

AMENDED IN SENATE APRIL 7, 1999

SENATE BILL

No. 531

Introduced by Senator Baca

February 19, 1999

An act to add Section 311.4 to the Public Utilities Code, relating to public utilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 531, as amended, Baca. Public Utilities Commission: complaints.

The Public Utilities ~~Law~~ Act requires the Public Utilities Commission, on and after July 1, 1999, to publish specified information on its Internet site, including, but not limited to, decisions and resolutions, general orders, the Rules of Practice and Procedure of the commission, rulings in proceedings, and a docket card for each proceeding listing documents in the case.

This bill would require the commission *on or before July 1, 2000*, to develop and implement a procedure to permit complaints to be filed, and related complaint proceedings to be administered, through electronic means, as defined. The bill would prescribe related matters. *The bill would make related legislative findings and declarations and a statement of legislative intent.*

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. (a) *The Legislature finds and declares*
2 *all of the following:*

3 (1) *The Legislature has encouraged state agencies to*
4 *make information available to the public through various*
5 *means, including the Internet.*

6 (2) *The Internet has permitted increased*
7 *communication between the people of this state and state*
8 *agencies, educating the people of this state on the role*
9 *and function of each agency.*

10 (3) *The Internet website maintained by the Public*
11 *Utilities Commission provides the people of this state*
12 *with information regarding the commission and the*
13 *markets and services that the commission regulates. The*
14 *website also provides a way for members of the public to*
15 *communicate with the commission.*

16 (4) *Currently, the Public Utilities Commission website*
17 *accepts complaints.*

18 (5) *Customers for services regulated by the Public*
19 *Utilities Commission and the companies offering those*
20 *services are entitled to an efficient dispute resolution*
21 *process.*

22 (6) *The Internet is an ideal means for resolving*
23 *disputes between customers and service providers in an*
24 *efficient manner, regardless of the geographic location of*
25 *the customer.*

26 (b) *It is the intent of the Legislature to enhance the*
27 *role of the Public Utilities Commission by allowing*
28 *customers and service providers the option to resolve*
29 *disputes through electronic communications to provide*
30 *a greater level of efficiency for the parties involved and*
31 *to make the Public Utilities Commission dispute*
32 *resolution process accessible to all people of this state.*

33 SEC. 2. *Section 311.4 is added to the Public Utilities*
34 *Code, to read:*

35 311.4. ~~The~~ *On or before July 1, 2000, the commission*
36 *shall develop and implement a procedure to permit*
37 *complaints described in Section 1702 to be filed, and*
38 *related complaint proceedings to be administered,*

1 through electronic means. *Commencing one year from*
2 *the date that the procedure is implemented, the*
3 *commission may annually review the procedure and any*
4 *related rules, and the technology involved to ensure the*
5 *continued effectiveness of the program, and shall report*
6 *any findings to the Legislature.* For the purpose of this
7 section, “electronic means” may include, but shall not be
8 limited to, e-mail or the Internet, or both. Upon receipt
9 of a complaint filed by electronic means, the commission
10 shall immediately serve notice to the entity named in the
11 complaint. The commission shall permit a complaint
12 proceeding to be conducted through electronic means, if,
13 as determined by the commission, ~~both~~ all of the
14 following conditions are met:

15 (a) All parties agree to a complaint proceeding
16 conducted through electronic means.

17 (b) *The dollar amount in the complaint does not*
18 *exceed the jurisdictional limit of a small claims court*
19 *specified in subdivision (a) of Section 116.220 of the Code*
20 *of Civil Procedure.*

21 (c) *The case can be competently adjudicated through*
22 *electronic means, taking into account the facts and law*
23 *involved.*

24 (d) The hearing officer has the requisite technical
25 means to administer the proceeding.

26 (e) *The commission has addressed any impediments*
27 *in the electronic systems employed by the commission*
28 *that would prevent or substantially adversely affect the*
29 *ability of the commission to conduct the proceeding by*
30 *electronic means.*

