

Senate Bill No. 531

CHAPTER 327

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

[Approved by Governor September 3, 1999. Filed
with Secretary of State September 3, 1999.]

LEGISLATIVE COUNSEL'S DIGEST

SB 531, 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 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 January 1, 2002, to provide on its Internet web site 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.

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

SECTION 1. (a) The Legislature finds and declares all of the following:

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

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

(3) The Internet web site maintained by the Public Utilities Commission provides the people of this state with information regarding the commission and the markets and services that the

commission regulates. The web site also provides a way for members of the public to communicate with the commission.

(4) Currently, the Public Utilities Commission web site accepts informal complaints.

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

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

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

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

311.4. (a) On or after July 1, 2001, the commission shall establish procedures to permit the submission of informal complaints through electronic means in accordance with this section.

(b) On or before January 1, 2002, the commission shall provide on its Internet web site the means by which consumers may submit informal complaints through electronic means.

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

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

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

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

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

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

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

(h) For the purposes of implementing this section, the commission shall make available to the public an industry specific

online complaint form that allows a customer to specify information that the commission determines to be relevant for purposes of resolving a dispute, including the account number, the type of dispute, and the opportunity to make general comments.

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

