

**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)

**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 1/31/13**

Shalini Swaroop, Senior Counsel
Robert Gnaizda, Of Counsel

15 Southgate Ave, Suite 200
Daly City, CA 94066
(650) 952-0522
sswaroop@naacoalition.org

February 14, 2013

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 1/31/13

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 January 31, 2013, the Administrative Law Judges issued a ruling on workshop which invited parties to comment on the definitions and various rulings made by the ALJs in that document. The Ruling directed parties to respond by February 14, 2013. Thus, these comments are timely filed.

I. Customer Survey

The Joint Parties support the Commission's ruling to allow parties to introduce into evidence any concerns about the customer survey. The Joint Parties have raised numerous concerns on customer survey methodologies in a variety of proceedings before the Commission, especially regarding whether the surveys represent the opinions of marginalized customers. In particular, the Joint Parties have raised concerns regarding whether the participants were solicited exclusively on landlines and whether the sample size is representative of all ratepayers (including low-income ratepayers and people of color).

The Joint Parties are hopeful that the pending customer survey will be able to represent all of California's diverse ratepayer groups who will be affected by any change in rate design.

Thus, the Joint Parties hope that the Commission can truly realize its goal of “a reasonable consensus as to how to structure a useful customer survey on rate designs.”¹

II. Definitions

Although the Joint Parties do not have substantive comments regarding the existing definitions, the Joint Parties do wish to comment on definitions that are absent. In the workshops leading up to this ruling, the Commission put a large emphasis on the “equity concerns” that affect rate design. In particular, as it applies to this ruling, the Commission was requested to define terms such as “affordability” and “understandable” when applied to rates. The Ruling by the ALJs offers admirable definitions as to the technical aspects of rate design, but lacks definitions on the human elements of rate design. Thus, the Joint Parties respectfully request that the Commission offers some guidance on terms affecting equity concerns as well.

III. Conclusion

The Joint Parties urge that the Commission consider their recommendations regarding further term definitions in order to begin the proceeding with a robust and comprehensive list of definitions that affects all ratepayer rate design concerns.

Date: February 14, 2013

Respectfully submitted,

/s/ Shalini Swaroop
Shalini Swaroop, Senior Counsel

/s/ Robert Gnaizda
Robert Gnaizda, Of Counsel

¹ Administrative Law Judges’ Ruling on Workshop, 1/31/2013.