

## Senate Bill No. 68

### CHAPTER 2

An act to amend Section 2772 of the Public Utilities Code, relating to electricity, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor August 11, 2001. Filed with Secretary of State August 13, 2001.]

#### LEGISLATIVE COUNSEL'S DIGEST

SB 68, Battin. Electricity: blackouts.

Existing law requires the Public Utilities Commission to establish priorities among the types or categories of customers of every electrical corporation and every gas corporation, and among the uses of electricity or gas by those customers. In establishing those priorities, existing law requires the commission to consider certain factors, as prescribed.

This bill would also require the commission in establishing use priorities to make a determination of the potential effect of extreme temperatures on the health and safety of residential customers. In making this determination, the bill would require the commission to consult with appropriate medical experts and review appropriate literature and research, consider whether providing priority to customers experiencing extreme temperatures would result in increased outage frequency and duration for remaining customers and its effect on their health and safety, and consider whether alternative measures would be appropriate. The bill would authorize the commission, to the extent it determines it is in the public interest, to provide priority to customers experiencing extreme temperatures only when temperatures are extreme.

The bill would declare that it is to take effect immediately as an urgency statute.

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

SECTION 1. Section 2772 of the Public Utilities Code is amended to read:

2772. In establishing the priorities pursuant to Section 2771, the commission shall include, but not be limited to, a consideration of all the following:

(a) A determination of the customers and uses of electricity and gas, in descending order of priority, which provide the most important public benefits and serve the greatest public need.



(b) A determination of the customers and uses of electricity and gas which are not included under subdivision (a).

(c) A determination of the economic, social, and other effects of a temporary discontinuance in electrical or gas service to the customers or for the uses determined in accordance with subdivision (a) or (b).

(d) A determination of the potential effect of extreme temperatures on the health and safety of residential customers. In making this determination, the commission shall do all of the following:

(1) Consult with appropriate medical experts and review appropriate literature and research.

(2) Consider whether providing priority to customers experiencing extreme temperatures would result in increased outage frequency and duration for remaining customers and its effect on the health and safety of those remaining customers.

(3) To the extent the commission determines it is in the public interest to provide priority to customers that experience extreme temperatures, it shall provide that priority only when temperatures are extreme.

(4) Consider whether alternative measures are appropriate, including, but not limited to, reducing the duration of the outage or imposing the outage earlier or later in the day.

(e) Any curtailment or allocation rules, orders, or regulations issued by any agency of the federal government.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order for the Public Utilities Commission to consider in the establishment of use priorities the potential effect of extreme temperatures on residential customers at the earliest possible time, thereby ensuring their health and safety, it is necessary that this act take effect immediately.

