



Brian K. Cherry
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Fax: 415-973-7226

December 24, 2012

Advice 4170-E

(Pacific Gas and Electric Company ID U 39 E)

Public Utilities Commission of the State of California

Subject: Revisions to Electric Rule 22, Direct Access, In Compliance With Decision 12-08-045

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

Purpose

This advice filing modifies Section C, *Customer Inquiries And Data Accessibility*, of PG&E's Electric Rule 22, *Direct Access*, in compliance with Ordering Paragraph (OP.) 13 of Decision (D.) 12-08-045.

Background

On August 23, 2012, the Commission issued D.12-08-045, which established protections concerning customer usage data for PG&E gas customers and extended the privacy protections previously adopted in D.11-07-056 (Privacy Decision) to the customers of Community Choice Aggregators and Residential and Small Commercial customers of Electric Service Providers. PG&E filed Advice 4121-E on October 3, 2012 to add the necessary provisions to PG&E's Community Choice Aggregator Non-Disclosure Agreement (Electric Form 79-1031)¹.

PG&E submits this advice filing to modify electric Rule 22 - *Direct Access* - to incorporate the consumer protection provisions concerning subsequent disclosure and use of customer information contained in Attachment B of D.12-08-045.

¹ Advice 4121-E is effective October 3, 2012 pending final disposition.

Tariff Revisions

In compliance with OP 13, of D.12-08-045, PG&E proposes to modify Section C, *Access to Customer Usage Data*, of Electric Rule 22 to include a provision that would extend the privacy rules adopted in Attachment B of D.12-08-045 to ESPs serving residential and small commercial customers that are unaffiliated with larger customer accounts and who obtain advanced metering infrastructure data from PG&E. The newly added Section C.3.e reads as follows:

The ESP shall comply with the rules regarding privacy and security protections concerning energy usage data that are set forth in Attachment B to CPUC Decision D.12-08-045.

Protests

Anyone wishing to protest this filing may do so by letter sent via U.S. mail, by facsimile or electronically, any of which must be received no later than **January 14, 2013**, which is 21² days from the date of this filing. Protests should be mailed to:

CPUC Energy Division
ED Tariff Unit
505 Van Ness Avenue, 4th Floor
San Francisco, California 94102

Facsimile: (415) 703-2200
E-mail: EDTariffUnit@cpuc.ca.gov

Copies also should be mailed to the attention of the Director, Energy Division, Room 4004, at the address shown above.

The protest also should be sent via U.S. Mail (and by facsimile and electronically, if possible) to PG&E at the address shown below on the same date it is mailed or delivered to the Commission:

Brian K. Cherry
Vice President, Regulatory Relations
Pacific Gas and Electric Company
77 Beale Street, Mail Code B10C
P.O. Box 770000
San Francisco, California 94177

Facsimile: (415) 973-7226

² The regular 20-day protest period ends on a non-business day; therefore, PG&E is moving the protest period end date to the next regular business day.

E-mail: PGETariffs@pge.com

Any person (including individuals, groups, or organizations) may protest or respond to an advice letter. (General Order 96-B, Rule 7.4.) The protest shall contain the following information: specification of the advice letter protested; grounds for the protest; supporting factual information or legal argument; name, telephone number, postal address, and (where appropriate) e-mail address of the protestant; and statement that the protest was sent to the utility no later than the day on which the protest was submitted to the reviewing Industry Division (General Order 96-B, Rule 3.11).

Effective Date

PG&E requests that this Tier 2 advice filing become effective on regular notice, **January 23, 2013**, which is 30 calendar days after the date of filing.

Notice

In accordance with General Order 96-B, Section IV, a copy of this advice letter is being sent electronically and via U.S. mail to parties shown on the attached list and the service lists for Rulemaking ("R.") 08-12-009, R.08-12-009 Phase 2, and R. 07-05-025. Address changes to the General Order 96-B service list and all electronic approvals should be directed to PGETariffs@pge.com. For changes to any other service list, please contact the Commission's Process Office at (415) 703-2021 or at Process_Office@cpuc.ca.gov. Advice letter filings can also be accessed electronically at <http://www.pge.com/tariffs>.

A handwritten signature in black ink that reads "Brian Cherry" with a stylized flourish at the end.

Vice President – Regulatory Relations

cc: Service Lists R.08-12-009, R.08-12-009 Phase 2, and R. 07-05-025

Attachments

CALIFORNIA PUBLIC UTILITIES COMMISSION

ADVICE LETTER FILING SUMMARY ENERGY UTILITY

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

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

Utility type:

ELC GAS
 PLC HEAT WATER

Contact Person: Greg Backens

Phone #: 415-973-4390

E-mail: GAB4@pge.com

EXPLANATION OF UTILITY TYPE

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

(Date Filed/ Received Stamp by CPUC)

Advice Letter (AL) #: **4170-E**

Tier: 2

Subject of AL: **Revisions to Electric Rule 22, Direct Access, In Compliance With Decision 12-08-045**

Keywords (choose from CPUC listing): Direct Access, Compliance

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

If AL filed in compliance with a Commission order, indicate relevant Decision/Resolution #: D.12-08-045

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

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

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

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

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

Resolution Required? Yes No

Requested effective date: **January 23, 2013**

No. of tariff sheets: 3

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: Electric Rule 22 – Direct Access

Service affected and changes proposed: Add consumer protections per D.12-08-045

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

CPUC, Energy Division
ED Tariff Unit
505 Van Ness Ave., 4th Floor
San Francisco, CA 94102
EDTariffUnit@cpuc.ca.gov

Pacific Gas and Electric Company
Attn: Brian K. Cherry, Vice President, Regulatory Relations
77 Beale Street, Mail Code B10C
P.O. Box 770000
San Francisco, CA 94177
E-mail: PGETariffs@pge.com

**ATTACHMENT 1
Advice 4170-E**

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

Title of Sheet

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

32238-E	ELECTRIC RULE NO. 22 DIRECT ACCESS Sheet 12	14899-E
32239-E	ELECTRIC TABLE OF CONTENTS Sheet 1	32236-E
32240-E	ELECTRIC TABLE OF CONTENTS RULES Sheet 20	32054-E*



ELECTRIC RULE NO. 22
DIRECT ACCESS

Sheet 12

C. CUSTOMER INQUIRIES AND DATA ACCESSIBILITY (Cont'd.)

3. Access to Customer Usage Data (Cont'd.)

- c. As a one-time requirement at the initiation of Direct Access, PG&E will make available a database containing a twelve (12) month history of customer-specific usage information with geographic and SIC information, but with customer identities removed. PG&E will have the ability to assess a charge only if approved by the CPUC.
- d. By electing to take Direct Access service from an ESP, the customer consents to the release to the ESP metering information required for billing, settlement and other functions required for the ESP to meet its requirements and twelve (12) months of historical usage data.
- e. The ESP shall comply with the rules regarding privacy and security protections concerning energy usage data that are set forth in Attachment B to CPUC Decision D.12-08-045. (N)
 |
 (N)

4. Customer Inquiries Concerning Billing-Related Issues

Customer inquiries concerning PG&E's charges, services or the Trust Transfer Amount (TTA) charge should be directed to PG&E.

Customer inquiries concerning the ESP's charges or services should be directed to the ESP.

5. Customer Inquiries Related to Emergency Situations and Outages

- a. PG&E will be responsible for responding to all inquiries related to distribution service, emergency system conditions, outages and safety situations. Customers contacting the ESP with such inquiries should be referred directly to PG&E. ESPs performing ESP Consolidated Billing must show PG&E's phone number on their bills for use in emergencies.
- b. It may be necessary for PG&E to shed or curtail customer load at the request of the ISO, or as otherwise provided by Commission tariffs. In such cases, PG&E will give both the affected customer and ESP as much notice as reasonably possible.
- c. PG&E will notify the customer and ESP of planned distribution system outages for maintenance work prior to commencement of such outages if feasible.

(Continued)

Advice Letter No: 4170-E
 Decision No. 12-08-045

Issued by
Brian K. Cherry
 Vice President
 Regulatory Relations

Date Filed December 24, 2012
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	Rules.....30402, 32079, 32240-E		(T)
	Maps, Contracts and Deviations.....29909-E		
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**PG&E Gas and Electric
Advice Filing List
General Order 96-B, Section IV**

1st Light Energy	Department of General Services	North America Power Partners
AT&T	Department of Water Resources	North Coast SolarResources
Alcantar & Kahl LLP	Dept of General Services	Northern California Power Association
Ameresco	Douglass & Liddell	Occidental Energy Marketing, Inc.
Anderson & Poole	Downey & Brand	OnGrid Solar
BART	Duke Energy	PG&E
Barkovich & Yap, Inc.	Economic Sciences Corporation	Praxair
Bartle Wells Associates	Ellison Schneider & Harris LLP	R. W. Beck & Associates
Bloomberg	Foster Farms	RCS, Inc.
Bloomberg New Energy Finance	G. A. Krause & Assoc.	SCD Energy Solutions
Boston Properties	GLJ Publications	SCE
Braun Blaising McLaughlin, P.C.	GenOn Energy Inc.	SMUD
Brookfield Renewable Power	GenOn Energy, Inc.	SPURR
CA Bldg Industry Association	Goodin, MacBride, Squeri, Schlotz & Ritchie	San Francisco Public Utilities Commission
CENERGY POWER	Green Power Institute	Seattle City Light
CLECA Law Office	Hanna & Morton	Sempra Utilities
California Cotton Ginners & Growers Assn	Hitachi	Sierra Pacific Power Company
California Energy Commission	In House Energy	Silicon Valley Power
California League of Food Processors	International Power Technology	Silo Energy LLC
California Public Utilities Commission	Intestate Gas Services, Inc.	Southern California Edison Company
Calpine	Lawrence Berkeley National Lab	Spark Energy, L.P.
Cardinal Cogen	Los Angeles County Office of Education	Sun Light & Power
Casner, Steve	Los Angeles Dept of Water & Power	Sunrun Inc.
Center for Biological Diversity	MAC Lighting Consulting	Sunshine Design
Chris, King	MRW & Associates	Sutherland, Asbill & Brennan
City of Palo Alto	Manatt Phelps Phillips	Tecogen, Inc.
City of Palo Alto Utilities	Marin Energy Authority	Tiger Natural Gas, Inc.
City of San Jose	McKenna Long & Aldridge LLP	TransCanada
City of Santa Rosa	McKenzie & Associates	Turlock Irrigation District
Clean Energy Fuels	Merced Irrigation District	United Cogen
Clean Power	Modesto Irrigation District	Utility Cost Management
Coast Economic Consulting	Morgan Stanley	Utility Specialists
Commercial Energy	Morrison & Foerster	Verizon
Consumer Federation of California	Morrison & Foerster LLP	Wellhead Electric Company
Crossborder Energy	NLine Energy, Inc.	Western Manufactured Housing Communities Association (WMA)
Davis Wright Tremaine LLP	NRG West	eMeter Corporation
Day Carter Murphy	NaturEner	
Defense Energy Support Center	Norris & Wong Associates	