

AMENDED IN ASSEMBLY AUGUST 19, 1999

AMENDED IN ASSEMBLY JULY 15, 1999

AMENDED IN ASSEMBLY JUNE 17, 1999

AMENDED IN SENATE MAY 10, 1999

AMENDED IN SENATE APRIL 20, 1999

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 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~~ ~~January~~ *after July* 1, 2001, to establish procedures to permit the submission of informal complaints through electronic means, as defined, in accordance with prescribed provisions. The bill

would require the commission, on or before ~~July 1, 2001~~ *January 1, 2002*, to provide on its Internet website the means by which consumers may submit informal complaints through electronic means. *The bill would provide that its provisions may not be implemented, and no information technology-related preparatory work may be undertaken prior to July 1, 2001, without the concurrence of the commission and the authorization of the Department of Information Technology. 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 web site 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 web site also provides a way for members of the public to
15 communicate with the commission.
16 (4) Currently, the Public Utilities Commission web
17 site accepts informal 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

1 efficient manner, regardless of the geographic location of
2 the customer.

3 (b) It is the intent of the Legislature to enhance the
4 role of the Public Utilities Commission by allowing
5 customers and service providers the option to resolve
6 disputes through electronic communications to provide
7 a greater level of efficiency for the parties involved and
8 to make the Public Utilities Commission dispute
9 resolution process accessible to all people of this state.

10 SEC. 2. Section 311.4 is added to the Public Utilities
11 Code, to read:

12 311.4. (a) On or ~~before January~~ *after July 1, 2001*, the
13 commission shall establish procedures to permit the
14 submission of informal complaints through electronic
15 means in accordance with this section.

16 (b) On or before ~~July 1, 2001~~ *January 1, 2002*, the
17 commission shall provide on its Internet web site the
18 means by which consumers may submit informal
19 complaints through electronic means.

20 (c) It is the intent of the Legislature that, commencing
21 one year from the date that the procedures described in
22 subdivision (a) are implemented, the commission
23 annually review the procedures and the technology
24 involved to ensure the continued effectiveness of the
25 program, and report any findings to the Legislature.

26 (d) For the purpose of this section, “electronic means”
27 includes, but shall not be limited to, e-mail or the
28 Internet, or both.

29 (e) Upon the receipt of an informal complaint
30 submitted by electronic means, the commission shall
31 immediately forward the complaint to the entity named
32 in the complaint.

33 (f) The commission shall permit the submission of
34 informal complaints through electronic means, if, as
35 determined by the commission, both of the following
36 conditions are met:

37 (1) The dollar amount in the complaint does not
38 exceed the jurisdictional limit of a small claims court
39 specified in subdivision (a) of Section 116.220 of the Code
40 of Civil Procedure.

1 (2) The commission has addressed any impediments
2 in the electronic systems employed by the commission
3 that would prevent or substantially adversely affect the
4 ability of the commission to receive informal complaints
5 by electronic means.

6 (g) The commission shall include a notice on its
7 Internet web site of the availability of the procedures
8 described in subdivision (a).

9 (h) For the purposes of implementing this section, the
10 commission shall make available to the public an industry
11 specific online complaint form that allows a customer to
12 specify information that the commission determines to be
13 relevant for purposes of resolving a dispute, including the
14 account number, the type of dispute, and the opportunity
15 to make general comments.

16 (i) *This act may not be implemented, and no*
17 *information technology-related preparatory work may*
18 *be undertaken in connection with this act prior to July 1,*
19 *2001, without the concurrence of the commission and the*
20 *authorization of the Department of Information*
21 *Technology pursuant to Executive Order D-3-99.*

