

PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298



August 21, 2014

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

Re: PG&E's interaction with the CPUC's contractor and its subcontractors in the CHANGES pilot program

Dear Mr. Cherry:

It has come to my attention that Pacific Gas and Electric Company (PG&E) may have changed its process for providing data and interacting with the contractor that the California Public Utilities Commission (CPUC) has designated as its agent to manage the CPUC's pilot program, referred to as Community Help and Awareness of Natural Gas and Electricity Services (CHANGES).

The CHANGES Pilot Program launched in February 2011 and began providing energy related (electric and natural gas) education, resolution of needs and disputes, and outreach services for limited-English proficient (LEP) consumers in their preferred languages through an existing statewide network of community based organizations (CBOs). PG&E has apparently also changed the same process for subcontractors, including CBOs that provide CHANGES services to consumers. As a direct result of PG&E's process changes, CHANGES CBOs are prevented from their practice of directly advocating for and assisting CHANGES clients who are PG&E customers. The CBOs work with clients, including PG&E customers, attempting to stop imminent disconnections, negotiate payment plans, and/or handle other immediate customer issues. PG&E is apparently refusing to permit the CHANGES program representatives from negotiating on behalf of PG&E customers in instances when both the customer and the CBO representative are on the phone and when that customer has verbally authorized the CBO to act as the customer's agent. In addition, when an authorization form is provided to PG&E by the customer, PG&E is requiring two business days to process the form, which means that the customer cannot seek assistance from the CBO when imminent and urgent issues arise.

PG&E asserts that the change is required by the CPUC privacy rules requiring confidential treatment of customer data promulgated in Rulemaking 08-12-009. I understand that PG&E bases its argument in part on its belief that the CHANGES contractor and subcontractors are PG&E contractors. However, PG&E's view is incorrect, as PG&E's contract with the CHANGES contractor is merely to enable PG&E to provide payment for the invoices rendered. The CHANGES pilot is a CPUC program and the CPUC has designated its Consumer Service and Information Division (CSID) to run the program since its inception.

Resolution CSID-004, approved by the CPUC on November 19, 2010, created the CHANGES pilot program, and directed that CSID take the lead in developing and implementing the pilot. CPUC Decision

14-08-030, approved on August 14, 2014, extends the pilot and retains the same reporting arrangement for CHANGES as have been in existence since its inception, while the pilot is evaluated by CSID.

When the pilot initially started, PG&E (at its own request) paid its share of program costs through a grant process. When the CPUC issued its Proposed Decision (ultimately adopted as Decision 12-12-011), to continue the pilot while adding more tracking and evaluation measures, PG&E requested that its funding method be changed to a monthly invoice system, consistent with the other utilities. This is the only change in the contractual arrangement since the inception of the program. This change does not support a change in PG&E's treatment of the CHANGES contractor and subcontractors.

PG&E is directed to resume the prior process it had with the CHANGES contractor and its subcontractors, permitting CHANGES CBOs to negotiate directly with PG&E's customer service staff on behalf of the customers who have engaged CBOs for assistance, regardless of whether a signed authorization form is on file, if the customer verbally authorizes such communication. That includes conversation between the CBO and PG&E with the customer present when the customer verbally authorizes the CBO to act as its agent. Indeed, PG&E has already acknowledged that verbal authorization is appropriate. In your June 26, 2014 letter, you stated:

"In fact, PG&E's customer service policies allow such third parties, such as Community Based Organizations (CBO) representing low-income customers, to obtain access to customer energy usage and billing information by telephone while the customers are present and confirm the third party's authorization to represent them. The prior written authorization for third party access to customer energy usage information that normally is required by the CPUC privacy rules is not required in this situation, because the customer is on the telephone and receiving the same information as the third party."

Additionally, when the customer is not present, the CBO is permitted to act as the customer's agent in all matters related to the bill or service, provided that the customer has signed a consent form.

The correction of PG&E's process shall be implemented immediately. Please provide written verification to CHANGES Project Manager Kyle DeVine that PG&E has informed its staff of these requirements by August 25, 2014.

Sincerely,



Paul Clanon

Executive Director

cc: Commissioner Catherine J. K. Sandoval  
CSID Director Loreen McMahon  
Commissioner Chief of Staff Ditas Katague  
Commissioner Advisor Amy Baker  
CPUC Public Advisor Karen Miller  
CHANGES Project Manager Kyle DeVine