

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking on the Commission's
Proposed Policies and Programs Governing post-2003
Low-Income Assistance Programs.

R. 04-01-006

Application of Pacific Gas and Electric Company
Seeking Approval of an Augmentation to Its Authorized
2006 Low Income Energy Efficiency Program Budget.

Application 06-04-014
(Filed April 14, 2006)

**JOINT OPENING COMMENTS OF SAN DIEGO GAS & ELECTRIC
COMPANY AND SOUTHERN CALIFORNIA GAS COMPANY ON DRAFT
DECISION OF ADMINISTRATIVE LAW JUDGE KIM MALCOLM,
DATED JULY 10, 2006**

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July 28, 2006

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I. INTRODUCTION

In accordance with Rules 77.2 through 77.4 of the California Public Utilities Commission's (Commission) Rules of Practice and Procedure, San Diego Gas & Electric Company (SDG&E) and Southern California Gas Company (SoCalGas) hereby file their Joint Opening Comments on the Draft Decision of Administrative Law Judge (ALJ) Malcolm in the above-captioned proceeding (DD).

The DD approves SDG&E's and SoCalGas' request to continue to allow targeted self-certification (Self Certification) for their Low Income Energy Efficiency Programs (LIEE) for the remainder of program year (PY) 2006 and to utilize their 2006 authorized budgets, including remaining funds from PY 2005, to treat additional homes above the levels authorized by the Commission for PY 2006.

SDG&E and SoCalGas support the DD and urge its adoption at the Commission's August 24, 2006 Business Meeting so that SDG&E and SoCalGas can resume Self

Certification and reach more LIEE customers by year-end. Notwithstanding their general support, however, SDG&E and SoCalGas request that the DD be modified and/or clarified in several limited respects noted below to correct the factual inconsistencies or errors in the text of the DD, Conclusion of Law (COL) or Ordering Paragraph (OP).

II. REQUESTED CORRECTIONS AND/OR MODIFICATIONS TO THE DD

A. Page 2 of the DD Should Be Corrected to Reflect the Correct Date and the Fact that SoCalGas Filed to Comply with Decision 05-12-026

The DD (p. 2), contains two errors. It inadvertently lists 2005 instead of 2006 and excludes SoCalGas from the list of utilities making filings to comply with Decision (D.) 05-12-026. Accordingly, the sentences should be revised as follows:

To effect this increased effort, D.05-12-06 also directed the utilities to file augmented 2006 budget applications no later than April 14, ~~2005~~ 2006. PG&E's application and the compliance filings of SCE, ~~and~~ SDG&E and SoCalGas are filed in compliance with that directive.

B. Language in COL 1 and OP 1 Should Be Modified to Conform with the Text of the DD

The DD refers to SDG&E's and SoCalGas' "Targeted Self-Certification Enrollment Process" as "Self Certification" (p.3) and effectively grants "Motion of San Diego Gas & Electric Company and Southern California Gas Company to Extend Self Certification Enrollment for the Low-Income Energy Efficiency Program Beyond the Winter Initiative Period" (Motion) (pp.3-4).¹ COL 1 and OP 1, however, do not accurately reflect those facts. Accordingly, SDG&E and SoCalGas propose the following modifications:

¹ The Motion was filed on March 30, 2006.

COL 1:

The Commission should authorize SoCalGas and SDG&E to continue to offer their ~~automatic enrollment~~ targeted Self Certification procedures for LIEE programs.

OP 1:

Southern California Gas Company (SoCalGas) and San Diego Gas & Electric Company (SDG&E) are hereby authorized to continue to implement their ~~automatic enrollment~~ targeted Self Certification procedures for low income energy efficiency (LIEE) programs and their motion to extend targeted Self Certification through 2006 is granted.

C. The DD Should Be Modified to Accurately Reflect Contractor Obligations under Self Certification: Contractors Must Determine Customer Eligibility but Need Not Collect and Copy Income Documents to Do So

In discussing the Motion, the DD states, "The utilities assert that the use of Self-Certification saved money by reducing contractor fees because contractors no longer need to determine customer eligibility and enrollment..." (p. 3). That is not quite correct. In fact, the Motion expressly provides (p. 3):

With the use of the census tract data in targeting specific low income customers within Joint Utilities' respective service territories, participants are allowed to self certify their income without providing the income documentation. SDG&E believes that this enrollment process provides relief to some customers who do not necessarily retain all of their income documentation which is required to qualify for the LIEE program although they do in fact qualify. Additionally, the TSCEP provides relief to both the contractor and the customer because it eliminates collection and copying of confidential customer information. This collection and copying process can be time consuming because it may require multiple visits to obtain the requisite documentation.

Contractors, therefore, are still required to explain the LIEE program's income eligibility requirements to customers and to determine whether customers are eligible for the program. Customers in turn are required to certify in that they meet the program's

income eligibility requirements when they sign the application form to enroll in the program.

Accordingly, SDG&E and SoCalGas, request that the text on page 3 of the DD be revised as follows:

The utilities assert that the use of Self-Certification saved money by reducing contractor fees because contractors no longer need to collect and copy income documents to determine customer eligibility and enrollment...

III. CONCLUSION

For the foregoing reasons, SDG&E and SoCalGas urge the Commission to adopt the DD subject to the proposed modifications set forth above.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing **JOINT OPENING COMMENTS OF SAN DIEGO GAS & ELECTRIC COMPANY AND SOUTHERN CALIFORNIA GAS COMPANY ON DRAFT DECISION OF ADMINISTRATIVE LAW JUDGE KIM MALCOLM, DATED JULY 10, 2006** on all parties identified in R.04-01-006 and A.06-04-014 on the attached service list by U.S. mail and electronic mail, and by Federal Express to the assigned Commissioner(s) and Administrative Law Judge(s).

Dated at San Diego, California, this 28th day of July, 2006.



Joel Dellosa