

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
Structure, the Transition to Time Varying and
Dynamic Rates and Other Statutory
Obligations

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

**REPLY COMMENTS OF THE CONSUMER FEDERATION OF CALIFORNIA ON
THE ADMINISTRATIVE LAW JUDGE’S RULING INVITING COMMENTS.**

I. Introduction

Pursuant to the Administrative Law Judge’s November 6, 2012 Ruling (“Ruling”), Consumer Federation of California (“CFC”) respectfully submits these reply comments responding other parties opening comments

II. Discussion

A. Coordination with other major proceedings

In response to the question asking parties to list major energy proceedings with which this proceeding should coordinate, parties listed a breadth of cases that would be helpful if coordinated with the present one. CFC does not have any serious oppositions with cases recommended by parties to be coordinated. Only Pacific Gas & Electric (PG&E) did not find it necessary to coordinate, giving the reason that most cases dealing with rate design are rate-setting while this case is a rulemaking and deals with policy.¹ PG& E also states as the reason that this OIR is prospective and therefore should not incorporate past decisions into the

¹ PG&E Opening Comments to November 6 ALJ Ruling at 2.

evidentiary record. CFC disagrees with PG&E on three folds. One, there are other cases aside from rate-setting cases that deal with rate design and should be coordinated with the present case. As mentioned in opening comments, both the quasi-legislative Energy Storage and Electric Vehicle Proceedings developed or are developing policies that will impact the future of residential rate design and should be coordinated with this case. Two, ratemaking proceedings, although primarily used for setting rates, also set policies. According to Understanding Commission and Administrative Law Judges Roles, in a ratemaking proceeding the Commission sets policies as well as setting rates. (Please see Understanding Commission and Administrative Law Judges Roles, found on the Commission website at http://docs.cpuc.ca.gov/word_pdf/REPORT/117485.pdf.) This includes GRCs and IOU Application decisions setting policies for time-varying rates. Three, to not incorporate past decisions and policies, specifically those relevant decisions and policies that deal with time-varying rates, is counterproductive to the Commission's overall goal of making sure standard, consistent, and transparent policies are set and continued going forward. Therefore, GRCs and Applications as well as other relevant proceedings, especially those that specifically deal with alternative rate design, should be incorporated into the evidentiary record in order.

B. Outreach and Education

Generally, parties agreed that there should be some form of coordination among different proceedings when it comes to customer outreach and education efforts. CFC supports DRA's survey → centralize → continue approach to transparent and uniform outreach and education coordination.

CFC also feels as mentioned earlier in comments that a separate phase dealing with outreach and education might be helpful in streamlining decisions and results.

Dated December 7, 2012.

Respectfully Submitted,

 /s/
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