

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

Order Instituting Rulemaking on the
Commission's Own Motion to Conduct a
Comprehensive Examination of Investor Owned
Electric Utilities' Residential Rate Structures,
the Transition to Time Varying and Dynamic
Rates, and Other Statutory Obligations.

Rulemaking 12-06-013
(Filed June 21, 2012)

**REPLY COMMENTS OF THE BLACK ECONOMIC COUNCIL, NATIONAL ASIAN
AMERICAN COALITION, AND LATINO BUSINESS CHAMBER OF GREATER LOS
ANGELES (JOINT PARTIES) RESPONDING TO ALJ RULING OF 11/6/2012**

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REPLY COMMENTS OF THE BLACK ECONOMIC COUNCIL, NATIONAL ASIAN AMERICAN COALITION, AND LATINO BUSINESS CHAMBER OF GREATER LOS ANGELES (JOINT PARTIES) RESPONDING TO ALJ RULING OF 11/6/2012

On June 28, 2012, this Commission instituted this OIR in order to examine the current residential electric rate design, including the tier structure in effect for residential customers, the state of time variant and dynamic pricing, potential pathways from tiers to time variant and dynamic pricing, and preferable residential rate design to be implemented when statutory restrictions are lifted.

On November 6, 2012, the ALJs issued a Ruling Inviting Comments. This Ruling outlines coordination questions and directed parties to respond by November 21, 2012 with reply comments due on December 7, 2012. Thus, these comments are timely filed.

I. Comments of TURN

The Joint Parties agree with many of the recommendations made by TURN. First, the Joint Parties urge the Commission to admit the updated needs assessment for CARE customers,¹ as recommended by many of the parties in this proceeding. Second, the Joint Parties agree that the monthly disconnection reports filed in R.10 -02-005 could be used to inform policy decisions involving the affordability of rates.²

The Joint Parties have long been proponents of comprehensive ratepayer research and outreach, especially in communities of color. Therefore, we agree with TURN's recommendation to conduct specialized research "that evaluates the potential of residential customers to understand and act upon different forms of pricing tariffs."³ This is especially true for ratepayers with linguistic and cultural barriers to communication.

¹ Comments of The Utility Reform Network Regarding Coordination of Proceedings at 1.

² *Id.*

³ *Id.* at 3.

II. Comments of DRA

The Joint Parties agree with many recommendations of DRA . In particular, we agree that coordination should occur with any case that deals with residential rate design or CARE .⁴ Although the Joint Parties believe that all the low -income programs should be included within the Commission’s coordination efforts, if the Commission should choose to focus specifically on low-income rate design programs, we stress that FERA should be included with CARE.

Regarding outreach, DRA made a similar recommendation as the Joint Parties . Namely, that the Commission should survey current outreach practices and to have a joint utility outreach presentation.⁵ The Joint Parties agree with DRA that there should be ongoing utility coordination and information on outreach practices;⁶ however we believe that once a year is too long to wait for this information. The Joint Parties request that these presentations or workshops are given quarterly.

III. Comments of CforAT/Greenlining

As indicated above, the Joint Parties agree that the low income needs assessment is absolutely necessary to inform these proceedings.⁷ Additionally, the Joint Parties are supportive of CforAT/Greenlining’s recommendation of tracking outreach aimed at hard to reach communities.⁸ The Joint Parties included recommendations of a similar nature in their own comments, and also urged regular updates and a survey on 1,000 low to moderate income ratepayers.⁹

IV. Comments of Consumer Federation of California

⁴ Opening Comments of the DRA on the November 6, 2012 Assigned Commissioner and Administrative Law Judges’ Joint Ruling at 1.

⁵ *Id.* at 2.

⁶ *Id.* at 3.

⁷ CforAT and Greenlining Institute’s Responding to Questions Pertaining to Coordination of Electric Proceedings Affecting Rates at 1-4.

⁸ *Id.* at 6.

⁹ Comments of the Joint Parties Responding to ALJ Ruling of 11/6/2012 at 5.

The Joint Parties agree with the Consumer Federation that this rulemaking should be coordinated with all the general rate cases¹⁰ and made a similar recommendation in their own comments.

Additionally, the Joint Parties are supportive of the Consumer Federation's recommendation that there should be a phase within the proceeding that "focuses primarily on customer outreach and education efforts and using this platform to develop a consistent, standard policy for outreach and education that will apply to all IOUs."¹¹ Through the use of a separate phase, outreach and education would rightly receive the scrutiny it deserves. However, we are mindful that adding another phase to this proceeding may result in undue delay to the implementation of education and outreach efforts. Therefore, we urge a separate phase of the proceeding focusing on education and outreach only if a decision can be made in a timely fashion.

V. Comments of SDG&E

As discussed above, the Joint Parties agree with SDG&E that this proceeding should be coordinated with pending utility-specific rate design proceedings, including the low income proceedings.¹²

Regarding outreach and education efforts, the Joint Parties do not object to any internal coordination amongst the IOUs, as suggested by SDG&E.¹³ However, the Joint Parties believe that such coordination should be reflected in public, through a series of workshops or presentations on the current state of outreach and education efforts, especially as to efforts aimed at communities of color. Additionally, SDG&E is not clear as to exactly how such outreach and

¹⁰ Opening Comments of the Consumer Federation of California on the ALJ's Ruling Inviting Comments at 2.

¹¹ *Id.* at 3.

¹² Comments of SDG&E Responding to Coordination Questions Set Forth in ALJ's Ruling at 1-2.

¹³ *Id.* at 3.

education efforts will be coordinated internally —this process may benefit from Commission facilitation.

VI. Comments of SCE

The Joint Parties agree with SCE that best practices should be shared with each IOU,¹⁴ but stress that stakeholders should have access to these best practices consultations. If information is limited only to the utilities, the stakeholders and the Commission cannot benefit from institutional knowledge accumulated by the IOUs.

VII. Comments of PG&E

The Joint Parties agree that the Commission “should consider in this proceeding [PG&E’s] proposals for additional integration and consolidation of customer education and outreach programs relating to residential customer pricing plans and services.”¹⁵ Although we are unable to comment as to the specific nature of the integration plan PG&E will present, the Commission should evaluate many different outreach methodologies in order to arrive at the ultimate combination of strategies utilized. As indicated in the Joint Parties initial comments, some of these strategies should be aimed specifically at communities with linguistic and cultural barriers to communication.¹⁶

VIII. Conclusion

The Joint Parties commend the Commission’s attention to framing and the methodical approach the Commission has taken in this matter. We believe these coordination questions set the tone for a thoughtful and comprehensive proceeding. We are hopeful that the Commission’s focus on outreach and education goals will ultimately yield a more informed

¹⁴ Comments of SCE on Questions Pertaining to Coordination Among Proceedings at 5.

¹⁵ Opening Comments of PG&E on Coordination Questions at 3

¹⁶ Comments of the Joint Parties Responding to ALJ Ruling of 11/6/2012 at 5.

ratepayer base with the ability to understand, and ultimately reduce, their energy bills and consumption.

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Respectfully submitted,

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