

AMENDED IN ASSEMBLY JULY 2, 2004
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 the management to make specified disclosures if a ~~3rd party~~ *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 *and, where appropriate, to coordinate with the office of the county sealer to resolve the complaint.*

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. The management shall post in a conspicuous
8 place, the prevailing residential utilities rate schedule as published
9 by the serving utility.

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

14 SEC. 2. Section 739.5 of the Public Utilities Code is amended
15 to read:

16 739.5. (a) The commission shall require that, whenever gas
17 or electric service, or both, is provided by a master-meter customer
18 to users who are tenants of a mobilehome park, apartment
19 building, or similar residential complex, the master-meter
20 customer shall charge each user of the service at the same rate
21 which would be applicable if the user were receiving gas or
22 electricity, or both, directly from the gas or electrical corporation.
23 The commission shall require the corporation furnishing service
24 to the master-meter customer to establish uniform rates for
25 master-meter service at a level which will provide a sufficient
26 differential to cover the reasonable average costs to master-meter
27 customers of providing submeter service, except that these costs



1 shall not exceed the average cost that the corporation would have
2 incurred in providing comparable services directly to the users of
3 the service.

4 (b) Every master-meter customer of a gas or electrical
5 corporation subject to subdivision (a) who, on or after January 1,
6 1978, receives any rebate from the corporation shall distribute to,
7 or credit to the account of, each current user served by the
8 master-meter customer that portion of the rebate which the amount
9 of gas or electricity, or both, consumed by the user during the last
10 billing period bears to the total amount furnished by the
11 corporation to the master-meter customer during that period.

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

27 (d) Every master-meter customer is responsible for
28 maintenance and repair of its submeter facilities beyond the
29 master-meter, and nothing in this section requires an electrical or
30 gas corporation to make repairs to or perform maintenance on the
31 submeter system.

32 (e) Every master-meter customer shall provide an itemized
33 billing of charges for electricity or gas, or both, to each individual
34 user generally in accordance with the form and content of bills of
35 the corporation to its residential customers, including, but not
36 limited to, the opening and closing readings for the meter, and the
37 identification of all rates and quantities attributable to each block
38 in the applicable rate structure. The master-meter customer shall
39 also post, in a conspicuous place, the applicable prevailing



1 residential gas or electrical rate schedule, as published by the
2 corporation.

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

6 (g) The commission shall accept and respond to complaints
7 concerning the requirements of this section through the consumer
8 affairs branch, in addition to any other staff that the commission
9 deems necessary to assist the complainant. *In responding to the*
10 *complaint, the commission shall consider the role that the office*
11 *of the county sealer in the complainant's county of residence may*
12 *have in helping to resolve the complaint and, where appropriate,*
13 *coordinate with that office.*

