

PUBLIC UTILITIES COMMISSION

Office of Governmental Affairs
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July 1, 2009

The Honorable Alex Padilla, Chair
Senate Energy, Utilities & Communications Committee
State Capitol, Room 4038
Sacramento, CA 95814

RE: AB 1316 (Ma) – As Amended June 1, 2009 – Oppose
Status: Senate EU&C Hearing – July 7, 2009

Dear Senator Padilla:

On May 21, 2009, the California Public Utilities Commission (CPUC) voted unanimously to oppose AB 1316. The latest amendments to this bill does not change the CPUC's position. This bill would require the Low-Income Oversight Board (LIOB) to provide recommendations to the Legislature, as requested, on policy or legislation impacting low-income customers. This bill would also require the LIOB to monitor and evaluate implementation of all programs provided to low-income electricity, gas, and water customers. In addition, this bill would require the LIOB to actively solicit public input and recommendations from underserved communities through community outreach activities such as town hall meetings and forums.

The LIOB was created to fulfill an advisory role to the CPUC on the implementation and administration of low-income assistance programs. This bill would expand the LIOB's role to include advocacy before the CPUC regarding open proceedings that may impact low-income ratepayers. This advocacy role would create an unacceptable conflict of interest for the CPUC staff that provide workload support for the LIOB while simultaneously executing their primary work responsibilities for the CPUC managing low-income programs and staffing proceedings related to those programs. It would also create an unacceptable conflict of interest for the CPUC commissioner appointed to the LIOB. The LIOB's advice to the CPUC on low-income programs is critical, and should not be diluted and overshadowed by an expanded mission to advocate on all issues affecting low-income customers.

Please see the attached analysis for a more detailed explanation of the CPUC's position.

If you have any questions or wish to discuss this matter further, please do not hesitate to call me at (916) 327-7788.

Sincerely,

A handwritten signature in cursive script that reads "Michael Poë".

MICHAEL POE
Legislative Liaison

Attachment

cc: The Honorable Fiona Ma, Member, California State Assembly
Members, Senate Energy, Utilities and Communications Committee
Melissa Macias, Senate Energy, Utilities and Communications Committee
Wade Teasdale, Senate Republican Caucus/Policy
John Moffatt, Chief Deputy Legislative Secretary, Office of Governor Arnold Schwarzenegger