

AMENDED IN SENATE AUGUST 12, 2004

AMENDED IN SENATE JUNE 14, 2004

AMENDED IN SENATE JULY 10, 2003

AMENDED IN SENATE JUNE 27, 2003

AMENDED IN ASSEMBLY MAY 8, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

**ASSEMBLY BILL**

**No. 426**

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**Introduced by Assembly Members Cox and Richman**

**(Coauthors: Assembly Members ~~Cogdill, Dutton, La Malfa, Leslie, Nakanishi,~~ Bates, Benoit, Canciamilla, Cogdill, Cohn, Dutton, Houston, La Malfa, Leslie, Matthews, Nakanishi, Steinberg, and Wolk)**

**(Coauthors: Senators Aanestad, ~~McPherson, Morrow, and Oller~~ Battin, Chesboro, Denham, Johnson, McClintock, McPherson, Morrow, Oller, Ortiz, and Torlakson)**

February 14, 2003

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An act to add Section 9607.5 to the Public Utilities Code, relating to local publicly owned electric utilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 426, as amended, Cox. Local publicly owned electric utilities: cost responsibility surcharge.

Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations. Under existing law, the commission has imposed a cost responsibility

surcharge on municipal departing load, as defined in commission decisions. Existing law relative to electrical restructuring, with certain exceptions, prohibits a local publicly owned electric utility from providing electric service to a retail customer of an electrical corporation unless the customer first confirms in writing an obligation to pay to the electrical corporation a nonbypassable generation-related transition charge established by the regulatory body for that electrical corporation.

This bill would prohibit the commission from imposing any cost, *including any* responsibility surcharge, on a customer of a local publicly owned electric utility ~~when~~ *if* the customer’s service location has not previously received service from an electrical corporation.

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

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

- 1 SECTION 1. Section 9607.5 is added to the Public Utilities
- 2 Code, to read:
- 3 9607.5. Notwithstanding any other law, the commission shall
- 4 not impose any ~~cost responsibility surcharge~~ *cost, including any*
- 5 *cost responsibility surcharge*, on a customer of a local publicly
- 6 owned electric utility if the customer’s service location has not
- 7 previously received service from an electrical corporation.

