

**ASSEMBLY BILL**

**No. 270**

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**Introduced by Assembly Member Bradford**

February 7, 2013

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An act to add Sections 589 and 747.6 to the Public Utilities Code, relating to public utilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 270, as introduced, Bradford. Public utilities: ratepayer-funded energy efficiency assistance.

(1) Under existing law, the Public Utilities Commission (PUC) has regulatory authority over public utilities, including electrical and gas corporations. The Public Utilities Act requires the PUC to require electrical and gas corporations to establish various ratepayer-funded energy efficiency assistance programs. Under existing law, a violation of the Public Utilities Act or any order, decision, rule, direction, demand, or requirement of the commission is a crime.

This bill would require the PUC to require the electrical and gas corporations to cooperate in establishing, by June 1, 2014, a publicly available Internet Web site containing specified information regarding ratepayer-funded energy efficiency programs. Because a violation of this provision is a crime, this bill would create a state-mandated local program.

(2) Existing law requires the PUC to prepare and submit to the Governor and the Legislature an annual report on the costs of programs and activities conducted by each electrical and gas corporation.

This bill would require the PUC to include in that annual report information on its effort to identify and eliminate ratepayer-funded

energy efficiency programs that duplicate programs administered by other specified state agencies.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

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

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) It is in the public interest to be able to measure the  
4 effectiveness of energy efficiency programs to ensure that the  
5 state’s interest in achieving its energy efficiency and climate change  
6 goals are met.

7 (b) Over the past 15 years, California ratepayers and taxpayers  
8 have spent a combined total of roughly \$15 billion to support  
9 development of energy efficiency and renewable energy in  
10 California.

11 (c) California currently lacks a comprehensive framework that  
12 coordinates its efforts among programs administered by the Public  
13 Utilities Commission, the State Energy Resources Conservation  
14 and Development Commission, the State Air Resources Board,  
15 and the California Alternative Energy and Advanced Transportation  
16 Financing Authority.

17 (d) Current expenditures planned for energy efficiency in  
18 2012–13 are \$1 billion, and, historically, \$9 billion have been  
19 expended for energy efficiency programs funded by California  
20 ratepayers.

21 (e) There currently exists an information gap that inhibits  
22 assessment and monitoring of the expenditures of ratepayer funds  
23 expended toward energy efficiency improvements and programs,  
24 and research, development, and demonstration programs.

25 SEC. 2. Section 589 is added to the Public Utilities Code, to  
26 read:

27 589. (a) The commission shall require the electrical and gas  
28 corporations to cooperate in establishing an Internet Web site

1 available to the public that provides up-to-date information  
2 regarding ratepayer-funded energy efficiency assistance programs  
3 that include all of the following:

- 4 (1) The types of energy efficiency measures installed.
- 5 (2) The location of each customer receiving ratepayer-funded  
6 energy efficiency assistance without disclosing personal  
7 information about the customer.
- 8 (3) The amount of funds expended at each site.
- 9 (4) The expected annual energy savings and reduced energy  
10 usage expected in kilowatthour or therms.

11 (b) (1) The commission shall order the electrical and gas  
12 corporations to establish, based on data, ratepayer-funded energy  
13 efficiency assistance program reports on program totals,  
14 geographical and monthly statistics, cost distribution, and progress  
15 toward program goals.

16 (2) The electrical and gas corporations shall make the reports  
17 available on the Internet Web site established pursuant to  
18 subdivision (a).

19 (c) The commission shall require the electrical and gas  
20 corporations to publish data, including the amount expended, on  
21 the ratepayer-funded energy efficiency programs that are not direct  
22 retrofits, including, but not limited to, research on building and  
23 appliance standards and marketing and outreach, on the Internet  
24 Web site established pursuant to subdivision (a).

25 (d) The commission shall require the electrical and gas  
26 corporations to publish data on grants, contracts, subsidies,  
27 financing, and activities administered through the Electric Program  
28 Investment Charge established by Decisions 11-12-035 and  
29 12-05-037, and related and subsequent decisions, to comply with  
30 General Order 156 of the commission.

31 (e) The commission shall take necessary steps to ensure the  
32 Internet Web site established pursuant to subdivision (a) is  
33 available to the public on or before June 1, 2014.

34 (f) The commission shall have a link to the Internet Web site  
35 established pursuant to subdivision (a) on the commission's Internet  
36 Web site and require the electrical and gas corporations to have a  
37 link to the Internet Web site established pursuant to subdivision  
38 (a) on its Internet Web site.

39 SEC. 3. Section 747.6 is added to the Public Utilities Code, to  
40 read:

1 747.6. The commission shall report annually on its effort to  
2 identify and eliminate ratepayer-funded energy efficiency programs  
3 that are duplicative of programs administered by the State Energy  
4 Resources Conservation and Development Commission, the State  
5 Air Resources Board, and the California Alternative Energy and  
6 Advanced Transportation Financing Authority in its annual report  
7 prepared pursuant to subdivision (b) of Section 747.

8 SEC. 4. This measure does not provide the Public Utilities  
9 Commission with any authority to order the collection of the  
10 moneys consistent with Decisions 11-12-035 and 12-05-037, and  
11 related subsequent decisions, or to increase the amount collected  
12 through the Electric Program Investment Charge (EPIC).

13 SEC. 5. No reimbursement is required by this act pursuant to  
14 Section 6 of Article XIII B of the California Constitution because  
15 the only costs that may be incurred by a local agency or school  
16 district will be incurred because this act creates a new crime or  
17 infraction, eliminates a crime or infraction, or changes the penalty  
18 for a crime or infraction, within the meaning of Section 17556 of  
19 the Government Code, or changes the definition of a crime within  
20 the meaning of Section 6 of Article XIII B of the California  
21 Constitution.