

AMENDED IN SENATE SEPTEMBER 5, 2001

AMENDED IN SENATE JULY 9, 2001

AMENDED IN ASSEMBLY APRIL 17, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 1235

Introduced by Assembly Member Pescetti

February 23, 2001

~~An act to add Section 329 to the Public Utilities Code, relating to public utilities.~~ *An act to add and repeal Section 25913 of the Public Resources Code, and to add Section 329 to the Public Utilities Code, relating to energy.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1235, as amended, Pescetti. Natural gas: gas corporations: service.

(1) *Existing law authorizes the State Energy Resources Conservation and Development Commission to adopt regulations pertaining to certain types of insulation materials.*

This bill, until January 1, 2007, would authorize the commission to adopt regulations governing the use of products to seal the joints and seams of duct systems and their components, if those regulations are based on conclusive, objective, peer-reviewed research that meets specified criteria.

(2) The Public Utilities Act requires the Public Utilities Commission to require each gas corporation to provide bundled basic gas service to all core customers in its service territory unless the customer chooses

or contracts to have natural gas purchased and supplied by another entity.

This bill would amend the act to prohibit a customer that receives noncore service, as defined, from switching to core procurement service, as defined, unless the customer meets certain requirements. The bill would provide that the commission shall not be prohibited from placing additional restrictions on the ability of noncore service customers to switch to core procurement service. Because a violation of the act is a crime, this bill, by prescribing new requirements for gas corporations, would impose a state-mandated local program by changing the definition of a crime.

(2)

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. *Section 25913 is added to the Public Resources*
2 *Code, to read:*

3 25913. (a) *The commission may adopt regulations governing*
4 *the use of products to seal the joints and seams of duct systems and*
5 *their components, if those regulations are based on conclusive,*
6 *objective, peer-reviewed research that meets all of the following*
7 *criteria:*

8 (1) *The products that are subject of the research are*
9 *manufactured in accordance with Standards 181, 181A, or 181B*
10 *adopted by the Underwriters Laboratory, Inc.*

11 (2) *The products that are the subject of the research are tested*
12 *in accordance with all nationally recognized application*
13 *standards, including those adopted by Underwriters Laboratories,*
14 *Inc., the Uniform Mechanical Code, and the National Fire*
15 *Protection Association.*



1 (3) *The products that are the subject of the research are tested*
2 *in accordance with testing methods approved by the American*
3 *Society of Testing and Materials.*

4 (4) *The products that are the subject of the research are tested*
5 *to determine, at a minimum, tensile strength, peel adhesion*
6 *strength, shear adhesion strength under a variety of weights,*
7 *temperatures, humidity levels, and longevity.*

8 (b) (1) *Any regulations adopted by the commission pursuant to*
9 *subdivision (a) shall specify that joints and seams of duct systems*
10 *and their components shall not be sealed with cloth back rubber*
11 *adhesive duct tape, unless the tape complies with Standard 181 or*
12 *181B adopted by Underwriters Laboratories, Inc., but may be used*
13 *in combination with drawbands.*

14 (2) *For purposes of this subdivision, “drawbands” are*
15 *mechanical clamps that comply with Standard 181, 181A, or 181B*
16 *adopted by Underwriters Laboratories, Inc.*

17 (c) *This section shall remain in effect only until January 1,*
18 *2007, and as of that date is repealed, unless a later enacted statute,*
19 *that is enacted before January 1, 2007, deletes or extends that date.*

20 SEC. 2. Section 329 is added to the Public Utilities Code, to
21 read:

22 329. (a) As used in this section, the following terms have the
23 following meanings:

24 (1) “Core procurement service” means that a customer is
25 provided basic gas service as specified in Section 328, and meets
26 the definition for core service specified under the filed tariffs of the
27 gas corporation.

28 (2) “Noncore service” means that a customer meets the usage
29 requirements specified under the filed tariffs of the gas corporation
30 and has elected to not be provided with core procurement. Noncore
31 customers are restricted from purchasing gas from the gas
32 corporation.

33 (b) A customer that receives noncore service may not switch to
34 core procurement service unless the customer agrees, in writing,
35 to remain on core service tariffs for a minimum period to be
36 determined by the commission, but which shall not be less than
37 five years. In addition, the commission shall require a noncore
38 service customer to provide sufficient notice to the gas corporation
39 of its intent to switch to core procurement service so that the gas
40 corporation has a reasonable period of time to plan for the

1 procurement of incremental gas supplies. The notice period shall
2 be not less than 6 months.

3 (c) This section shall not be construed as prohibiting the
4 commission from placing additional restrictions on the ability of
5 noncore service customers to switch to core procurement service.

6 ~~SEC. 2.—~~

7 *SEC. 3.* No reimbursement is required by this act pursuant to
8 Section 6 of Article XIII B of the California Constitution because
9 the only costs that may be incurred by a local agency or school
10 district will be incurred because this act creates a new crime or
11 infraction, eliminates a crime or infraction, or changes the penalty
12 for a crime or infraction, within the meaning of Section 17556 of
13 the Government Code, or changes the definition of a crime within
14 the meaning of Section 6 of Article XIII B of the California
15 Constitution.

