commission issued D.10-10-032<sup>1</sup>, ordering the utilities to revise their tariff rules for small business customers of electric and gas utilities as follows:

1. Reduce the back-billed period from three years to three months for undercharges resulting from billing and metering errors;
2. 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;
3. Establish that refund periods for overcharges resulting from metering and billing errors be a maximum of three years;
4. Specify that re-establishment of service deposits shall not apply when failure to pay results from charges that are back-billed;
5. Establish that a small business customer, as specified above, shall receive a warning letter after at least one late payment before the utility assesses a re-establishment of credit deposit during any twelve-month period, which informs that a deposit to re-establish credit may be required if another late payment occurs within the same twelve-month period. Clearly define the small business customers which qualify for these tariff revisions; and
6. Inform nonresidential customers subject to back-billing that they may self-certify as a micro-business customer under California Government Code Section 14837.<sup>2</sup>

## **TARIFF REVISIONS**

In compliance with Ordering Paragraphs (OP) 1 and 2 of D.10-10-032, SDG&E proposes the following tariff revisions:

**Rule No. 1:** Amend to add definition for Small Business Customer

**Rule No. 6:** Amend Section C - Re-establishment of Credit – All Classes of Service

**Rule No. 7:** Amend Section A.2 - Amount of Deposit

**Rule No. 18:** Amend Section B.2 and B.3 - Adjustments of Bills for Meter Error and Section C.2 - Adjustment of Bills for Billing Error.

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<sup>1</sup> On November 18, 2010 the Commission issued D.10-11-037 which made corrections to OPs 1(e) and 3 of D.10-10-032.

<sup>2</sup> D.10-10-032, OP 3, and D.10-11-037, OP 3.

**FORMS**

Add a new affidavit form to inform nonresidential customers subject to back-billing that they may self-certify as a small business customer by qualifying as a Micro-business pursuant to California Government Code Section 14837 (Section 14837).

**EFFECTIVE DATE**

SDG&E believes this filing is subject to Energy Division disposition and should be classified as Tier 1 (effective pending disposition) pursuant to GO 96-B. SDG&E respectfully requests that this filing be approved and made effective December 27, the date filed.

**PROTEST**

Anyone may protest this advice letter to the Commission. The protest must state the grounds upon which it is based, including such items as financial and service impacts, and should be submitted expeditiously. The protest must be made in writing and received within 20 days of the date this advice letter was filed with the CPUC, or January 16, 2011. There is no restriction on who may file a protest. The address for mailing or delivering a protest to the Commission is:

Public Utilities Commission  
CPUC Energy Division  
Attention: Tariff Unit  
505 Van Ness Avenue  
San Francisco, CA 94102

Copies of the protest should also be sent via e-mail to the attention of Honesto Gatchallian ([ijnj@cpuc.ca.gov](mailto:ijnj@cpuc.ca.gov)) and Maria Salinas ([mas@cpuc.ca.gov](mailto:mas@cpuc.ca.gov)) of the Energy Division. It is also requested that a copy of the protest also be sent via both e-mail and facsimile to the address shown below on the same date it is mailed or delivered to the Commission.

Attn: Megan Caulson  
Regulatory Tariff Manager  
8330 Century Park Court, Room 32C  
San Diego, CA 92123-1548  
Facsimile No. (858) 654-1788  
E-mail: [mcaulson@semprautilities](mailto:mcaulson@semprautilities)

**NOTICE**

In accordance with Section III.G of General Order No. 96-A, a copy of this filing has been served on the utilities and interested parties shown on the attached list, including interested parties in R.10-05-005, by either providing them a copy electronically or by mailing them a copy hereof, properly stamped and addressed.

Address changes should be directed to SDG&E Tariffs by facsimile at (858) 654-1788 or by e-mail at [SDG&ETariffs@semprautilities.com](mailto:SDG&ETariffs@semprautilities.com).

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CLAY FABER  
Director – Regulatory Affairs

(cc list enclosed)

# 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. **SAN DIEGO GAS & ELECTRIC (U 902)**

Utility type:

ELC     GAS  
 PLC     HEAT     WATER

Contact Person: Joff Morales

Phone #: (858) 650-4098

E-mail: jmorales@semprautilities.com

### EXPLANATION OF UTILITY TYPE

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

(Date Filed/ Received Stamp by CPUC)

Advice Letter (AL) #: 2221-E / 2001-G

Subject of AL: Revisions to Tariff Rules for Small Business Customers Pursuant to D-10.10.032

Keywords (choose from CPUC listing): Tariff, Memorandum Account

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: None

Summarize differences between the AL and the prior withdrawn or rejected AL<sup>1</sup>: N/A

Does AL request confidential treatment? If so, provide explanation: None

Resolution Required?  Yes  No

Tier Designation:  1     2     3

Requested effective date: 12/27/2010

No. of tariff sheets: 19

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).

Tariff schedules affected: See attachment A and B

Service affected and changes proposed<sup>1</sup>: None

Pending advice letters that revise the same tariff sheets: None

**Protests 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  
Attention: Tariff Unit  
505 Van Ness Ave.,  
San Francisco, CA 94102  
mas@cpuc.ca.gov and jnj@cpuc.ca.gov**

**San Diego Gas & Electric  
Attention: Megan Caulson  
8330 Century Park Ct, Room 32C  
San Diego, CA 92123  
mcaulson@semprautilities.com**

<sup>1</sup> Discuss in AL if more space is needed.

General Order No. 96-B  
ADVICE LETTER FILING MAILING LIST

cc: (w/enclosures)

Public Utilities Commission

DRA

D. Appling  
S. Cauchois  
J. Greig  
R. Pocta  
W. Scott

Energy Division

P. Clanon  
S. Gallagher  
H. Gatchalian  
D. Lafrenz  
M. Salinas

CA. Energy Commission

F. DeLeon  
R. Tavares

Alcantar & Kahl LLP

K. Harteloo

American Energy Institute

C. King

APS Energy Services

J. Schenk

BP Energy Company

J. Zaiontz

Barkovich & Yap, Inc.

B. Barkovich

Bartle Wells Associates

R. Schmidt

Braun & Blaising, P.C.

S. Blaising

California Energy Markets

S. O'Donnell

C. Sweet

California Farm Bureau Federation

K. Mills

California Wind Energy

N. Rader

Children's Hospital & Health Center

T. Jacoby

City of Chula Vista

M. Meacham

E. Hull

City of Poway

R. Willcox

City of San Diego

J. Cervantes

G. Lonergan

M. Valerio

Commerce Energy Group

V. Gan

Constellation New Energy

W. Chen

CP Kelco

A. Friedl

Davis Wright Tremaine, LLP

E. O'Neill

J. Pau

Dept. of General Services

H. Nanjo

M. Clark

Douglass & Liddell

D. Douglass

D. Liddell

G. Klatt

Duke Energy North America

M. Gillette

Dynegy, Inc.

J. Paul

Ellison Schneider & Harris LLP

E. Janssen

Energy Policy Initiatives Center (USD)

S. Anders

Energy Price Solutions

A. Scott

Energy Strategies, Inc.

K. Campbell

M. Scanlan

Goodin, MacBride, Squeri, Ritchie & Day

B. Cragg

J. Heather Patrick

J. Squeri

Goodrich Aerostructures Group

M. Harrington

Hanna and Morton LLP

N. Pedersen

Itsa-North America

L. Belew

J.B.S. Energy

J. Nahigian

Luce, Forward, Hamilton & Scripps LLP

J. Leslie

Manatt, Phelps & Phillips LLP

D. Huard

R. Keen

Matthew V. Brady & Associates

M. Brady

Modesto Irrigation District

C. Mayer

Morrison & Foerster LLP

P. Hanschen

MRW & Associates

D. Richardson

Pacific Gas & Electric Co.

J. Clark

M. Huffman

S. Lawrie

E. Lucha

Pacific Utility Audit, Inc.

E. Kelly

R. W. Beck, Inc.

C. Elder

San Diego Regional Energy Office

S. Freedman

J. Porter

School Project for Utility Rate Reduction

M. Rochman

Shute, Mihaly & Weinberger LLP

O. Armi

Solar Turbines

F. Chiang

Sutherland Asbill & Brennan LLP

K. McCrea

Southern California Edison Co.

M. Alexander

K. Cini

K. Gansecki

H. Romero

TransCanada

R. Hunter

D. White

TURN

M. Florio

M. Hawiger

UCAN

M. Shames

U.S. Dept. of the Navy

K. Davoodi

N. Furuta

L. DeLacruz

Utility Specialists, Southwest, Inc.

D. Koser

Western Manufactured Housing

Communities Association

S. Dey

White & Case LLP

L. Cottle

Interested Parties

R.10-05-005

ATTACHMENT A  
ADVICE LETTER 2221-E

| Cal. P.U.C.<br>Sheet No. | Title of Sheet  | Canceling Cal.<br>P.U.C. Sheet No. |
|--------------------------|---|------------------------------------|
| Revised 22139-E          | RULE 1, DEFINITIONS, Sheet 12                                 | Revised 18268-E                    |
| Revised 22128-E          | RULE 6, ESTABLISHMENT AND RE-ESTABLISHMENT OF CREDIT, Sheet 2 | Revised 20224-E                    |
| Revised 22129-E          | RULE 7, DEPOSITS, Sheet 1                                     | Revised 20227-E                    |
| Revised 22130-E          | RULE 18, METER TESTS AND ADJUSTMENT OF BILLS, Sheet 2         | Revised 20344-E                    |
| Revised 22131-E          | RULE 18, METER TESTS AND ADJUSTMENT OF BILLS, Sheet 3         | Revised 20345-E                    |
| Original 22132-E         | SAMPLE FORMS, FORM 132-122010, Sheet 1                        |                                    |
| Revised 22133-E          | TABLE OF CONTENTS, Sheet 1                                    | Revised 22083-E                    |
| Revised 22134-E          | TABLE OF CONTENTS, RULES, Sheet 7                             | Revised 22053-E                    |
| Revised 22135-E          | TABLE OF CONTENTS, SAMPLE FORMS, Sheet 9                      | Revised 21883-E                    |



**RULE 1**  
**DEFINITIONS**

**SDG&E:** San Diego Gas & Electric Company (also referred to as "Utility").

**SECONDARY:** Is service that is taken below 2.00 kv and service that does not qualify as Primary or Transmission service.

**SECONDARY SUBSTATION:** Is service taken at a standard secondary voltage level, where the customer has completed a Request for Service at Secondary/Primary Substation Level Rates, Form 106-3859, and the Utility has verified the information on the form.

**SERVICE EXTENSION:** Consists of the service as above defined when provided for a new customer at a premises not heretofore served in accordance with the service extension rule.

**SIGNALLED PERIOD 1G:** This period will commence when the utility's on-system sendout exceeds a 3996 MW or when there is a Signaled Period Alert. Each year the MW level shall be updated to be the greater of the current value determined by the prior years on-system retail sales divided by 8760, and then the product divided by .55. Once initiated the signaled period shall remain in effect until the on-system sendout drops at least 25 MW below the level at which the signal commences. This period will also commence on the second Monday after September 1, starting at 1:00 p.m., and continuing each week day for one hour until at least 5 hours of this signaled period has occurred during the most current 365 days. The utility will limit this signaled period to the constraints set forth within the Signaled Period Alert definition.

**SIGNALLED PERIOD ALERT:** A Signaled Period Alert is when the Utility declares a local emergency or the California Independent System Operator (ISO) calls a Stage 2 or Stage 3 Emergency. Signaled Period Alerts shall be limited to no more than a single 6-hour period in any day, to no more than 4 days in any week, and to no more than 40 hours in any calendar month. Signaled Period Alerts are limited to 120 hours in a year.

**SMALL BUSINESS CUSTOMER:** Nonresidential metered service customers whose annual usage is equal to or less than 40,000 kWh and whose demand is equal to or less than 20kW. Small Business Customers shall also include customers who self-certify that they fully meet the criteria for "Micro business", as set forth in Section 14837 (d)(2) of the California Government Code.

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N

**SMALL COMMERCIAL:** For purposes of determining who is eligible for a 10% rate reduction pursuant to PU Code Section 368(a), Small Commercial will mean all commercial customers, except those served on SDG&E's agricultural and street lighting rate schedules, that have a Maximum Demand of less than 20 kW (PU Code Section 331). This peak demand criteria shall be determined as having been met if: (1) there is a demand meter in place and the customer's Maximum Monthly Demand has been below 20 kW for at least nine out of the preceding 12 months, or (2) there is no demand meter in place and the customer's monthly consumption has been below 12,000 kWh for at least nine out of the preceding 12 months. For customers of record as of November 1, 1997, the preceding 12 months shall refer to the 12-month period ending October 1997. In addition, Small Commercial shall mean all customers served on Schedule A or Schedule A-TC, irrespective of electric load usage.

**SMALL CUSTOMER:** For purposes of determining who is eligible for load profiling and non-UDC meter services, Small Customer will mean all residential customers and all commercial customers, including those served on SDG&E's agricultural and street lighting rate schedules, that have a Maximum Demand of less than 20 kW. This peak demand criteria shall be determined as having been met if: (1) there is a demand meter in place and the customer's Maximum Monthly Demand has been below 20 kW for at least nine out of the preceding 12 months, or (2) there is no demand meter in place and the customer's monthly consumption has been below 12,000 kWh for at least nine out of the preceding 12 months. Customers who meet the criteria for Small Customer will be eligible for statistical load profiling (See Load Profiles) and will not be eligible for non-UDC meter services until January 1, 1999, or until such time as the CPUC approves the expansion of non-utility meter services to these customers.

(Continued)

12D4

Issued by

Date Filed

Dec 27, 2010

Advice Ltr. No. 2221-E

**Lee Schavrien**

Effective

Senior Vice President  
Regulatory Affairs

Resolution No.

Decision No.





**RULE 6**

Sheet 2

ESTABLISHMENT AND RE-ESTABLISHMENT OF CREDIT

C. Re-establishment of Credit – All Classes of Service

1. An applicant who is a former customer of the Utility and whose service has been discontinued for nonpayment of bills at any time during the last 12 months of service may be required to re-establish credit by making a cash deposit as prescribed in Rule 7.
2. A current customer who fails to pay bills before becoming past due as set forth in Rule 11, may be required to pay such bills and to re-establish credit by making a cash deposit as prescribed in Rule 7. This Rule will apply regardless of whether or not service has been disconnected for such non-payment. Pursuant to D.10-10-032, small business customers shall receive one warning letter per 12-month period after at least one late payment and prior to any deposit request from the Utility. Such letter shall inform the customer that a deposit to re-establish credit may be required if future payments are not received by the Utility in a timely manner.
3. A customer using non-residential service may be required to re-establish credit at one or more of its locations in accordance with this Rule if the conditions of service or basis on which credit was originally established, in the opinion of the Utility, have materially changed or the Utility believes a condition of high risk exists.
4. Where the Utility has received information that a residential customer left another Utility's service territory with an unpaid closing bill, the customer may be required, as a condition of continued service, to re-establish credit in accordance with this Rule.
5. Pursuant to D.10-10-032, Small Business customers shall not be subject to a reestablishment of service deposit based on a failure to pay charges that have resulted from a back-billing.

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2P10

Advice Ltr. No. 2221-E

Decision No. \_\_\_\_\_

Issued by  
**Lee Schavrien**  
Senior Vice President  
Regulatory Affairs

Date Filed Dec 27, 2010

Effective \_\_\_\_\_

Resolution No. \_\_\_\_\_



**RULE 7**  
**DEPOSITS**

Sheet 1

A. Amount of Deposit

- 1. The amount of deposit required to establish credit for a residential or Small Business Customer account, as defined by Rule 1, shall not exceed twice the average monthly bill as determined by the Utility. T  
T
- 2. The amount of deposit required to establish or re-establish credit for a non-residential account that does not otherwise qualify as a small business customers as defined in Rule 1, shall not exceed twice the maximum monthly bill as determined by the Utility. T  
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B. Return of Deposit

- 1. Good Standing, Active Customer. When the customer has received continuous service and has paid electric bills on all of its accounts before becoming past due as set forth in Rule 11, for a period of 12 consecutive months and is an active customer, the Utility will return the deposit with interest as provided under Section C hereof. When eligible, the deposit is to be returned or applied to the customer's billing provided that the customer's credit would, thereafter, be otherwise established under Rule 6.
- 2. Customer-Initiated Termination of Service. When the customer has requested that the service be terminated, the deposit, plus any applicable interest, will be returned. In cases in which there are charges due the Utility for electric service to the customer, the deposit, plus any applicable interest, will be applied to such charges and any remaining amount will be returned to the customer.
- 3. Termination for Non-Payment of Bills. When the service is permanently terminated for non-payment of charges for electric service, the deposit will be applied to such charges and any remaining amount will be returned to the customer. Deposits will not be applied as payment for past due bills to avoid discontinuance of service.

(Continued)

1P9

Advice Ltr. No. 2221-E

Decision No. \_\_\_\_\_

Issued by  
**Lee Schavrien**  
Senior Vice President  
Regulatory Affairs

Date Filed Dec 27, 2010

Effective \_\_\_\_\_

Resolution No. \_\_\_\_\_



**RULE 18**

Sheet 2

METER TESTS AND ADJUSTMENT OF BILLS

**B. Adjustment of Bills for Meter Error (Continued)**

- 1. **Fast Meter:** If a meter is found to be registering more than two percent (2%) fast, the Utility shall refund to the customer the amount of the overcharge based on the corrected meter readings or the Utility's estimate of the electric usage either for the known period of meter error or, if the period of error is not known, for the period during which the meter was in use, not to exceed three years. T  
T
- 2. **Slow Meter:** If a meter for residential or small business customer as defined in Rule 1 service is found to be registering more than 25% slow, or a meter for all other nonresidential service is found to be registering more than two percent (2%) slow, the Utility may bill the customer for the amount of the undercharge based on the corrected meter readings or the Utility's estimate of the electric usage either for the known period of meter error or, if the period of meter error is not known, for the period the meter was in use, not exceeding three months in the case of residential service or small business customers, and three years for all other nonresidential service. T  
T
- 3. **Nonregistered Usage:** The Utility may bill a customer for the Utility's estimate of the electricity used but not registered, not exceeding three months in the case of service provided to a residential customer or a small business customer as defined in Rule 1, and three years for all other nonresidential service. T  
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- 4. **Estimated Usage:** When regular, accurate meter readings are not available or the electric usage has not been accurately measured, the Utility may estimate the customer's electricity usage for billing purposes on the basis of information including, but not limited to, the physical condition of the metering equipment, available meter readings, records of historical use and/or the general characteristics of the customer's load and operation. T  
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**C. Adjustment of Bills for Billing Error**

A billing error is an error by the Utility that results in incorrect billing charges to the customer. Billing errors may include incorrect meter reads or clerical errors by a Utility representative such as applying the wrong rate, wrong billing factor, or an incorrect calculation. Billing error shall also include failure to deliver a bill, actual or estimate, in a timely manner in accordance with Rule 17.A.

Billing error does not include a meter error or unauthorized use, nor any error in billing resulting from meter dial over; switched or mismarked meters by other than the Utility; improper customer wiring; blown fuse in one energized conductor; inaccessible meter consistent with Rule No. 17.C.2; failure of the customer to notify the Utility of changes in the customer's equipment or operation; failure of the customer to take advantage of a rate or condition of service for which the customer is eligible; or failure to issue a bill due to a natural or man-made disaster such as fire, earthquake, flood, or severe storms.

Where the Utility overcharges or undercharges a customer as the result of a billing error, the Utility may render an adjusted bill for the amount of the undercharge, without interest, and shall issue a refund or credit to the customer for the amount of the overcharge, without interest, in accordance with the procedures and limitations set forth below. Such adjusted bills shall be computed as follows:

(Continued)



**RULE 18**

Sheet 3

METER TESTS AND ADJUSTMENT OF BILLS

C. Adjustment of Bills for Billing Error (Continued)

1. Billing Error Resulting in Overcharges to the Customer: If either a residential or nonresidential service is found to have been overcharged due to billing error, the Utility shall 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 shall be calculated for only those months during which the billing error occurred.
2. Billing Error Resulting in Undercharges to the Customer: If either a residential or nonresidential service is found to have been undercharged due to a billing error, the Utility may bill the customer for the amount of the undercharge for a period of three months for residential service or small business customer, as defined in Rule 1, and three years for all other nonresidential service. However, if it is known that the period of billing error was less than three months for residential service or small business customer, as defined in Rule 1 and three years for all other nonresidential service, the undercharge shall be calculated for only those months during which the billing error occurred.

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D. Adjustment of Bills for Unauthorized Use

Unauthorized use is the use of energy in noncompliance with the Utility's tariffs or applicable law. It includes, but is not limited to, meter tampering, unauthorized connection or reconnection, theft, fraud, intentional or unintentional use of electricity whereby the Utility is denied full compensation for service provided.

Where the Utility determines that there has been unauthorized use of electricity, the Utility may bill the person or entity who benefited from such unauthorized use for the Utility's estimate of such unauthorized use. Such estimated billing shall indicate unauthorized use for the most recent three years and, separately, unauthorized use beyond the three year period for collection as provided by law. However, nothing in this rule shall be interpreted as limiting the Utility's rights and/or remedies in any provisions of any applicable law.

Utility shall bill and collect interest at a rate of ten percent (10%) per annum on unauthorized use billings from the date the unauthorized use commenced, and/or Utility shall bill and collect at a rate of ten percent (10%) per annum on amortized repayment agreements.

Utility shall bill and collect the associated costs resulting from the unauthorized use including, but not limited to, investigative, repair and equipment damage costs.

3P9

Advice Ltr. No. 2221-E

Decision No. \_\_\_\_\_

Issued by  
**Lee Schavrien**  
Senior Vice President  
Regulatory Affairs

Date Filed Dec 27, 2010

Effective \_\_\_\_\_

Resolution No. \_\_\_\_\_



San Diego Gas & Electric Company  
San Diego, California

Original Cal. P.U.C. Sheet No. 22132-E

Canceling \_\_\_\_\_ Cal. P.U.C. Sheet No. \_\_\_\_\_

**SAMPLE FORMS**

Sheet 1

FORM 132-122010

N  
N

SMALL BUSINESS AFFIDAVIT

N

AFFIDAVIT IN SUPPORT OF CUSTOMER CLAIM AS  
QUALIFYING AS A MICRO BUSINESS CUSTOMER UNDER  
GOVERNEMNT CODE SECTION 14837

N  
N  
N

(12/2010)

N

(See Attached Form)

N

1P5

Advice Ltr. No. 2221-E

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**Lee Schavrien**  
Senior Vice President  
Regulatory Affairs

Date Filed Dec 27, 2010

Effective \_\_\_\_\_

Resolution No. \_\_\_\_\_



**Affidavit in Support of Customer Claim as Qualifying as a Micro Business Customer under Government Code Section 14837**

**I. Customer Declaration:**

I, \_\_\_\_\_, state as follows:

1. I am authorized to make this declaration as the 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; and
3. I warrant that my business qualifies as a "micro-business," as defined under California Government Code Section 14837.

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: \_\_\_\_\_

Account Number \_\_\_\_\_ Service Address Street and City \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Attached additional sheet if necessary

**III. Mail to: SDG&E, Credit Services, PO Box 129831, San Diego, Ca, 92123**

\*Subject to adjustment by California Department of General Services



**TABLE OF CONTENTS**

Sheet 1

The following sheets contain all the effective rates and rules affecting rates, service and information relating thereto, in effect on the date indicated herein.

|  | <u>Cal. P.U.C. Sheet No</u>   |
|--|---|
| TITLE PAGE.....  | 16015-E   |
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Advice Ltr. No. 2221-E

Decision No. \_\_\_\_\_

Issued by  
**Lee Schavrien**  
Senior Vice President  
Regulatory Affairs

Date Filed Dec 27, 2010

Effective \_\_\_\_\_

Resolution No. \_\_\_\_\_



San Diego Gas & Electric Company  
San Diego, California

Revised Cal. P.U.C. Sheet No. 22134-E  
Canceling Revised Cal. P.U.C. Sheet No. 22053-E

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Issued by **Lee Schavrien** Date Filed Dec 27, 2010  
 Advice Ltr. No. 2221-E Senior Vice President Effective \_\_\_\_\_  
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9P9 Issued by **Lee Schavrien** Date Filed Dec 27, 2010  
 Advice Ltr. No. 2221-E Senior Vice President Effective \_\_\_\_\_  
 Decision No. \_\_\_\_\_ Regulatory Affairs Resolution No. \_\_\_\_\_

ATTACHMENT B  
ADVICE LETTER 2001-G

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|--------------------------|--|------------------------------------|
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**RULE 1**  
**DEFINITIONS**

Sheet 12

**SEASONAL SERVICE:** Permanent natural gas service to a facility which is utilized seasonally or intermittently, such as a seasonal resort, cottage or other part-time establishment.

**SERVICE:** All pipe, valves and fittings from and including the connection at the main up to the service delivery point.

**SERVICE DELIVERY POINT:** Point where the Utility's pipe connects to the customer's house line, usually the meter location.

**SERVICE EXTENSION:** Consists of the service as above defined when provided for a new customer at a premises not heretofore served in accordance with the service extension rule.

**SHIPPER:** See Marketer.

**SHORT-RUN MARGINAL COST:** Variable per-unit cost of providing additional throughput to the average customer in a customer class. Short-Run Marginal Cost (SRMC) is determined for a given customer class by dividing the sum of Company Use and Unaccounted for (UAF) costs allocated to that customer class in the most recent BCAP by the cost allocation throughput for that customer class.

**SMALL BUSINESS CUSTOMER:** Core service to nonresidential, metered customers whose usage is 10,000 therms or less annually. Small Business Customer shall also include core customers who self certify that they meet the criteria for micro business as set forth in Section 14837 of the California Government Code.

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**SDG&E:** San Diego Gas & Electric Company (also referred to as "Utility").

**SOCALGAS:** Southern California Gas Company

**SOLAR ELECTRIC GENERATION PROJECT:** Project which utilizes solar energy as the primary fuel in the generation of electricity, uses natural gas as a secondary fuel constituting 25% or less of the total fuel utilized on an equivalent basis, has a natural gas efficiency utilization rate of more than 60%, and qualifies as a small power production facility under the Public Utility Regulatory Policies Act of 1978.

**SPACE HEATING ONLY:** Term applied to customers who are using gas primarily for space heating for human comfort as determined by survey or under the presumption that customers who use less than 11 therms per month during each of the regular billing periods ending in August and September are using gas primarily for space heating for human comfort.

**STANDBY:** Gas service used as an alternate energy source, typically for emergency or backup purposes. Includes gas service provided to an existing transmission level customer that takes service from an Alternate Gas Transportation Service Provider and either specifically requests standby service or uses no transportation service from the Utility for any consecutive 24-month period.

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Advice Ltr. No. 2001-G

Decision No. \_\_\_\_\_

Issued by  
**Lee Schavrien**  
Senior Vice President  
Regulatory Affairs

Date Filed Dec 27, 2010

Effective \_\_\_\_\_

Resolution No. \_\_\_\_\_



**RULE 1**  
**DEFINITIONS**

**STANDBY PROCUREMENT RATE:** Rate shall be revised each month and it will be calculated at 150% of the highest daily border price index at the Southern California Border beginning on the first day of the month that the imbalance is created to five days prior to the start of each corresponding imbalance trading period, plus the authorized Brokerage Fee of x.xxx¢ per therm for noncore retail service and all wholesale service, and 0.188¢ per therm for core retail service.

**STUB SERVICE:** 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.

**SUBMETERED SERVICE:** Service from metering furnished, owned, installed, maintained, read and tested by the customer who is served through a master meter.

**SUMMARY BILL:** Billing statement that includes charges for multiple service accounts.

**SUPPLY CURTAILMENT:** Supply curtailment occurs when the Utility declares a supply shortage. A supply shortage exists when, in the Utility's judgment, the Utility has a deficiency of gas supply available to meet its operational, contractual, or sales customers' requirements.

**SURFACE REPAIR:** Replacement to the satisfaction of the Utility, appropriate governmental agency, or property owner, of existing asphalt, concrete, decorative surfaces, landscaping, etc., removed for trenching and/or construction purposes.

**TARIFF SCHEDULES:** Entire body of effective rates, charges, and rules collectively of the Utility, as set forth herein, and including title page, preliminary statements, rate schedules, rules and sample forms.

**TARIFF SHEET:** Individual sheet of the tariff schedules.

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

**TENANT:** One who holds or possesses real estate (as a condominium) or sometimes personal property by any kind of right; one who has the occupation or temporary possession of lands or tenements of another; one who rents or leases (as a house or apartment) from a landlord.

**THERM:** Unit of measurement for billing purposes, nominally 100,000 Btu.

**THIRD PARTY GAS:** See Customer-Owned Gas.

**TRACKING ACCOUNT:** Account which reconciles the difference between Commission-authorized forecasted costs and the Utility's recorded costs. Balances in the tracking accounts shall be reconciled in the revenue requirement in the Utility's next Biennial Cost Allocation Proceeding (BCAP) or other appropriate rate proceeding.

**TRANSITION COSTS:** Cost item which resulted from a gas purchase contract, tariff, or arrangement which took effect before the division of the supply portfolio; was initiated for the benefit of all ratepayers; was intended to be recouped from all ratepayers; and may now result in costs in excess of a current market level.

(Continued)



**RULE 6**

Sheet 2

ESTABLISHMENT AND RE-ESTABLISHMENT OF CREDIT

**B. Establishment of Credit – Non-Residential Service**

Before receiving such service, each applicant shall be required to establish credit as follows:

1. By making a cash deposit as prescribed in Rule 7; or
2. By furnishing a qualified guarantor to secure payment of bills as prescribed in Rule 7; or
3. By having been a non-residential customers for a similar type of service within the last two years and having paid all bills for service in accordance with the provisions of Rule 9 for the most recent 12 consecutive months of such service provided, however, that the customer's creditworthiness has not changed significantly since terminating service with the Utility. The billing for service consumed at the applicant's former service location shall have been equal to at least 50 percent of billing estimated for the new service location; or
4. By otherwise establishing credit to the satisfaction of the Utility.

**C. Re-establishment of Credit – All Classes of Service**

1. An applicant who is a former customer of the Utility and whose service has been discontinued for nonpayment of bills at any time during the last 12 months of that service may be required to re-establish credit by making a cash deposit as prescribed in Rule 7.
2. A current customer who fails to pay bills before becoming past due as set forth in Rule 11 may be required to pay such bills and to re-establish credit by making a cash deposit as prescribed in Rule 7. This Rule will apply regardless of whether or not service has been discontinued for such non-payment. Pursuant to D.10-10-032, small business customers shall receive one warning letter per 12-month period prior to any deposit request after at least one late payment, which informs that a deposit to re-establish credit may be required if future payments are not made in a timely manner.
3. A customer using non-residential service may be required re-establish credit at one or more of its locations in accordance with this Rule if the conditions of service or basis upon which credit was originally established, in the opinion of the Utility, have materially changed or the Utility believes a condition of high risk exists.
4. Where the Utility has received information that a residential customer left another utility's service territory with an unpaid closing bill, the customer may be required, as a condition of continued service, to re-establish credit in accordance with this Rule.
5. Pursuant to D.10-10-032, Small Business customers, shall not be subject to a reestablishment of service deposit when failure to pay results from charges that were backbilled in the prior three months.

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Advice Ltr. No. 2001-G

Decision No. \_\_\_\_\_

Issued by  
**Lee Schavrien**  
Senior Vice President  
Regulatory Affairs

Date Filed Dec 27, 2010

Effective \_\_\_\_\_

Resolution No. \_\_\_\_\_



**RULE 7**  
**DEPOSITS**

Sheet 1

A. Amount of Deposit

- 1. The amount of deposit required to establish credit for a residential or Small Business Customer account as defined by Rule 1, shall not exceed twice the average monthly bill as determined by the Utility. T  
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- 2. The amount of deposit required to establish or re-establish credit for a non-residential account that does not otherwise qualify as a small business customers as defined in Rule 1, shall not exceed twice the maximum monthly bill as determined by the Utility. T  
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B. Return of Deposit

- 1. Good Standing, Active Customer. When the customer has received continuous service and has paid gas bills on all of its accounts before becoming past due as set forth in Rule 11, for a period of 12 consecutive months and is an active customer, the Utility will return the deposit with interest as provided under Section C hereof. When eligible, the deposit is to be returned or applied to the customer's billing provided that the customer's credit would, thereafter, be otherwise established under Rule 6.
- 2. Customer Initiated Termination of Service. When the customer has requested that the service be terminated, the deposit, plus any applicable interest, will be returned. In cases in which there are charges due the Utility for gas service to the customer, the deposit, plus any applicable interest, will be applied to such charges and any remaining amount will be returned to the customer.
- 3. Termination for Non-Payment of Bills. When the service is permanently terminated for non-payment of charges for gas service, the deposit will be applied to such charges and any remaining amount will be returned to the customer. Deposits will not be applied as payment for past due bills to avoid discontinuance of service.

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Advice Ltr. No. 2001-G

Decision No. \_\_\_\_\_

Issued by  
**Lee Schavrien**  
Senior Vice President  
Regulatory Affairs

Date Filed Dec 27, 2010

Effective \_\_\_\_\_

Resolution No. \_\_\_\_\_



**RULE 18**

Sheet 2

METER TESTS AND ADJUSTMENT OF BILLS

**B. Adjustment of Bills for Meter Error**

A meter error is incorrect gas registration resulting from a malfunctioning or defective meter or pressure correction device. A meter error does not include billing errors, unauthorized use, or errors in registration caused by meter tampering by an unauthorized person. It also does not include conditions such as incorrect meter readings, meter dial overs, accounting errors, meter configuration errors, incorrect meter sizing, or switched meters.

Where as a result of a meter test, except for "Other Than Displacement Gas Meter" as described in Section 4 below, a meter is found to be nonregistering or incorrectly registering, the Utility may render an adjusted bill to the customer for the amount of the undercharge, without interest, and shall issue a refund or credit to the customer for the amount of the overcharge, without interest, computed back to the date that the Utility determines the meter error commenced. The period of adjustment for meter error shall not exceed three years and shall be computed in accordance with the following:

1. **Fast Meter:** If a meter is found to be registering more than two percent (2%) fast, the Utility shall refund to the customer the amount of the overcharge based on the corrected meter readings or the Utility's estimate of the gas usage either for the known period of meter error or, if the period of error is not known, for the period during which the meter was in use, not to exceed three years. T
2. **Slow Meter:** If a meter for residential or small business customers (as defined in Rule 1) service is found to be registering more than 25% slow, or a meter for nonresidential service is found to be registering more than two percent (2%) slow, the Utility may bill the customer for the amount of the undercharge based on the corrected meter readings or the Utility's estimate of the gas usage either for the known period of meter error or, if the period of meter error is not known for the period the meter was in use, not exceeding three months in the case of residential service or small business customers, and three years for all other nonresidential service. T
3. **Nonregistered Usage:** The Utility may bill the customer for the Utility's estimate of the gas used but not registered, not exceeding three months in the case of residential service or small nonresidential service, as defined in Rule 1, and three years for all other nonresidential service. T
4. **Other Than Displacement Gas Meter:** For other than displacement gas meters, if the customer or the Utility shall at any time have reason to doubt the accuracy of any gauge, measuring device, other appliance, data, or method used in measuring or computing the amount of gas delivered through other than displacement meters, notification shall be given to the other party and, within a reasonable time, the accuracy of such gauge, measuring device, appliance, data, or method shall be determined (upon request, jointly in the presence of both parties) and if any of them shall be found inaccurate, the proper correction in billing shall be made as follows: T

In the case of computation errors or inaccurate data, where the date can be fixed or agreed upon, such correction in billing shall begin, starting with the date of initial error.

In the case of a gauge, measuring device, or appliance found to be out of tolerance sufficient to cause a volume error greater than plus or minus two percent (2%), such correction in billing shall begin on a mutually acceptable date. In the absence of such mutual acceptance, the correction shall begin on a date equivalent to 50% of the elapsed period since the last valid calibration or test.

(Continued)



**RULE 18**

METER TESTS AND ADJUSTMENT OF BILLS

**B. Adjustment of Bills for Meter Error (Continued)**

**4. Other Than Displacement Gas Meter (Continued)**

In all cases where corrections are to be made, the amount of gas delivered during the established period of inaccuracy shall be recalculated and corrected. Thereafter, measurements shall be made in accordance with correct data and any inaccurate devices shall be recalibrated within published manufacturer's tolerances.

**5. Estimated Usage:** When regular, accurate meter readings are not available or the gas usage has not been accurately measured, the Utility may estimate the customer's gas usage for billing purposes on the basis of information including, but not limited to, the physical condition of the metering equipment, available meter readings, records of historical use, and/or the general characteristics of the customer's load and operation.

**C. Adjustment of Bills for Billing Error**

Billing error is an error by the utility that results in incorrect billing charges to the customer. Billing errors may include incorrect meter reads or clerical errors by a Utility representative such as applying the wrong rate, wrong billing factor, or an incorrect calculation. Billing error shall also include failure to deliver a bill, actual or estimate, in a timely manner in accordance with Rule 17.A.

Billing error does not include a meter error or unauthorized use, or any error in billing resulting from meter dial over; switched or mismarked meters by other than the Utility; lack of access to the meter consistent with Rule No. 17.C.2; failure of the customer to notify the Utility of a change in operation; failure of the customer to take advantage of a rate or condition of service for which the customer is eligible; or failure to issue a bill due to a natural or man-made disaster such as fire, earthquake, flood, or severe storms.

Where the Utility overcharges or undercharges a customer as the result of a billing error, the Utility may render an adjusted bill for the amount of the undercharge, without interest, and shall issue a refund or credit to the customer for the amount of the overcharge, without interest, in accordance with the procedures and limitations set forth below. Such adjusted bills shall be computed as follows:

**1. Billing Error Resulting in Overcharges to the Customer:** If either a residential or nonresidential service is found to have been overcharged due to billing error, the Utility 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 Error Resulting in Undercharges to the Customer:** If either a residential or nonresidential service is found to have been undercharged due to a billing error, the Utility may bill the customer for the amount of the undercharge for a period of three months for residential service or small business customer as defined in Rule 1 and three years for all other nonresidential service. However, if it is known that the period of billing error was less than three months for residential service or small business customer as defined in Rule 1 and three years for all other nonresidential service, the undercharge shall be calculated for only those months during which the billing error occurred.

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San Diego Gas & Electric Company  
San Diego, California

Original Cal. P.U.C. Sheet No. 18565-G

Canceling \_\_\_\_\_ Cal. P.U.C. Sheet No. \_\_\_\_\_

**SAMPLE FORMS**  
FORM 132-122010

Sheet 1

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SMALL BUSINESS AFFIDAVIT  
AFFIDAVIT IN SUPPORT OF CUSTOMER CLAIM AS  
QUALIFYING AS A MICRO BUSINESS CUSTOMER UNDER  
GOVERNMENT CODE SECTION 14837

N  
N  
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N

(12/10)

N

(See Attached Form)

N

1P5

Advice Ltr. No. 2001-G

Decision No. \_\_\_\_\_

Issued by  
**Lee Schavrien**  
Senior Vice President  
Regulatory Affairs

Date Filed Dec 27, 2010

Effective \_\_\_\_\_

Resolution No. \_\_\_\_\_



**Affidavit in Support of Customer Claim as Qualifying as a Micro Business Customer under Government Code Section 14837**

**I. Customer Declaration:**

I, \_\_\_\_\_, state as follows:

1. I am authorized to make this declaration as the 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; and
3. I warrant that my business qualifies as a "micro-business," as defined under California Government Code Section 14837.

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: \_\_\_\_\_

Account Number \_\_\_\_\_ Service Address Street and City \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Attached additional sheet if necessary

**III. Mail to: SDG&E, Credit Services, PO Box 129831, San Diego, Ca, 92123**

\*Subject to adjustment by California Department of General Services



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Issued by

Date Filed

Dec 27, 2010

Advice Ltr. No. 2001-G

**Lee Schavrien**

Effective \_\_\_\_\_

Senior Vice President  
Regulatory Affairs

Decision No. \_\_\_\_\_

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