

**BEFORE THE CALIFORNIA 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

R. 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.

A. 07-05-010
(Filed May 10, 2007)

**BEAR VALLEY ELECTRIC SERVICE (U 913 E) COMMENTS REGARDING AB 2104
IMPLEMENTATION AND RENTER ACCESS TO LOW INCOME ENERGY
EFFICIENCY PROGRAMS**

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I. INTRODUCTION

Pursuant to Commission's Rules of Practice and Procedure and 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 dated May 22, 2007, Bear Valley Electric Service (BVES) respectfully submits these comments in response to the Commission's request that all utilities and other interested parties address questions regarding access to LIEE program and implementation of AB 2104. In addition, as directed by the Ruling, the presentations made at the AB 2104 workshops on April 17 and the renter access workshop on May 10 are included as Attachments A and B.

On June 6, 2007, Administrative Law Judge (ALJ) Kim Malcolm granted BVES an extension to file comments no later than June 13, 2007.

II. COMMENTS

A. Renter Access

- 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.**

BVES estimates that approximately 1,550 living units are eligible to receive LIEE services but have not yet participated. Of those we estimate that approximately 460 units are occupied by renters (30% per Census 2000).

- 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?**

BVES does not see any barriers nor has heard of any cases where the landlord did not allow access or treatment.

- 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?**

BVES does not think landlord refusal is an issue.

- 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?**

BVES does not believe public housing is an issue in our service area.

- 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?**

BVES contracts with Community Based Organizations (CBO) to provide low income weatherization services. The CBOs are able to leverage LIHEAP funds with other funding to provide more dollars available per household for weatherization services.

- 6. Are there other ways to improve the LIEE program to increase renter participation or make the program more fair or accessible to renters?**

BVES does not believe that renter access is an issue.

B. AB 2104 Implementation

- 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?**

Mobile home park tenants apply for CARE through park manager's office. BVES refers all sub-metered tenants to the park manager's office. The sub-metered tenant provides the same information to the park manager as other CARE applicants provide to the utility (e.g., income, number of household members, tenant's name, mailing address, site specific address and telephone number(s); and master-metered customers number).

- 2. How does the utility keep track of sub-metered tenants?**

On an annual basis BVES receive a list of CARE participants from each of the eight (8) mobile home parks. The parks have agreed to provide updates to the list as the CARE tenants change.

- 3. How does the utility renew sub-metered tenants' participation in CARE?**

On an annual basis, BVES holds a meeting with all of its eight (8) mobile home park managers to provide updates on the CARE program, including program materials. In addition, BVES runs ads in the local news paper and public service radio spots informing the public of the CARE program. In conjunction with the County of San Bernardino BVES participates in periodic social services events and provides information regarding the CARE program to participants in these events.

- 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?**

When BVES receives CARE applications from an entity such as the San Bernardino Community Action Partnership, the information is provided to the respective mobile home park manager. This information is generally provided as soon as it is received.

- 5. How many master-metered tenants does each utility serve?**

BVES has eight (8) master metered customers who serve 334 sub-metered customers.

6. How many sub-metered tenants are eligible for the CARE program in California?

Based on Census 2000 27% of BVES' customers are eligible for CARE. Based on that data we estimate that 90 of the sub-metered customers are CARE eligible.

7. How many sub-metered tenants are enrolled in CARE?

As of December 31, 2006 there were 141 sub-metered customers enrolled in CARE.

8. How do the utilities contact sub-metered customers or tenants to inform and enroll them in the CARE program?

BVES currently does not contact the sub-metered customers or tenants. Annually, BVES mails the master metered account holder a list of the sub-metered tenants accompanied by blank sub-metered tenant applications for dissemination to all sub-metered tenants.

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.

BVES works with its eight (8) mobile home park managers to pass information about the CARE program along to the sub-metered tenants. In addition, BVES runs ads in the local news paper and public service radio spots informing the public of the CARE program. In conjunction with the County of San Bernardino BVES participates in periodic social services events and provides information regarding the CARE program to participants in these events.

- a. CARE enrollment status – N/A
- b. Enrollment assistance – N/A
- c. Verification that the CARE discount is given to the Master-Metered Account

BVES provided the CARE discount to the master metered bill based on the CARE percentage report by the mobile home park.

- d. Verification that the CARE discount has been given to the sub-metered tenant if the bill is provided.

Due to customer confidentiality issues BVES is not able to provide verification of the CARE discount given to the master-metered accounts. BVES does not verify that the master-metered customer, provides the CARE discount to the tenant.

10. How do utilities provide education and outreach to master-metered customers about billing and CARE discounts?

BVES works with its eight (8) mobile home park managers to pass information about the CARE program along to the sub-metered tenants. In addition, BVES runs ads in the local news paper and public service radio spots informing the public of the CARE program. In conjunction with the County of San Bernardino BVES participates in periodic social services events and provides information regarding the CARE program to participants in these events.

11. Do the utilities coordinate the outreach conducted under the LIEE program?

While conducting outreach for the LIEE program BVES' implementation contractor will enroll eligible customers in CARE.

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?

The County of San Bernardino Office of Weights & Measures may contact BVES to verify if a sub-metered tenant is enrolled in the CARE program. BVES can confirm if the tenant is enrolled in CARE. BVES, however, cannot confirm whether the master-meter customer is passing along the CARE discount to the tenant. Pursuant to California Public Utilities Code section 739.5 and California Civil Code section 798.43.1, it is the master-metered customer's responsibility to pass on the benefits of the CARE discount to the applicable sub-metered tenants. Moreover, BVES does not have jurisdiction over the tenant's sub-meter. To date, BVES has not received any reports of the CARE discount not being passed on to tenants that have enrolled. If BVES was to receive a complaint, it would first contact the Landlord to make sure it has a record of the customer enrolling in the CARE Program. If this does not resolve the matter, BVES would direct the tenant to contact the local Department of Weight and Measures. The Department of Weight and Measures has the authority to audit the billing practices of the Landlord and recommend corrective action(s) to ensure proper billing.

13. What can or should the Commission do to promote the CARE program among sub-metered tenants?

BVES believes that the current Commission policies are working well.

14. What can or should the Commission do to assure sub-metered tenants receive the CARE discount the utility provides?

California Public Utilities Code section 739.5(e) established the role of the Commission in assuring that sub-metered tenants receive the CARE discount and are properly billed:

The commission shall accept and respond to complaints concerning the requirements of this section through the consumer affairs branch, in addition to any other staff that the commission

deems necessary to assist the complainant. In responding to the complaint, the commission shall consider the role that the office of the county sealer in the complainant's county of residence may have in helping to resolve the complaint, and, where appropriate, coordinate with that office.

15. What can or should the Commission do to improve the communication between master-meter account holders and the utility company?

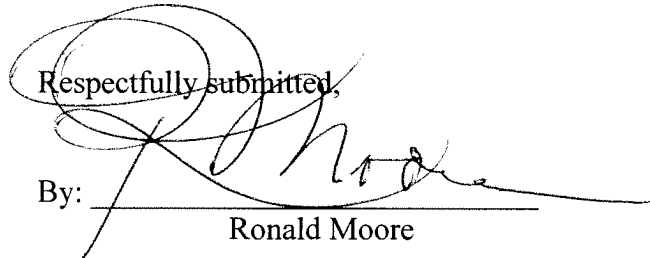
BVES believes that the current Commission methods are working well.

16. What can or should the Commission do to improve the communication between the sub-metered account holder and the utility company?

BVES believes that the current Commission methods are working well.

III. CONCLUSION

BVES respectfully submits these comments.

Respectfully submitted,

By: _____
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June 8, 2007

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ATTACHMENT A

CARE Program AB 2104 Workshop

Presenting on Behalf of

Alpine Gas
PacifiCorp
Sierra Pacific
Bear Valley
Southwest Gas
West Coast Gas

April 17, 2007

SMJU AB2104 Target Population

Utility Company	Master Meter Accounts	Sub-meter units	Sub-meter Units on CARE
Alpine	None	None	None
PacifiCorp	26	373	12
Sierra Pacific	42	870	70
Bear Valley	7	543	134
Southwest Gas	59	3,112	825
West Coast Gas	No Response	No Response	No Response

AB2104 Requirements

- Directly Accept CARE applications from submetered customers
- Directly notify and provide renewal applications to sub-metered customers
- Provide Master-meter with list of those approved to receive the discount

Directly Accept CARE Applications from Sub-meter Customers

Utility	Meet this requirement?
<i>Alpine</i>	N/A
<i>PacifiCorp</i>	Yes
<i>Sierra Pacific</i>	Yes
<i>Bear Valley</i>	Yes
<i>Southwest Gas</i>	Yes
<i>West Coast Gas</i>	No Response

Directly Notify and Provide Renewal Applications to Sub-meter Customers

Utility	Meet this requirement?
<i>Alpine</i>	N/A
<i>PacifiCorp</i>	No, sends to MM account.
<i>Sierra Pacific</i>	Yes, CSD notifies submetered tenants.
<i>Bear Valley</i>	No, to Park Managers
<i>Southwest Gas</i>	No, process of changing
<i>West Coast Gas</i>	No Response

Provide Master-meter with List of those Approved
to Receive the Discount

Utility	Meet this requirement?
<i>Alpine</i>	N/A
<i>PacifiCorp</i>	Yes, w/ annual letter
<i>Sierra Pacific</i>	Yes, MM customer's monthly bill.
<i>Bear Valley</i>	No, MM provides BVES with monthly list.
<i>Southwest Gas</i>	Yes, annually, and when new customer enrolls.
<i>West Coast Gas</i>	No Response

SMJU Extra Steps taken to ensure Sub-meter Tenant Enrollment

Utility	Action
<i>Alpine</i>	N/A
<i>PacifiCorp</i>	Developing written communication with Master Meter accounts, i.e. sample billing instructions
<i>Sierra Pacific</i>	<ul style="list-style-type: none"> -Monthly bill statement with list of CARE recipients -Master meter billing calculator on website -Would like to explore Master-Meter account education
<i>Bear Valley</i>	Annual meeting with park managers
<i>Southwest Gas</i>	Annual letter to manager/owner
<i>West Coast Gas</i>	No Response

Concerns with AB 2104

Utility	Concerns
<i>Alpine</i>	N/A
<i>PacifiCorp</i>	-Possible privacy concerns regarding submetered tenants information.
<i>Sierra Pacific</i>	-Master meters obligation to provide information submetered tenants
<i>Bear Valley</i>	-Expanding customer database, and accounting. -Privacy concerns with releasing account information.
<i>Southwest Gas</i>	-Not reaching all submetered tenants due to mobility, and no notice to utility -Mastermeter should provide utility with list
<i>West Coast Gas</i>	No Response

ATTACHMENT B

[LIEE Renter Access Workshop]

Presented by Southwest Gas Corporation

On Behalf of:

Alpine Natural Gas Company

Bear Valley Electric Service

Pacific Power

Sierra Pacific Power Company

Southwest Gas Corporation

West Coast Gas Company

May 10, 2007

[Current Renter Issues

- Overview of Program
- Difference in Measures Installed
 - Owner vs. Renter
- Budget Allocation for Measures
- Participation Rates for Owners and Renters

[Overview of Program

<u>Utility</u>	<u>Measures Installed</u>
<i>Alpine</i>	Measures installed as defined in the 2006 LIEE Program Statewide Policy and Procedures Manual*
<i>Bear Valley</i>	Measures installed as defined in the 2006 LIEE Program Statewide Policy and Procedures Manual* Portable lighting fixtures installed for PY 2007 – 2008 (D.06-12-036)
<i>Pacific Power</i>	Measures installed per LIHEAP/DOE WAP requirements
<i>Sierra Pacific</i>	Measures installed as defined in the 2006 LIEE Program Statewide Policy and Procedures Manual*
<i>Southwest Gas</i>	Measures installed as defined in the 2006 LIEE Program Statewide Policy and Procedures Manual*
<i>West Coast Gas</i>	N/A

*As outlined in Section 2.7. - Treatment of Rental Units

2006 LIEE Statewide Policy and Procedures Manual

Section 2.7 Treatment of Rental Units

2.7.1. *Property Owner Approval*

Rental units may not be treated until a written Property Owner Waiver has been received. This approval must cover the participation of the unit in the Program as well as the installation of specific measures. Such approval is valid for a period of 12 months from the date it is provided by the property owner. If approval of the legal owner is not received prior to the installation of measures, the Contractor will be required to reimburse the utility for all payments received from the utility for treating the unit(s) in question.

[Differences in Measures Installed Owner vs. Renter

<u>Utility</u>	<u>Differences</u>
<i>Alpine</i>	No furnace or water heater repair or replacement for renters*
<i>Bear Valley</i>	No difference for measures*
<i>Pacific Power</i>	No difference for measures
<i>Sierra Pacific</i>	No difference for measures*
<i>Southwest Gas</i>	No furnace or water heater repair or replacement for renters*
<i>West Coast Gas</i>	N/A

* As outlined in the 2006 LIEE Program Statewide Policy and Procedures Manual, Section 2.7.2 - Eligibility of Rental Units for Certain Measures.

2006 LIEE Program Statewide Policy and Procedures Manual

Section 2.7 Treatment of Rental Units

2.7.2 Eligibility of Rental Units for Certain Measures

Assuming that the permission of the property owner has been approved and that other eligibility conditions are met, rental units may be treated under the Program. However, the following policies relating to specific measures shall be applied.

- Rental units are eligible for evaporative coolers, air conditioners, refrigerators and hard-wired fixtures, to the extent that these measures continue to be provided under the LIEE Program.
- Rental units are not eligible for furnace replacements or major furnace repairs associated with the mitigation of NGAT fails. However, minor repairs and adjustments may be made to furnaces if these actions would improve the performance of the system at a minimal cost.
- Rental units are not eligible for water heater repairs and replacements associated with the mitigation of NGAT fails. However, services and adjustments may be made to water heaters if these actions would improve the performance of the system at a minimal cost.

Evaporative coolers and hard-wired fixtures will be provided without charge to either tenant or the landlord. Refrigerators and air conditioner replacements will also be provided at no charge to either the tenant or the landlord, except in the instance where the landlord owns the refrigerator or air conditioning unit that is replaced and also pays the utility bill. In these instances, the utilities may make payments to installation contractors that cover only part of the cost of replacement.

[Separate Budget Allocations for Renter Measures and Homeowner Measures

<u>Utility</u>	<u>Budget Allocation</u>
<i>Alpine</i>	No separate budget allocation
<i>Bear Valley</i>	No separate budget allocation
<i>Pacific Power</i>	No separate budget allocation
<i>Sierra Pacific</i>	No separate budget allocation
<i>Southwest Gas</i>	No separate budget allocation
<i>West Coast Gas</i>	N/A

[Participation Rates

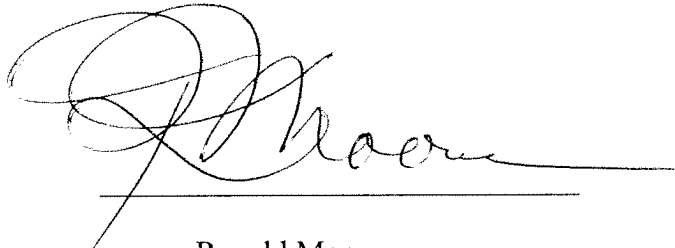
<u>Utility</u>	2005		2006	
	Owners	Renters	Owners	Renters
<i>Alpine</i>	83%	17%	100%	0%
<i>Bear Valley</i>	69%	31%	N/A	N/A
<i>Pacific Power</i>	66%	34%	81%	19%
<i>Sierra Pacific</i>	50%	50%	48%	52%
<i>Southwest Gas</i>	40%	60%	64%	36%
<i>West Coast Gas</i>	N/A	N/A	N/A	N/A

[LIEE Renter Access Workshop]

CERTIFICATE OF SERVICE

I hereby certify that I caused to be served, a true copy of **BEAR VALLEY ELECTRIC SERVICE (U 913 E) COMMENTS REGARDING AB 2104 IMPLEMENTATION AND RENTER ACCESS TO LOW INCOME ENERGY EFFICIENCY PROGRAMS** on all parties identified on the attached service list via electronic mail. U. S. Mail will be used if electronic service cannot be effectuated.

Executed on June 8, 2007, at San Dimas, California.

A handwritten signature in cursive script, appearing to read 'R. Moore', is written over a horizontal line. The signature is fluid and extends to the right of the line.

Ronald Moore

Service List – R07-01-042 & A.07-05-010

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