

AMENDED IN ASSEMBLY JUNE 10, 2004

AMENDED IN ASSEMBLY MAY 27, 2004

AMENDED IN SENATE MARCH 26, 2004

SENATE BILL

No. 1163

Introduced by Senator Dunn

February 2, 2004

An act to amend Section 798.38 of the Civil Code and Section 739.5 of the Public Utilities Code, relating to utilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 1163, as amended, Dunn. Utilities.

(1) The existing Mobilehome Residency Law requires the management of a mobilehome park, when the management provides master-meter and submeter service of utilities to a homeowner, to separately state the cost of the charges for the period along with the opening and closing readings of the meter.

~~This bill would require that, for electricity and gas service, the bills described above include the identification of all rates and quantities attributable to each block on the applicable rate structure that would be applicable if the user were receiving gas or electricity, or both, directly from the gas or electrical corporation serving the master-meter customer. The bill would also require the management to make specified disclosures if a 3rd party billing agent prepares utility billing for the park.~~

(2) Existing law requires that, when gas or electric service is provided by a master-meter customer to users who are tenants of a mobilehome park, apartment building, or similar residential complex, the master-meter customer charge each user at the same rate which

would be applicable if the user were receiving gas or electricity directly from the gas or electric company. Existing law creates further requirements for master-meter customers and for the corporations which provide service to them.

This bill would require the Public Utilities Commission to accept and respond to complaints concerning the requirements described above through the consumer affairs branch, in addition to any other staff that the commission deems necessary to assist the complainant.

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 798.38 of the Civil Code is amended to
2 read:

3 798.38. (a) Where the management provides both
4 master-meter and submeter service of utilities to a homeowner, for
5 each billing period the cost of the charges for the period shall be
6 separately stated along with the opening and closing readings for
7 ~~his or her meter. For electricity and gas service, the bills shall~~
8 ~~include the identification of all rates and quantities attributable to~~
9 ~~each block in the applicable rate structure that would be applicable~~
10 ~~if the user were receiving gas or electricity, or both, directly from~~
11 ~~the gas or electrical corporation serving the master-meter~~
12 ~~customer his or her meter.~~ The management shall post in a
13 conspicuous place, the prevailing residential utilities rate schedule
14 as published by the serving utility.

15 (b) If a third-party billing agent or company prepares utility
16 billing for the park, the management shall disclose on each
17 resident's billing, the name, address, and telephone number of the
18 billing agent or company.

19 SEC. 2. Section 739.5 of the Public Utilities Code is amended
20 to read:

21 739.5. (a) The commission shall require that, whenever gas
22 or electric service, or both, is provided by a master-meter customer
23 to users who are tenants of a mobilehome park, apartment
24 building, or similar residential complex, the master-meter
25 customer shall charge each user of the service at the same rate
26 which would be applicable if the user were receiving gas or
27 electricity, or both, directly from the gas or electrical corporation.

1 The commission shall require the corporation furnishing service
2 to the master-meter customer to establish uniform rates for
3 master-meter service at a level which will provide a sufficient
4 differential to cover the reasonable average costs to master-meter
5 customers of providing submeter service, except that these costs
6 shall not exceed the average cost that the corporation would have
7 incurred in providing comparable services directly to the users of
8 the service.

9 (b) Every master-meter customer of a gas or electrical
10 corporation subject to subdivision (a) who, on or after January 1,
11 1978, receives any rebate from the corporation shall distribute to,
12 or credit to the account of, each current user served by the
13 master-meter customer that portion of the rebate which the amount
14 of gas or electricity, or both, consumed by the user during the last
15 billing period bears to the total amount furnished by the
16 corporation to the master-meter customer during that period.

17 (c) An electrical or gas corporation furnishing service to a
18 master-meter customer shall furnish to each user of the service
19 within a submetered system every public safety customer service
20 which it provides beyond the meter to its other residential
21 customers. The corporation shall furnish a list of those services to
22 the master-meter customer who shall post the list in a conspicuous
23 place accessible to all users. Every corporation shall provide these
24 public safety customer services to each user of electrical or gas
25 service under a submetered system without additional charge
26 unless the corporation has included the average cost of these
27 services in the rate differential provided to the master-meter
28 customer on January 1, 1984, in which case the commission shall
29 deduct the average cost of providing these public safety customer
30 services when approving rate differentials for master-meter
31 customers.

32 (d) Every master-meter customer is responsible for
33 maintenance and repair of its submeter facilities beyond the
34 master-meter, and nothing in this section requires an electrical or
35 gas corporation to make repairs to or perform maintenance on the
36 submeter system.

37 (e) Every master-meter customer shall provide an itemized
38 billing of charges for electricity or gas, or both, to each individual
39 user generally in accordance with the form and content of bills of
40 the corporation to its residential customers, including, but not

1 limited to, the opening and closing readings for the meter, and the
2 identification of all rates and quantities attributable to each block
3 in the applicable rate structure. The master-meter customer shall
4 also post, in a conspicuous place, the applicable prevailing
5 residential gas or electrical rate schedule, as published by the
6 corporation.

7 (f) The commission shall require that every electrical and gas
8 corporation shall notify each master-meter customer of its
9 responsibilities to its users under this section.

10 (g) The commission shall accept and respond to complaints
11 concerning the requirements of this section through the consumer
12 affairs branch, in addition to any other staff that the commission
13 deems necessary to assist the complainant.

