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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking Regarding Policies, Procedures and Rules for the Low Income Energy Efficiency Programs of California's Energy Utilities.

Rulemaking 07-01-042
(Filed January 25, 2007)

Southern California Edison Company's (U 338-E) Application for Approval of SCE's "Change A Light, Change The World," Compact Fluorescent Lamp Program.

Application 07-05-010
(Filed May 10, 2007)

ADMINISTRATIVE LAW JUDGE'S RULING ADDRESSING RENTER ACCESS TO LOW INCOME ENERGY EFFICIENCY PROGRAMS, AB 2104 IMPLEMENTATION REGARDING TENANTS OF MASTER-METER CUSTOMERS AND CONSIDERATION OF LIEE FURNACE PROGRAMS AND NATURAL GAS APPLIANCE TESTING

This ruling solicits the parties' comments on issues relating to renter access to low income energy efficiency (LIEE) programs and implementation of AB 2104 regarding tenants of master-meter customers' access to California Alternative Rates for Energy (CARE) discounts. It also sets a workshop date for consideration of issues related to LIEE natural gas appliance testing and related furnace programs. It supplements the scoping memo issued in this proceeding on March 28, 2007.

This ruling also consolidates with this rulemaking the application of Southern California Edison Company (SCE) for authority to spend approximately \$22 million on the distribution of compact fluorescent lighting to low income customers.

Renter Issues

The scope of this rulemaking includes issues relating to whether renters have adequate access to LIEE programs. On May 10, 2007, the assigned Administrative Law Judge (ALJ) conducted a workshop, at which the utilities and other parties provided useful information about renter participation in LIEE programs.

At the workshop, I stated my intent to solicit comments from the parties on such issues so the Commission would have a record. The Commission therefore seeks comments on the following questions:

- 1) How many houses, apartments, and mobile homes have not yet received LIEE measures? These figures should be broken down between rented units and those that are owned by customers who qualify for LIEE benefits.
- 2) Are there barriers to renter participation in LIEE programs that are more critical than the limits of utility LIEE budgets? If so, what are they and what can or should the Commission do to remove those barriers?
- 3) How detrimental is a landlord's refusal to permit LIEE installations to broaden LIEE participation by renters? Would legislation be needed or useful to overcome barriers caused by landlords? What if anything should the Commission do to promote landlord interest and cooperation?
- 4) Would increased focus on marketing LIEE installations in public housing or housing owned by non-profit organizations improve renter participation? If so, does the Commission need to take any actions to promote this?
- 5) Are there ways to improve access to LIHEAP funds or other funding sources that would complement the LIEE program? What should the Commission do to promote their availability?
- 6) Are there other ways to improve the LIEE program to increase renter participation or make the program more fair or accessible to renters?

The parties may address other renter issues as well with one exception. At the workshop, the parties made clear that a matter of continuing importance for contractors and renters is the effect of natural gas appliance testing (NGAT) on renter participation in LIEE programs and whether the furnace program element should be modified. This ruling schedules a workshop on those issues. In order to make efficient use of the Commission's time and the parties' efforts, the comments on renter issues should not include this issue, which the Commission will consider separately and soon. Responses to these questions should be filed no later than June 2, 2007. The utilities shall attach their workshop presentations to their filed responses.

AB 2104

AB 2104 requires the Commission to approve a plan for the utilities to improve access of the tenants of master-metered customers to CARE rate discounts. Master-metered customers are the owners and managers of multi-family housing – usually mobile homes, apartment buildings, or similar residential complexes. Their low-income tenants may qualify for CARE rate discounts, although they are not customers of the utilities. Because they are not utility customers, the utilities must make special efforts to identify them and determine their income status.

The Commission's Energy Division staff conducted a workshop on April 17, 2007 regarding AB 2104 issues. Energy Division staff's notes from the workshop are attached to this ruling. In general, the utilities stated they have either already implemented the requirements of AB 2104 or are in the process of doing so. This ruling directs the utilities and invites other parties to respond to the following questions:

1. How can a sub-metered tenant apply for CARE discounts? If the application is incomplete, what should the utility do to follow-up with the applicant to complete enrollment? What information does the sub-metered tenant need to provide in order to enroll in CARE?
2. How does the utility keep track of sub-metered tenants?
3. How does the utility renew sub-metered tenants' participation in CARE?
4. Does the utility provide master-metered customers with the names of sub-metered tenants who are approved to receive the CARE discount? If so, how often does that occur? What other types of information does the list provide, if any? Who receives this list? How does the utility handle the turnover of mobile home park management or owner? Would a monthly list sent to the master metered customer that request notification of change of ownership assist the utility company in managing ownership turnover?
5. How many master-metered tenants does each utility serve?
6. How many sub-metered tenants are eligible for the CARE program in California?
7. How many sub-metered tenants are enrolled in CARE?
8. How do the utilities contact sub-metered customers or tenants to inform and enroll them in the CARE program?
9. How do utilities communicate with sub-metered customers/tenants when following up with customer service requests? If utilities do not provide this information, please explain why and possible methods to address these issues which may improve customer service to CARE recipients.
 - a. CARE enrollment status
 - b. Enrollment assistance
 - c. Verification that the CARE discount is given to the Master-Metered Account
 - d. Verification that the CARE discount has been given to the sub-metered tenant if the bill is provided.

10. How do utilities provide education and outreach to master-metered customers about billing and CARE discounts?
11. Do the utilities coordinate the outreach conducted under the LIEE program?
12. What remedial actions do the utilities take if it learns that the CARE discount has not been passed to the sub-metered tenant? Does the utility work with County Weights and Measures agencies to assure tenants receive the CARE discount owed to them?
13. What can or should the Commission do to promote the CARE program among sub-metered tenants?
14. What can or should the Commission do to assure sub-metered tenants receive the CARE discount the utility provides?
15. What can or should the Commission do to improve the communication between master-meter account holders and the utility company?
16. What can or should the Commission do to improve the communication between the submetered account holder and the utility company?

The utilities shall and other parties may answer these questions.

Responses should be filed no later than June 2, 2007.

SCE's Application to Distribute Compact Fluorescent Lamps (CFLs)

On May 10, 2007, SCE filed a request to increase its electric revenues by approximately \$22 million to pay for the distribution of CFLs in low income neighborhoods. Because this proposal is so closely related to the issues that are within the scope of this proceeding, this ruling consolidates the SCE application with this rulemaking. The Commission will consider whether and when to conduct a prehearing conference following the protest period.

Workshop on NGAT and Furnace Program Elements

The Commission will conduct a workshop in this proceeding on NGAT and furnace programs on June 13, 2007 at 10am. The Energy Division will issue an agenda on these topics at a later date.

IT IS RULED that:

1. Respondent utilities shall and other parties may file comments on issues related to reenter participation in LIEE programs and AB 2104, no later than June 2, 2007, as set forth herein. Replies must be filed no later than June 15, 2007.
2. Utilities shall attach their workshop presentations to their filed responses.
3. A workshop is scheduled for 10:00 a.m., June 13, 2007 in the Commission's Training Room, 505 Van Ness Avenue, San Francisco, as set forth herein.
4. Application 07-05-010 is consolidated with this rulemaking as set forth herein.

Dated May 22, 2007, at San Francisco, California.

/s/ KIM MALCOLM

Kim Malcolm
Administrative Law Judge