

AMENDED IN SENATE APRIL 20, 1999

AMENDED IN SENATE APRIL 7, 1999

**SENATE BILL**

**No. 531**

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**Introduced by Senator Baca**

February 19, 1999

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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 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. (a) On or before July 1, 2000, the commission  
36 shall develop and implement a procedure to permit  
37 complaints described in Section ~~1702~~ 1702.1 to be filed,  
38 and 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, *pursuant to Section 1704. Notwithstanding*  
12 *Section 1704, a complaint issued through the process*  
13 *specified in this section does not require a hearing.* The  
14 commission shall permit a complaint proceeding to be  
15 conducted through electronic means, if, as determined  
16 by the commission, all of the following conditions are met:

17 ~~(a)–~~

18 (1) All parties agree to a complaint proceeding  
19 conducted through electronic means.

20 ~~(b)–~~

21 (2) The dollar amount in the complaint does not  
22 exceed the jurisdictional limit of a small claims court  
23 specified in subdivision (a) of Section 116.220 of the Code  
24 of Civil Procedure.

25 ~~(c)–~~

26 (3) The case can be competently adjudicated through  
27 electronic means, taking into account the facts and law  
28 involved.

29 ~~(d)–~~

30 (4) The hearing officer has the requisite technical  
31 means to administer the proceeding.

32 ~~(e)–~~

33 (5) The commission has addressed any impediments  
34 in the electronic systems employed by the commission  
35 that would prevent or substantially adversely affect the  
36 ability of the commission to conduct the proceeding by  
37 electronic means.

1     *(b) The commission shall include a notice on its*  
2     *Internet website of the availability of the process*  
3     *specified in subdivision (a).*

