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May 8, 2013

Advice 3983-E-B  
(Pacific Gas and Electric Company D U 39 E)

Public Utilities Commission of the State of California

Subject: Supplemental Filing: Revisions to Electric Rule 22 – Direct Access and the Submittal of Electric Service Provider Financial Security Requirements in Compliance With Resolution E-4479

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 revises PG&E’s Electric Rule 22, Direct Access, in compliance with Ordering Paragraph (OP) 3 of Resolution E-4479.

Background

In compliance with OPs 14, 15, 16 and 32 of California Public Utilities Commission’s (Commission or CPUC) Decision (D.) 11-12-018, PG&E submitted Advice 3983-E on December 29, 2011 to make revisions to its Electric Rule 22, Direct Access, to incorporate the Electric Service Provider (ESP) financial security provisions and re-entry fee provisions applicable to the involuntary return of direct access (DA) customers, and its calculation of the financial security requirements for the ESPs serving customers within its service territory.

On January 18, 2012, the Alliance for Retail Energy Markets, the Direct Access Customer Coalition, the Retail Energy Supply Association, the Energy Users Forum and the School Project for Utility Rate Reduction (“Joint Protestors”) filed a limited protest to PG&E’s Advice 3983-E. While the Joint Protestors agreed that, “In general, the tariff revisions proposed by PG&E are appropriate,” they suggested that the proposed tariff revisions did not adequately address that the financial security requirement approved for ESPs do not apply to a small commercial load that is affiliated with the load of a large commercial or industrial customer and recommended a modification to PG&E’s proposed language in Section Q of Rule 22.

On January 25, 2012, PG&E submitted its protest reply concurring with the Joint Protestors' recommendation and agreed to file a Supplemental Advice Letter adopting the modified language proposed by the Joint Protestors. The modified language was submitted by PG&E in Advice 3983-E-A on February 3, 2012.

On April 18, 2013, the Commission issued Resolution E-4479 which approved PG&E's Advice 3983-E and 3983-E-A with modification. The purpose of this advice letter is to submit the ordered modifications to Electric Rule 22, Direct Access.

### Tariff Revisions

In compliance with Resolution E-4479, PG&E proposes the following revisions to its Electric Rule 22, Direct Access:

1. In Section C.1. Customer Inquiries, made revisions to clarify that, pursuant to Public Utilities Code Section 394(b), all ESPs are required to register with the Commission without regard to whether the ESP offers service to residential and/or small commercial customers and directs customers to the Commission's website for a list of registered ESPs. Section C.1.b is revised as follows (bold emphasis added):

Pursuant to D.03-12-015, all ESPs are required to register with the CPUC. A list of CPUC-registered ESPs eligible to serve small customers as well as a list of all ESPs with service agreements to do business in PG&E's service territory is available on the CPUC's website. ~~PG&E will endeavor to update its lists periodically, but PG&E is under no obligation to assure the accuracy of these the CPUC's lists.~~

2. In Section D. ESP Service Establishment, revised Item 2 to clarify that, pursuant to Public Utilities Code Section 394(b), all ESPs are required to register with the Commission without regard to whether the ESP offers service to residential and/or small commercial customers. Section D.2 is revised as follows (emphasis added):

The ESP must warrant to PG&E that the ESP has registered with the CPUC ~~if it intends to serve small customers~~ and has selected an Independent Verification Agent (IVA) for all transactions for which independent verification is required by law.

### Protests

Given the limited scope of this supplemental filing, PG&E believes that pursuant to Section 7.5.1 of General Order 96-B, the protest period should not be re-opened.

Effective Date

PG&E requests that this Tier 1 advice filing be approved effective May 8, 2013, 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 list for Rulemaking ("R.") 07-05-025. Address changes to the General Order 96-B service list should be directed to PG&E at email address 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. Send all electronic approvals to PGETariffs@pge.com. Advice letter filings can also be accessed electronically at <http://www.pge.com/tariffs>.

Handwritten signature of Brian Cherry in cursive script.

Vice President, Regulatory Relations

cc: Service List R. 07-05-025  
Daniel W. Douglass, Douglass & Liddell, Counsel for the Joint Protestors  
Energy Service Providers

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      ffi GAS

PLC      HEAT      WATER

Contact Person: Shirley Wong

Phone#: (415) 972-5505

E-mail: slwb@pge.com and PGETariffs@pge.com

EXPLANATION OF UTILITY TYPE

(Date Filed/ Received Stamp by CPUC)

ELC= Electric

GAS= Gas

PLC= Pipeline

HEAT= Heat

WATER= Water

Advice Letter (AL) # 3983-E-B

Tier: 1

Subject of AL: Supplemental Filing: Revisions to Electric Rule 22 – Direct Access and the Submittal of Electric Service Provider Financial Security Requirements in Compliance With Resolution E-4479

Keywords (choose from CPUC listing): Compliance, Rules, Text Changes

AL filing type: Monthly    Quarterly    Annual    One-Time    Other \_\_\_\_\_

If AL filed in compliance with a Commission order, indicate relevant Decision/Resolution Res. # E-4479

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:

Is AL requesting confidential treatment? If so, what information is the utility seeking confidential treatment for:

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: May 8, 2013

No. of tariff sheets: \_\_\_\_\_

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: Tariff revisions in compliance with Resolution E-4479

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., 4<sup>th</sup> 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

Cal P.U.C.  
Sheet No.

Title of Sheet

Cancelling Cal  
P.U.C. Sheet No.

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32649-E	ELECTRIC RULE NO. 22 DIRECT ACCESS Sheet 12	14898-E
32650-E	ELECTRIC RULE NO. 22 DIRECT ACCESS Sheet 14	14900-E
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ELECTRIC RULE NO. 22  
 DIRECT ACCESS

Sheet 12

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

1. Customer Inquiries (Cont'd.)

- b. Pursuant to D.03-12-015, all ESPs are required to register with the CPUC. A list of CPUC-registered ESPs eligible to do business in PG&E's service territory is available on the CPUC's website. PG&E is under no obligation to assure the accuracy of the CPUC's list. (T)

New customers will receive general information concerning their choices for electric services by contacting PG&E.

2. Customer Request to Initiate Service

For customers initiating a request for electric service from PG&E, PG&E shall inform customers of their ability to choose their electric provider and that the information described in Section C.1 is available. PG&E shall also inform customers of the toll-free number of the Electric Education Call Center so long as it remains in operation.

3. Access to Customer Usage Data

PG&E will provide customer-specific usage data to parties specified by the customer, subject to the following provisions:

- a. Except as provided in Section E, the inquiring party must have written authorization from the customer to release such information to the inquiring party only. At the customer's request, this authorization may also indicate if customer information may be released to other parties as specified by the customer.
- b. Subject to customer authorization, PG&E will provide a maximum of the most recent twelve (12) months of customer usage data or the amount of data for that specific service account in a format approved by the CPUC. Customer information will be released to the customer or its authorized agent up to two (2) times per year per service account at no cost to the requesting party. Thereafter, PG&E will have the ability to assess a processing charge only if approved by the CPUC.

(Continued)

Advice Letter No: 3983-E-B  
 Decision No. Resolution E-4479

Issued by  
 Brian K. Cherry  
 Vice President  
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Date Filed May 8, 2013  
 Effective May 8, 2013  
 Resolution No. \_\_\_\_\_



ELECTRIC RULE NO. 22  
 DIRECT ACCESS

Sheet 14

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

5. Customer Inquiries Related to Emergency Situations and Outages (Cont'd.)

- d. PG&E will be responsible for implementing Commission-approved load curtailment programs, including providing notification to participating "non-firm" customers who are the Direct Access customers of the ESP.
- e. The ESP will be responsible for notifying its Scheduling Coordinator of any notice received from PG&E under Section C5.

D. ESP SERVICE ESTABLISHMENT

The ESP must satisfy the following requirements before an ESP can provide Direct Access services in PG&E's service territory:

- 1. All ESPs must submit an executed standard Energy Service Provider Agreement (ESP Service Agreement - Form No. 79-948).
- 2. The ESP must warrant to PG&E that the ESP has registered with the CPU and (D) has selected an Independent Verification Agent (IVA) for all transactions for which independent verification is required by law.
- 3. The ESP will provide PG&E with the CPU certification that the ESP has posted a bond or demonstrated insurance sufficient to cover the ESP financial security requirements specified in Section Q.1.
- 4. The ESP must satisfy PG&E credit-worthiness requirements as specified in Section P, Credit Requirements.
- 5. The ESP must satisfy applicable CPU Electronic Data Exchange requirements, including:
  - a. ESP must complete all necessary electronic interfaces for the ESP and PG&E to communicate for DASRs, general communications and if providing Metering and Data Management Agent (MDMA) services, to satisfy meter reading communications including communicating to and from MDMA Servers for sharing of meter reading and usage data.
  - b. The ESP must have the capability to exchange data with PG&E via the Internet. Alternative arrangements may be allowed if mutual agreement is made between PG&E and the ESP.

(Continued)

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PG&E Gas and Electric  
Advice Filing List  
General Order 96-B, Section IV

1st Light Energy	Downey & Brand	OnGrid Solar
AT&T	Ellison Schneider & Harris LLP	Pacific Gas and Electric Company
Alcantar & Kahl LLP	G. A. Krause & Assoc.	Praxair
Anderson & Poole	GenOn Energy Inc.	Regulatory & Cogeneration Service, Inc.
BART	GenOn Energy, Inc.	SCD Energy Solutions
Barkovich & Yap, Inc.	Goodin, MacBride, Squeri, Schlotz & Ritchie	SCE
Bartle Wells Associates	Green Power Institute	SDG&E and SoCalGas
Bear Valley Electric Service	Hanna & Morton	SPURR
Braun Blaising McLaughlin, P.C.	In House Energy	San Francisco Public Utilities Commission
CENERGY POWER	International Power Technology	Seattle City Light
California Cotton Ginners & Growers Assn	Intestate Gas Services, Inc.	Sempra Utilities
California Energy Commission	Kelly Group	SoCalGas
California Public Utilities Commission	Lawrence Berkeley National Lab	Southern California Edison Company
Calpine	Linde	Spark Energy
Casner, Steve	Los Angeles Dept of Water & Power	Sun Light & Power
Center for Biological Diversity	MAC Lighting Consulting	Sunshine Design
City of Palo Alto	MRW & Associates	Tecogen, Inc.
City of San Jose	Manatt Phelps Phillips	Tiger Natural Gas, Inc.
Clean Power	Marin Energy Authority	TransCanada
Coast Economic Consulting	McKenna Long & Aldridge LLP	Utility Cost Management
Commercial Energy	McKenzie & Associates	Utility Power Solutions
Consumer Federation of California	Modesto Irrigation District	Utility Specialists
Crossborder Energy	Morgan Stanley	Verizon
Davis Wright Tremaine LLP	NLine Energy, Inc.	Water and Energy Consulting
Day Carter Murphy	NRG Solar	Wellhead Electric Company
Defense Energy Support Center	Nexant, Inc.	Western Manufactured Housing Communities Association (WMA)
Dept of General Services	North America Power Partners	
Douglass & Liddell	Occidental Energy Marketing, Inc.	