

ASSEMBLY BILL

No. 2869

Introduced by Assembly Member Levine

February 20, 2004

An act to amend Section 9601 of the Public Utilities Code, relating to public utilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 2869, as introduced, Levine. Local publicly owned electric utilities.

Existing law relating to electrical restructuring prohibits a local publicly owned electric utility or an electrical corporation from selling electric power to the retail customers of another local publicly owned electric utility or electrical corporation unless the first utility has agreed to let the second utility make sales of electric power to the retail customers of the first utility.

This bill would make technical, nonsubstantive changes to that provision.

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 9601 of the Public Utilities Code is
2 amended to read:
3 9601. (a) Except with respect to supply options of the nature
4 specified in Section 218, with the exception of paragraph (3) of
5 subdivision (b) of that section, as it existed on December 20, 1995,
6 no person, corporation, electrical corporation, or local publicly

1 owned electric utility or other governmental entity other than a
2 retail customer's existing electric service provider as of December
3 20, 1995, shall provide partial or full electric service to a retail
4 customer of a local publicly owned electric utility unless the
5 customer first confirms in writing an obligation to pay, through
6 tariff or otherwise, to the utility currently providing electric
7 service, a nonbypassable generation-related severance fee or
8 transition charge established by the regulatory body for that utility.
9 The severance fee or transition charge shall be paid directly to the
10 local publicly owned utility providing electricity service in the
11 service area in which the consumer is located.

12 (b) Except as provided in subdivision (a) of Section 374, no
13 local publicly owned electric utility or other governmental entity
14 shall provide partial or full electric service to a retail customer of
15 an electrical corporation unless the customer of that electrical
16 corporation first confirms in writing an obligation to pay, through
17 tariff or otherwise, to the electrical corporation currently
18 providing electric service, a nonbypassable generation-related
19 transition charge established by the regulatory body for that
20 electrical corporation. The charge shall be paid directly to the
21 electrical corporation providing electricity in the service area in
22 which the consumer is located.

23 (c) No local publicly owned electric utility or electrical
24 corporation shall sell electric power to the retail customers of
25 another local publicly owned electric utility or electrical
26 corporation unless the first utility has agreed to ~~let~~ allow the
27 second utility to make sales of electric power to the retail
28 customers of the first utility.

