

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking on the
Commission's Own Motion to Address the
Issue of Customers' Electric and Natural Gas
Service Disconnection.

(U 39 M)

R. 10-02-005
(Filed February 4, 2010)

**PACIFIC GAS AND ELECTRIC COMPANY'S (U 39 M) OPENING COMMENTS ON
THE PROPOSED DECISION IN THE PHASE II DISCONNECTION OIR**

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I. INTRODUCTION

Pursuant to Rule 14.3 of the Commission's Rules of Practice and Procedure, Pacific Gas and Electric Company (U 39 M) ("PG&E") files these comments on the Proposed Decision ("PD") of Administrative Law Judge Ebke issued on January 9, 2012. PG&E appreciates the time and effort the Commission staff has expended on these important disconnection issues. Specifically, PG&E appreciates the Commission's acknowledgement of the important enhancements to the utility infrastructure achieved through the installation of smart meter. Throughout the decision, the Commission fairly and consistently demonstrates its awareness and understanding of the very significant cost savings derived from the implementation of the smart meter technology and the associated disconnection and prompt reconnection capacities.

PG&E also supports the statewide consistency in notice language and uniform timeframes for customer notices which were considered and adopted in this decision. Consistency in notice language and customer notices will assist all, customers, the utilities and the Commission over time.

PG&E is committed to implementing the enhancements identified in the decision as efficiently and expeditiously as possible. PG&E will also continue to strive to provide assistance to its at-risk customers. Ultimately, PG&E supports the balance that has been struck in this

proposed decision and looks forward to continuing to work with commission staff to clarify those new program components identified herein.

Nonetheless, PG&E has remaining concerns, the most significant of which are with the lack of time that has been provided to permit an orderly implementation of the newly passed directives and the establishment of a five percent benchmark for CARE disconnection levels over the next two years. PG&E urges the Commission to provide the additional time required and to reconsider the 5% benchmark in light of the varying conditions that the IOUs face over time.

There are several additional items requiring clarification and modification also identified below. Attached to these comments are proposed changes to the relevant findings of fact, conclusions of law and ordering paragraphs submitted in accordance with these comments.

II. THE DECISION ERRED IN INCLUDING A SPECIFIC CARE DISCONNECTION BENCHMARK FOR PG&E AND SCE

The PD provided a 5% benchmark for PG&E and a 6% benchmark for SCE. While PG&E remains committed to maintaining a low level of disconnections demonstrated by its success during these difficult economic times, it continues to believe a specific benchmark should not be included in this decision. Because the number of customers who develop large delinquencies can fluctuate dramatically, establishing a fixed disconnection level will cause those customers to be treated differently based on the number of customers already in the delinquency queue. Also, allowing customers to accrue particularly large balances in order to keep the disconnection level at 5% will result in delinquencies that sometimes become so large the customer in many instances cannot recover.

If PG&E repeatedly and routinely fails to act to discontinue service to customers where large delinquencies have arisen, the ultimate level of write-off will be significantly increased. If the final decision does include the benchmark, PG&E requests that the final decision acknowledge the addition expense that will be expected in the memorandum account.

Also, if the Commission ultimately elects to include a CARE disconnection benchmark,

PG&E would suggest that this benchmark be established at 6% for both PG&E and SCE. This uniform benchmark is consistent with the uniformity the decision strives to achieve and will again promote statewide consistency.¹

¹ For the above stated reasons, PG&E respectfully requests the following changes be made to the Proposed Decision:

Findings of Fact

~~17. Annual CARE disconnection benchmark rates of 5% for PG&E and 6% for SCE would essentially require PG&E to maintain the progress it made in 2010 to reduce CARE customer disconnections encourage SCE to make changes in its treatment of CARE customers regarding disconnections.~~

~~19. To the extent that the utilities are able to manage their operations to keep CARE customer disconnections at or below a defined benchmark, there may not be a need for further regulatory oversight such as mandatory disconnection practices; however to the extent that CARE disconnections exceed the benchmark, that would indicate a need for further review or oversight to address the disconnection problem.~~

Conclusions of Law:

~~7. If the utility's annual CARE customer disconnection rate for 2012 exceeds the benchmark rate of 5% for PG&E and 6% for SCE, the disconnection practice requirements adopted in this decision should continue in effect for that utility through 2013; however, if the utility does not exceed its CARE disconnection benchmark for 2012, it should be allowed to file a Tier 2 advice letter requesting authority to discontinue the practices prior to December 31, 2013. If filed, the advice letter should become effective no earlier than 30 days after the date filed pursuant to General Order 96-B.~~

~~8. If the utility exceeds the benchmark identified in Conclusion of Law 7 for 2012 but, for any month during 2013, the utility's CARE disconnection rate for the previous 12 consecutive months is less than the benchmark, the utility may file a Tier 2 advice letter requesting authority to discontinue the practices prior to December 31, 2013. If filed, the advice letter should become effective no earlier than 30 days after the date filed pursuant to General Order 96-B.~~

Ordering Paragraph:

~~4. The customer service disconnection practices ordered in this decision shall remain in effect until December 31, 2013, provided, however, that in the event that a utility's California Alternate Rates for Energy customer disconnection rate for 2012 is less than a benchmark of 5% for Pacific Gas and Electric Company and 6% for Southern California Edison Company, the utility may file a Tier 2 advice letter after January 1, 2013 requesting authority to discontinue the required practices prior to December 31, 2013. If filed, the Tier 2 advice letter shall become effective no earlier than 30 days after the date filed in accordance with General Order 96-B.~~

~~5. If the utility exceeds the benchmark for 2012 identified in Ordering Paragraph 4 but, for any month during 2013, the utility's California Alternate Rates for Energy disconnection rate for the previous 12 consecutive months is less than benchmark, the utility may file a Tier 2 advice letter requesting authority to discontinue the required customer service disconnection practices ordered in this decision prior to December 31, 2013. If filed, the Tier 2 advice letter shall become effective no earlier than 30 days after the date filed in accordance with General Order 96-B.~~

III. THE PD SHOULD BE CLARIFIED TO ENSURE THAT EMPLOYEES ARE NOT REQUIRED TO ACCEPT CASH DURING THE PRE-DISCONNECTION MANDATED FIELD VISIT

In the past, PG&E employees accepted cash in the field. This became a safety concern for PG&E and as a result, such process was discontinued many years ago. There are many ways in which a customer can make payments and the in field visit can provide those customers with additional time. Several examples can illustrate the services that can be provided through the use of a field visit. A customer can be provided with information by the field representative on the location of neighborhood payment centers (local stores accept utility payments), utility front counter locations, and other assistance. Additionally, the field representative can notify the customer how they can enter into payment arrangements through the contact center or how to make a payment over the phone with a debit card or electronic check.

PG&E is also concerned with the potential for endangerment of customers where it may become known that they possess larger amounts of cash. This concern is especially acute in the case of physically vulnerable customers, precisely the customer group the Commission and utilities are striving to assist. For these reasons, employees making field visits should not be placed in jeopardy, nor should vulnerable customers be placed in jeopardy, by requiring PG&E employees to accept cash payments. Therefore, PG&E respectfully requests that the final decision clarify the representative's obligation during the pre-disconnection field visit does not include accepting cash.²

² For the above stated reasons, PG&E respectfully requests the following changes be made to the Proposed Decision:

Conclusion of Law:

5. PG&E and SCE should continue to provide on-site visits by a utility representative to protect ~~vulnerable or sensitive customers, which should include not only~~ on medical baseline, and life support ~~customers but also customers who certify that they have a serious illness or condition that could become life threatening if service is disconnected, and critical care.~~

Ordering paragraph:

IV. THE PD ERRED BY ADDING A NEW CLASS OF VULNERABLE CUSTOMERS BEYOND MEDICAL BASELINE AND LIFE SUPPORT.

PG&E does not believe the Commission should establish additional protections for a new class of customers, defined as having a serious illness or condition that could become life threatening if service is disconnected. Such a criterion is extremely vague and prone to overly broad interpretation(s). Part of the justification for the new classification is the lack of customer awareness. The Commission has stated some customers are not aware of the medical baseline and related programs.³ However, PG&E does agree with the Commission's decision not to broadly expand the definition of sensitive customers to encompass all seniors and households with small children.⁴ Such classifications are simply too broad to be utilized and their inclusion would in fact jeopardize the classification that exists for truly vulnerable customers.

PG&E notes that medical baseline and life support customers are presently able to receive an additional field visit before disconnection. Creating another classification will likely add more confusion than benefit to the entire process.

There is already an additional related classification for customers as temperature sensitive. Customers can self-certify that they are temperature sensitive. For a customer to determine whether they are (1) medical baseline, (2) life support, (3) vulnerable to service termination, but not medical baseline, or (4) temperature sensitive would be no easy task. Therefore, PG&E would recommend that the Commission either eliminate this new classification or consolidate it into the temperature sensitive classification that has already been established.⁵

2.h. The utility shall continue to provide a field person who can facilitate payment collect on a bill during an in-person visit prior to disconnection for medical baseline, and life support, and critical care customers ~~and customers who certify that they have a serious illness or condition that could become life threatening if service is disconnected.~~

³ Proposed Decision, page 29.

⁴ Id.

⁵ For the above stated reasons, PG&E respectfully requests the following changes be made to the Proposed Decision:

Conclusion of Law:

V. THE LARGE PRINT DISCONTINUANCE NOTICE OBLIGATION SHOULD BE CLARIFIED IN THE FINAL DECISION

PG&E is prepared to provide information in large print in its discontinuance notices consistent with the information it has agreed to provide in other notices to customers. In the 2011 settlement agreement between PG&E and DisaBRA, PG&E agreed to provide key information in large print. Section 7 of the May 2010 Memorandum of Understanding between PG&E and DisaBRA provides in pertinent part: "Throughout the Compliance Period, PG&E will use reasonable efforts to include key information in large print on written notices sent to customers. This key information will notify the customer of the subject of the written notice, including information that a response is required, if appropriate. Key information in large print will be provided on as many standard written notices as can reasonably be achieved given constraints on time and document space. This Section does not apply to customer notices regarding risk of service disconnection, which are being addressed separately in R.10-02-005, pending before the CPUC."⁶

PG&E proposes that the discontinuance notices apprise customers of the general content of the transmittal in large print, in other words, a notice tagline. While there will be additional

5. PG&E and SCE should continue to provide on-site visits by a utility representative to protect ~~vulnerable or sensitive customers, which should include not only~~ on medical baseline, ~~and~~ life support customers but also customers who certify that they have a serious illness or condition that could become life threatening if service is disconnected, and critical care.

Ordering Paragraph:

2.b. The utility shall continue to ensure that no customer who is on medical baseline, or life support or who certify that he or she has a serious illness or condition that could become life threatening if service is disconnected critical care shall be disconnected without an in-person visit from a utility representative.

⁶ PG&E 2011 General Rate Case May 26, 2010 Settlement Agreement between PG&E and Disability Rights Advocates. Exhibit A to Joint Testimony of Steve Phillips and Melissa M. Kaznit.

expense associated with this modification, PG&E has not yet been able to quantify or estimate the level of such additional expenditures. PG&E also requests that if a tagline is ultimately required, that it be provided until the end of the year for developing and implementing such notifications. It's important that the final decision be modified to specify that the discontinuance notices shall contain a one sentence tagline in large print. Again, this will maintain consistency with the agreement PG&E has entered into with DisaBRA.⁷

VI. THE PD SHOULD BE CLARIFIED TO MORE SPECIFICALLY ADDRESS COMMUNICATION TO DISABLED CUSTOMERS IN THOSE CUSTOMERS' PREFERRED FORMAT

The PD presently provides that PG&E and SCE should communicate with customers in their preferred format on matters involving risk of discontinuance of service. First, it is unclear to what extent the Commission would expect the utilities to tailor their communications. Those communications can vary by media (in person, telephonic, e-mail or text message, etc., as well as in language. Customer's preferred form of communication is not known and alternatives

⁷ For the above stated reasons, PG&E respectfully requests the following changes be made to the Proposed Decision:

Conclusion of Law:

4.a. ~~For any written communication concerning the risk of service disconnection, must provide key information, including the fact that service is at risk and a way to follow up for additional information, the utility shall notify the customer that service is at risk of termination~~ in large print such as 14 point sans serif font.

Ordering Paragraph:

2. j. ~~For any written communication to customers concerning the risk of service disconnection, the utility shall provide key information, including the fact that service is at risk and a way to follow up for additional information in large print such as 14 point sans serif font.~~

7. Pacific Gas and Electric Company (PG&E) and Southern California Edison Company (SCE) shall continue to implement, and for new practices implement by January 1, 2013, the following practices

(b) For any written communication to customers concerning the risk of service disconnection, the utility shall notify the customer that service is at risk of termination in large print such as 14 point sans serif font.

available to such customers must be limited. The administrative burden would overwhelm the IOUs which simply are not capable of notifying customers in any format the customers should choose, just as PG&E is not able to notify customers in 300-400 foreign languages. If such a requirement is ultimately adopted, there must be reasonable limits placed upon it. Specifically, any such requirement should only apply to disabled customers with special communication needs that certify to the utility that they would like to receive such specialized notification through an alternative channel within an established list. PG&E would propose that the alternatives should be limited to text messaging, email, phone notification, and/or large print taglines in discontinuance notifications.

VII. THE PD SHOULD BE CLARIFIED SO THAT LIVE REPRESENTATIVES ARE NOT NEEDED TO TRANSMIT ALL MESSAGING INVOLVING NON-STANDARD FORMS OF COMMUNICATION

The PD should clarify the nature and extent of PG&E and SCE's messaging obligation to customers utilizing non-standard forms of communication. If PG&E and SCE are capable of automating this process, there should not be a requirement that such information be delivered through a live representative. Where the IOUs are capable of saving ratepayer dollars, while delivering the necessary message in appropriate fashion, additional constraints should not be imposed. Developing and implementing a program, training representatives, and IT issues will need to be addressed by the utilities. Such implementation should be completed by the end of the year.⁸

⁸ For the above stated reasons, PG&E respectfully requests the following changes be made to the Proposed Decision:

Conclusions of Law:

4.b. For customers who have ~~previously been identified as disabled and who have identified a preferred form of communication~~ advised the utility that they are disabled and would prefer special forms of alternative communication, all information concerning the risk of disconnection should be provided in ~~the a~~ preferred format.

Ordering paragraph:

2.k. For ~~customers who have previously been identified as disabled and who have identified a~~

VIII. THE PD SHOULD BE CLARIFIED TO PROVIDE THAT THE LIVE ENROLLMENT OPTION FOR CARE CUSTOMERS IS A NEW PROCESS WHICH MAY REQUIRE TIME TO IMPLEMENT

The PD requires PG&E to permit customers to opt out of the automated phone enrollment process which is presently available to PG&E customers. The PD further requires PG&E to provide customers an opportunity to enroll in the CARE program through the use of a live telephone representative. PG&E is disappointed in this determination because it will result in significant additional expense which will ultimately be borne by its ratepayers. However, it is prepared to implement this mandate provided that it has time to do so and is provided cost recovery in the memorandum account. Therefore, PG&E requests that the final decision be modified to permit sufficient time for orderly implementation and suggests an appropriate time will be January 1, 2013. This will ensure PG&E's contact center representatives are appropriately trained to perform such enrollments and that any additional IT related modifications have been adequately performed and tested.²

~~preferred form of communication, the utility shall provide all information concerning the risk of disconnection in the customer's preferred format.~~

7. Pacific Gas and Electric Company (PG&E) and Southern California Edison Company (SCE) shall continue to implement, and for new practices implement by January 1, 2013, the following practices:

(c) For customers who have advised the utility that they are disabled and would prefer special forms of alternative communication, the utility shall provide all information concerning the risk of disconnection in a preferred format.

² For the above stated reasons, PG&E respectfully requests the following changes be made to the Proposed Decision:

Conclusion of Law:

4.c. ~~For households identified as using non-standard forms of telecommunication~~ customers who have advised the utility that they are disabled and would prefer special forms of communication, outgoing calls regarding the risk of disconnection should be made by a live representative when live communication is needed to deliver the message.

Ordering Paragraph:

2.1. ~~For households identified as using non-standard forms of telecommunication~~ customers who have advised the utility that they are disabled and would prefer special forms of alternative communication, ~~the~~

IX. THE FINAL DECISION SHOULD CLARIFY THAT UNIFORM DISCONNECTION NOTICE TIMELINES NEED NOT BE IMMEDIATELY IMPLEMENTED

In the proposed decision, the Commission states: “the utilities propose to create uniform timeframes for customer notices. Each of the utilities anticipated it would be able to implement this notice procedure during 2011 at no significant cost. Since uniform disconnection notice procedures may help consumers who move from one service territory to another, as well as consumer organizations and our own staff representatives who assist customers facing disconnection, we approve these proposals. PG&E and SCE should implement them to the extent they have not already done so.”¹⁰ In 2012 at PG&E, implementation of the uniform collection time line may take up to six to nine months to implement due to required IT changes. The final Commission decision language should therefore provide PG&E and SCE sufficient time to implement these modifications and PG&E respectfully requests the date be set at January 1, 2013. PG&E respectfully requests that the final decision provide six months from the issuance of the final decision to implement these changes.¹¹

~~utility shall ensure that~~ outgoing calls regarding the risk of disconnection ~~are~~ should be made by a live representative when live communication is needed to deliver the message.

7. Pacific Gas and Electric Company (PG&E) and Southern California Edison Company (SCE) shall continue to implement, and for new practices implement by January 1, 2013, the following practices:

(a) The utilities shall ensure that their customer service representatives (CSRs) offer customers the option of enrollment in the California Alternate Rates for Energy (CARE) rate program by telephone discussion with a CSR.

¹⁰ Proposed decision, page 41.

¹¹ For the foregoing reasons, PG&E respectfully requests the following changes be made to the Proposed Decision:

Ordering Paragraph:

2.g. ~~The utility shall implement the uniform notice of disconnection procedures set forth in the October 1, 2010 joint filing of PG&E, SCE, San Diego Gas & Electric~~

X. THE PD SHOULD BE CLARIFIED TO DELINEATE WHICH COSTS SHOULD BE TRACKED IN THE MEMORANDUM ACCOUNT AND WHICH COST SHOULD BE ROLLED INTO THE IOUS GENERAL RATE CASES

For PG&E, additional costs are expected in the following areas:

A. Contact Center resources.

Contact center resources will need to be significantly expanded. In order to provide a live representative to enroll CARE customers and contact disabled customers prior to service disconnection, significant contact center and other customer service representative resources will be needed. At the outset, it is unknown as to how many additional employees' salary will be attributable to this activity. However, PG&E will track such cost and would propose that they be included in the memorandum account in 2012 and 2013 and that in 2014, such costs be evaluated as part of its normal contact center overhead.

B. In person field collection practices.

The addition of a new category of customer, i.e., vulnerable to life threatening condition from service termination is likely to translate into additional field visits. While PG&E does not know the exact extent of such visits it is anticipated that they could be substantial. PG&E would propose to track such costs in the memorandum account for 2012-2013 and place those costs into the GRC expense in 2014 forward.

C. Additional expenses.

There will be additional expenses associated with the modification of PG&E's 15 day

~~Company and Southern California Gas Company.~~

7. Pacific Gas and Electric Company (PG&E) and Southern California Edison Company (SCE) shall continue to implement, and for new practices implement by January 1, 2013, the following practices:

(d) The utility shall implement the uniform notice of disconnection procedures set forth in the October 1, 2010 joint filing of PG&E, SCE, San Diego Gas & Electric Company and Southern California Gas Company.

shut of notice. PG&E has not yet been able to quantify or estimate the level of such additional expenditures.

XI. CONCLUSION

PG&E is mindful of the resources this Commission has devoted to protecting the utility customers during these difficult economic times. It supports the very thoughtful review that has been undertaken by the Commission and looks forward to working with the Commission staff to ensure the timely and efficient implementation of the new processes, procedures and modifications to existing processes identified herein.

Respectfully Submitted,

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By: _____ /s/
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Dated: January 30, 2012

ATTACHMENT A

ATTACHMENT A

Strikeout/Underline of Findings of Fact, Conclusions of Law and Ordering Paragraphs to Reflect PG&E's Comments

Findings of Fact

17. ~~Annual CARE disconnection benchmark rates of 5% for PG&E and 6% for SCE would essentially require PG&E to maintain the progress it made in 2010 to reduce CARE customer disconnections encourage SCE to make changes in its treatment of CARE customers regarding disconnections.~~

19. ~~To the extent that the utilities are able to manage their operations to keep CARE customer disconnections at or below a defined benchmark, there may not be a need for further regulatory oversight such as mandatory disconnection practices; however to the extent that CARE disconnections exceed the benchmark, that would indicate a need for further review or oversight to address the disconnection problem.~~

Conclusions of Law

4. To accommodate the needs of vision-and hearing-impaired customers, the following measures should be adopted:

(a) For any written communication concerning the risk of service disconnection, must provide key information, including the fact that service is at risk and a way to follow up for additional information, the utility shall notify the customer that service is at risk of termination in large print such as 14 point san serif font.

(b) For customers who have ~~previously been identified as disabled and who have identified a preferred form of communication~~ advised the utility that they are disabled and would prefer special forms of alternative communication, all information concerning the risk of disconnection should be provided in the a preferred format.

(c) For households ~~identified as using non-standard forms of telecommunication~~ customers who have advised the utility that they are disabled and would prefer special forms of communication, outgoing calls regarding the risk of disconnection should be made by a live representative when live communication is needed to deliver the message.

5. PG&E and SCE should continue to provide on-site visits by a utility representative to protect ~~vulnerable or sensitive customers, which should include not only on~~ medical baseline, and-life support customers but also customers who certify that they have a serious illness or condition that could become life threatening if service is disconnected, and critical care.

7. ~~If the utility's annual CARE customer disconnection rate for 2012 exceeds~~

~~the benchmark rate of 5% for PG&E and 6% for SCE, the disconnection practice requirements adopted in this decision should continue in effect for that utility through 2013; however, if the utility does not exceed its CARE disconnection benchmark for 2012, it should be allowed to file a Tier 2 advice letter requesting authority to discontinue the practices prior to December 31, 2013. If filed, the advice letter should become effective no earlier than 30 days after the date filed pursuant to General Order 96-B.~~

~~8. — If the utility exceeds the benchmark identified in Conclusion of Law 7 for 2012 but, for any month during 2013, the utility's CARE disconnection rate for the previous 12 consecutive months is less than the benchmark, the utility may file a Tier 2 advice letter requesting authority to discontinue the practices prior to December 31, 2013. If filed, the advice letter should become effective no earlier than 30 days after the date filed pursuant to General Order 96-B.~~

Ordering Paragraphs

2. Pacific Gas and Electric Company (PG&E) and Southern California Edison Company (SCE) shall continue to implement, and for new practices implement within 30 days of the date of this order, the following practices:

~~(b) The utility shall continue to ensure that no customer who is on medical baseline, or life support or who certify that he or she has a serious illness or condition that could become life threatening if service is disconnected critical care shall be disconnected without an in-person visit from a utility representative.~~

~~(g) The utility shall implement the uniform notice of disconnection procedures set forth in the October 1, 2010 joint filing of PG&E, SCE, San Diego Gas & Electric Company and Southern California Gas Company.~~

~~(h) The utility shall continue to provide a field person who can facilitate payment collect on a bill during an in-person visit prior to disconnection for medical baseline, and life support, and critical care customers and customers who certify that they have a serious illness or condition that could become life threatening if service is disconnected.~~

~~(i) The utilities shall ensure that their customer service representatives (CSRs) offer customers the option of enrollment in the California Alternate Rates for Energy (CARE) rate program by telephone discussion with a CSR.~~

~~(j) For any written communication to customers concerning the risk of service disconnection, the utility shall provide key information, including the fact that service is at risk and a way to follow up for additional information in large print such as 14 point sans serif font.~~

~~(k) For customers who have previously been identified as disabled and who have identified a preferred form of communication, the utility shall provide all information concerning the risk of disconnection in the customer's preferred format.~~

~~(l) For households identified as using non-standard forms of telecommunication customers who have advised the utility that they are disabled and would prefer special forms of alternative communication, the utility shall ensure that outgoing calls regarding the risk of disconnection are should be made by a live representative when live communication is needed to deliver the message.~~

~~4. The customer service disconnection practices ordered in this decision shall remain in effect until December 31, 2013, provided, however, that in the event that a utility's California Alternate Rates for Energy customer disconnection rate for 2012 is less than a benchmark of 5% for Pacific Gas and Electric Company and 6% for Southern California Edison Company, the utility may file a Tier 2 advice letter after January 1, 2013 requesting authority to discontinue the required practices prior to December 31, 2013. If filed, the Tier 2 advice letter shall become effective no earlier than 30 days after the date filed in accordance with General Order 96-B.~~

~~5. If the utility exceeds the benchmark for 2012 identified in Ordering Paragraph 4 but, for any month during 2013, the utility's California Alternate Rates for Energy disconnection rate for the previous 12 consecutive months is less than benchmark, the utility may file a Tier 2 advice letter requesting authority to discontinue the required customer service disconnection practices ordered in this decision prior to December 31, 2013. If filed, the Tier 2 advice letter shall become effective no earlier than 30 days after the date filed in accordance with General Order 96-B.~~

~~7. Pacific Gas and Electric Company (PG&E) and Southern California Edison Company (SCE) shall continue to implement, and for new practices implement by January 1, 2013, the following practices:~~

~~(a) The utilities shall ensure that their customer service representatives (CSRs) offer customers the option of enrollment in the California Alternate Rates for Energy (CARE) rate program by telephone discussion with a CSR.~~

~~(b) For any written communication to customers concerning the risk of service disconnection, the utility shall notify the customer that service is at risk of termination in large print such as 14 point sans serif font.~~

~~(c) For customers who have advised the utility that they are disabled and would prefer special forms of alternative communication, the utility shall provide all information concerning the risk of disconnection in a preferred format.~~

(d) The utility shall implement the uniform notice of disconnection procedures set forth in the October 1, 2010 joint filing of PG&E, SCE, San Diego Gas & Electric Company and Southern California Gas Company.