

ASSEMBLY BILL

No. 1348

Introduced by Assembly Member Sharon Runner

February 22, 2005

An act to add Section 761 to the Public Utilities Code, relating to electricity.

LEGISLATIVE COUNSEL'S DIGEST

AB 1348, as introduced, Sharon Runner. Electricity: voluntary time-of-use tariff rates.

Existing law authorizes the Public Utilities Commission to fix the rates and charges for every public utility, and requires that those rates and charges be just and reasonable. Existing law requires electrical corporations furnishing electricity to an agricultural producer to prepare and file tariffs providing for optional off-peak demand service, including the availability of time-differentiating meters or other measurement devices.

This bill would require the commission to require every electrical corporation to file tariffs by March 1, 2006, that provide a voluntary unbundled time-of-use tariff rate, as defined, for eligible customers, as defined.

Under existing law, a violation of the Public Utilities Act or an order or direction of the commission is a crime.

The provisions of this bill would be part of the act and an order or other action of the commission would be required to implement its provisions. Because a violation of the bill's provisions or of an implementing order or decision of the commission would be a crime, this bill would impose a state-mandated local program by creating new crimes.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

1 SECTION 1. The Legislature finds and declares that
2 voluntary time-of-use rates for commercial and industrial
3 customers is one means to reduce electricity consumption during
4 periods of peak demand, to reward private investment in solar
5 and other renewable energy technologies, to stabilize California's
6 electrical infrastructure, reduce air pollution, increase energy
7 independence, and enhance the diversification of California's
8 energy mix.

9 SEC. 2. Section 761 is added to the Public Utilities Code, to
10 read:

11 761. (a) As used in this section, the following terms have the
12 following meanings:

13 (1) "Eligible customer" means a commercial or industrial
14 customer of an electrical corporation with a billed electricity
15 usage of less than 1,000 kilowatts for three consecutive months
16 or a commercial or industrial customer that generates 25 percent
17 or more of the electricity used by the customer from a solar
18 energy system or other ultraclean and low-emission distributed
19 generation source.

20 (2) "Solar energy system" means a photovoltaic solar collector
21 or other photovoltaic solar energy device that has a primary
22 purpose of providing for the collection, and distribution of solar
23 energy for the generation of electricity.

24 (3) "Ultraclean and low-emission distributed generation"
25 means an electricity generation source that uses technology that
26 meets the definition of an "ultra-clean and low-emission
27 distributed generation" in subdivision (a) of Section 353.2.

28 (4) "Unbundled time-of-use tariff rate" means a rate that
29 allocates the cost of electricity and distribution costs on a per

1 kilowatthour basis for different time periods, without a demand
2 charge.

3 (b) The commission shall require that every electrical
4 corporation by March 1, 2006, file tariffs that provide a voluntary
5 unbundled time-of-use tariff rate for eligible customers.

6 (c) Eligible customers that elect to take service under a
7 voluntary time-of-use tariff rate of an electrical corporation shall
8 have a meter that measures electricity usage on a real time basis.

9 (d) Eligible customers that generate electricity using a solar
10 energy system or using ultraclean and low-emission distributed
11 generation are eligible for net energy metering. Eligible
12 customers that generate electricity using a solar energy system or
13 using ultraclean and low-emission distributed generation shall
14 have a metering system capable of separately measuring
15 electricity flow in both directions. Eligible customers that
16 generate electricity using a solar energy system or using
17 ultraclean and low-emission distributed generation shall be
18 credited for the electricity and distribution components of the
19 time-of-use tariff rates, for the net amount of electricity
20 contributed during periods when the eligible customer
21 contributes electricity to the electrical distribution system.

22 SEC. 3. No reimbursement is required by this act pursuant to
23 Section 6 of Article XIII B of the California Constitution because
24 the only costs that may be incurred by a local agency or school
25 district will be incurred because this act creates a new crime or
26 infraction, eliminates a crime or infraction, or changes the
27 penalty for a crime or infraction, within the meaning of Section
28 17556 of the Government Code, or changes the definition of a
29 crime within the meaning of Section 6 of Article XIII B of the
30 California Constitution.