

AMENDED IN SENATE JUNE 24, 2008

AMENDED IN ASSEMBLY MAY 8, 2008

AMENDED IN ASSEMBLY MARCH 25, 2008

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2857**

---

---

**Introduced by Assembly Member Lieber**

February 22, 2008

---

---

An act to amend Section 739.5 of the Public Utilities Code, relating to public utilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 2857, as amended, Lieber. California Alternative Rates for Energy program.: *eligibility*.

Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations and gas corporations, as defined. Existing law authorizes the 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 the commission to establish a program of assistance to low-income electric and gas customers, referred to as the California Alternate Rates for Energy (CARE) program.

This bill would prohibit the commission from denying eligibility for the CARE program for a ~~submetered~~ residential user of gas or electric service who is a *submetered* resident or tenant served by a master-meter customer on the basis that some residential units in the master-meter customer's ~~multiple mobilehome park, apartment building, or similar residential complex do not use a submetered structure to obtain and pay for their~~ *receive gas or electric service through a submetered system*.

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. Section 739.5 of the Public Utilities Code is  
2 amended to read:  
3 739.5. (a) The commission shall require that, whenever gas  
4 or electric service, or both, is provided by a master-meter customer  
5 to users who are tenants of a mobilehome park, apartment building,  
6 or similar residential complex, the master-meter customer shall  
7 charge each user of the service at the same rate that would be  
8 applicable if the user were receiving gas or electricity, or both,  
9 directly from the gas or electrical corporation. The commission  
10 shall require the corporation furnishing service to the master-meter  
11 customer to establish uniform rates for master-meter service at a  
12 level that will provide a sufficient differential to cover the  
13 reasonable average costs to master-meter customers of providing  
14 submeter service, except that these costs shall not exceed the  
15 average cost that the corporation would have incurred in providing  
16 comparable services directly to the users of the service.  
17 (b) Every master-meter customer of a gas or electrical  
18 corporation subject to subdivision (a) who, on or after January 1,  
19 1978, receives any rebate from the corporation shall distribute to,  
20 or credit to the account of, each current user served by the  
21 master-meter customer that portion of the rebate which the amount  
22 of gas or electricity, or both, consumed by the user during the last  
23 billing period bears to the total amount furnished by the corporation  
24 to the master-meter customer during that period.  
25 (c) An electrical or gas corporation furnishing service to a  
26 master-meter customer shall furnish to each user of the service  
27 within a submetered system every public safety customer service  
28 which it provides beyond the meter to its other residential  
29 customers. The corporation shall furnish a list of those services to  
30 the master-meter customer who shall post the list in a conspicuous  
31 place accessible to all users. Every corporation shall provide these  
32 public safety customer services to each user of electrical or gas  
33 service under a submetered system without additional charge unless  
34 the corporation has included the average cost of these services in  
35 the rate differential provided to the master-meter customer on

1 January 1, 1984, in which case the commission shall deduct the  
2 average cost of providing these public safety customer services  
3 when approving rate differentials for master-meter customers.

4 (d) Every master-meter customer is responsible for maintenance  
5 and repair of its submeter facilities beyond the master-meter, and  
6 nothing in this section requires an electrical or gas corporation to  
7 make repairs to or perform maintenance on the submeter system.

8 (e) Every master-meter customer shall provide an itemized  
9 billing of charges for electricity or gas, or both, to each individual  
10 user generally in accordance with the form and content of bills of  
11 the corporation to its residential customers, including, but not  
12 limited to, the opening and closing readings for the meter, and the  
13 identification of all rates and quantities attributable to each block  
14 in the applicable rate structure. The master-meter customer shall  
15 also post, in a conspicuous place, the applicable prevailing  
16 residential gas or electrical rate schedule, as published by the  
17 corporation.

18 (f) The commission shall require that every electrical and gas  
19 corporation shall notify each master-meter customer of its  
20 responsibilities to its users under this section.

21 (g) The commission shall accept and respond to complaints  
22 concerning the requirements of this section through the consumer  
23 affairs branch, in addition to any other staff that the commission  
24 deems necessary to assist the complainant. In responding to the  
25 complaint, the commission shall consider the role that the office  
26 of the county sealer in the complainant's county of residence may  
27 have in helping to resolve the complaint and, where appropriate,  
28 coordinate with that office.

29 (h) Notwithstanding any other provision of law or decision of  
30 the commission, the commission shall not deny eligibility for the  
31 California Alternative Rates for Energy (CARE) program, created  
32 pursuant to Section 739.1, for a ~~submetered~~ residential user of gas  
33 or electric service who is a *submetered* resident or tenant served  
34 by a master-meter customer on the basis that some residential units  
35 in the master-meter customer's ~~multiple mobilehome park,~~  
36 *apartment building, or similar* residential complex ~~do not use a~~  
37 ~~submetered structure to obtain and pay for their gas or electric~~

- 1 ~~service.~~ *do not receive gas or electric service through a submetered*
- 2 *system.*

O