

ASSEMBLY BILL

No. 1889

Introduced by Assembly Member Chu

February 5, 2004

An act to repeal Section 367.7 of the Public Utilities Code, relating to electrical restructuring.

LEGISLATIVE COUNSEL'S DIGEST

AB 1889, as introduced, Chu. Electrical restructuring: Power Exchange.

The existing restructuring of the electrical industry within the Public Utilities Act provides for the establishment of a Power Exchange as an incorporated public benefit nonprofit corporation and requires the Public Utilities Commission to implement a methodology for the Power Exchange to administer energy credit for a customer with a meter that is capable of recording hourly data.

This bill would repeal this requirement.

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

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

1 SECTION 1. Section 367.7 of the Public Utilities Code is
2 repealed.
3 ~~367.7.—(a) It is the intent of the Legislature in enacting this~~
4 ~~section to ensure that individual customers do not experience rate~~
5 ~~increases as a result of the allocation of transition costs, in~~
6 ~~accordance with paragraph (2) of subdivision (e) of Section 367.~~

1 ~~(b) The commission shall implement a methodology whereby~~
2 ~~the Power Exchange energy credit for a customer with a meter~~
3 ~~installed on or after June 30, 2000, that is capable of recording~~
4 ~~hourly data is calculated based on the actual hourly data for that~~
5 ~~customer. The Power Exchange energy credit for a customer with~~
6 ~~a meter installed before June 30, 2000, that is capable of recording~~
7 ~~hourly data shall, at the election of the customer, on a one-time~~
8 ~~basis before June 30, 2000, be calculated based on either (1) the~~
9 ~~actual hourly data for that customer or (2) the average load profile~~
10 ~~for that customer class. If the customer fails to make an election,~~
11 ~~that customer's Power Exchange energy credit shall continue to be~~
12 ~~based on the average load profile for that customer class.~~

13 ~~(c) Additional incremental billing costs incurred as a result of~~
14 ~~the methodology implemented by the commission pursuant to~~
15 ~~subdivision (b) may be recoverable through rates for that customer~~
16 ~~class, if the commission finds that the costs are reasonable.~~

17 ~~(d) The methodology implemented by the commission~~
18 ~~pursuant to subdivisions (b) and (c) shall not result in any shifts in~~
19 ~~cost between customer classes and shall be consistent with the~~
20 ~~firewall provision set forth in subdivision (e) of Section 367.~~

