

AMENDED IN SENATE MAY 4, 2004

SENATE BILL

No. 1891

Introduced by Committee on Energy, Utilities and Communications (Senators Bowen (Chair), Alarcon, Battin, Dunn, Morrow, Murray, Sher, and Vasconcellos)

March 1, 2004

An act to ~~add and repeal Section 316.6 of the Public Utilities Code, relating to telecommunications; amend Section 780.5 of, and to amend and renumber Section 454.1 of, the Public Utilities Code, relating to public utilities.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 1891, as amended, Committee on Energy, Utilities and Communications. ~~Telecommunications market: report to the Legislature~~ *Public utilities: metering of multiunit residences: electrical transmission facilities.*

(1) Existing law requires the commission to require every residential unit in an apartment house or similar multiunit residential structure, condominium, or mobilehome park issued a building permit on or after July 1, 1982, with certain exceptions, to be individually metered for electric and gas service, except that separate metering for gas service is not required for residential units that are not equipped with gas appliances requiring venting or that receive the majority of energy used for water or space heating from a solar energy system or through cogeneration technology.

This bill would except from the requirement for separate metering for gas service, multiunit residential units which are not equipped with gas appliances requiring venting or are equipped with only vented decorative appliances or which receive the majority of energy used for



water or space heating from a solar energy system or through cogeneration technology.

(2) This bill would amend and renumber a provision of the Public Utilities Code to eliminate a duplicative statutory numbering.

~~Existing law repealed as of January 1, 2004, a requirement that the Public Utilities Commission submit to the Legislature, on or before October 31 of each year, a report on, among other things, the status of competition in the telecommunications marketplace.~~

~~This bill would, until January 1, 2007, require the commission to submit a report to the Legislature, on or before October 31 of each year, on the competitiveness of the telecommunications markets in the state.~~

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 316.6 is added to the Public Utilities~~
2 *SECTION 1. Section 454.1 of the Public Utilities Code, as*
3 *added by Chapter 1040 of the Statutes of 2000, is amended and*
4 *renumbered to read:*

5 ~~454.1.—~~

6 464. (a) Reasonable expenditures by transmission owners
7 that are electrical corporations to plan, design, and engineer
8 reconfiguration, replacement, or expansion of transmission
9 facilities are in the public interest and are deemed prudent if made
10 for the purpose of facilitating competition in electric generation
11 markets, ensuring open access and comparable service, or
12 maintaining or enhancing reliability, whether or not these
13 expenditures are for transmission facilities that become
14 operational.

15 (b) The commission and the Electricity Oversight Board shall
16 jointly facilitate the efforts of the state’s transmission owning
17 electrical corporations to obtain authorization from the Federal
18 Energy Regulatory Commission to recover reasonable
19 expenditures made for the purposes stated in subdivision (a).

20 (c) Nothing in this section alters or affects the recovery of the
21 reasonable costs of other electric facilities in rates pursuant to the
22 commission’s existing ratemaking authority under this code or
23 pursuant to the Federal Power Act (41 Stat. 1063; 16 U.S.C. Secs.
24 791a, et seq.). The commission may periodically review and adjust



1 depreciation schedules and rates authorized for an electric plant
2 that is under the jurisdiction of the commission and owned by *an*
3 ~~electrical corporations~~ *corporation* and periodically review and
4 adjust depreciation schedules and rates authorized for a gas plant
5 that is under the jurisdiction of the commission and owned by *a gas*
6 ~~corporations~~ *corporation*, consistent with this code.

7 *SEC. 2. Section 780.5 of the Public Utilities Code is amended*
8 *to read:*

9 780.5. The commission shall require every residential unit in
10 an apartment house or similar multi-unit residential structure,
11 condominium, and mobilehome park for which a building permit
12 has been obtained on or after July 1, 1982, other than a dormitory
13 or other housing accommodation provided by any postsecondary
14 educational institution for its students or employees and other than
15 farmworker housing, to be individually metered for electrical and
16 gas service, except that separate metering for gas service is not
17 required for residential units which are not equipped with gas
18 appliances requiring venting *or are equipped with only vented*
19 *decorative appliances* or which receive the majority of energy
20 used for water or space heating from a solar energy system or
21 through cogeneration technology.

22 ~~Code, to read:~~

23 ~~316.6. (a) The commission shall submit a report to the~~
24 ~~Legislature, on or before October 31 of each year, on the~~
25 ~~competitiveness of the telecommunications markets in the state.~~

26 ~~(b) This section shall remain in effect only until January 1,~~
27 ~~2007, and as of that date is repealed, unless a later enacted statute,~~
28 ~~that is enacted before January 1, 2007, deletes or extends that date.~~

