

AMENDED IN ASSEMBLY APRIL 16, 2013

AMENDED IN ASSEMBLY APRIL 1, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**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 amended, 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~~ *commission* 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~~ *commission* 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~~ *commission* 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~~ *commission* to include in that annual report information on its effort to identify ~~and eliminate~~ ratepayer-funded energy efficiency programs that ~~duplicate~~ *are similar* programs administered by other specified state agencies *and to require revisions to ratepayer-funded energy efficiency programs to ensure that those programs complement and do not duplicate the programs of other 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

1 expended toward energy efficiency improvements and programs,  
2 and research, development, and demonstration programs.

3 SEC. 2. Section 589 is added to the Public Utilities Code, to  
4 read:

5 589. (a) In an existing or new proceeding, the commission  
6 shall require the electrical and gas corporations to cooperate in  
7 establishing ~~an~~ *a single* Internet Web site available to the public  
8 that provides up-to-date information, *no less frequent than once*  
9 *every 30 days*, regarding ratepayer-funded energy efficiency  
10 assistance programs that, *to the extent the information is available,*  
11 *in an aggregate format that would not provide identifying*  
12 *information about individual customers of the electrical and gas*  
13 *corporations*, include all of the following:

14 (1) The types of energy efficiency measures installed.

15 (2) The location of each customer receiving ratepayer-funded  
16 energy efficiency ~~assistance without disclosing personal~~  
17 ~~information about the customer.~~ *assistance.*

18 (3) The amount of funds expended at each site.

19 (4) The expected annual energy savings and reduced energy  
20 usage expected in kilowatthours or therms.

21 (b) (1) The commission shall order the electrical and gas  
22 corporations to establish, based on data, ratepayer-funded energy  
23 efficiency assistance program reports on program totals,  
24 geographical and monthly statistics, cost distribution, and progress  
25 toward program goals.

26 (2) The electrical and gas corporations shall make the reports  
27 available on the Internet Web site established pursuant to  
28 subdivision (a).

29 (c) The commission shall require the electrical and gas  
30 corporations to publish data, including the amount expended, on  
31 the ratepayer-funded energy efficiency programs that are not direct  
32 retrofits, including, but not limited to, research on building and  
33 appliance standards and marketing and outreach, on the Internet  
34 Web site established pursuant to subdivision (a).

35 (d) The commission shall take necessary steps to ensure the  
36 Internet Web site established pursuant to subdivision (a) is  
37 available to the public on or before June 1, 2014.

38 (e) The commission shall have a link to the Internet Web site  
39 established pursuant to subdivision (a) on the commission's Internet  
40 Web site and require the electrical and gas corporations to have a

1 link to the Internet Web site established pursuant to subdivision  
2 (a) ~~on its~~ *the appropriate page of the* Internet Web site of each  
3 *electrical and gas corporation.*

4 (f) *Unless the affected person, customer, or entity consents, the*  
5 *information, data, and reports required to be provided pursuant*  
6 *to this section shall not include any of the following:*

7 (1) *Personal information as defined in subdivision (e) of Section*  
8 *1798.80 of the Civil Code.*

9 (2) *A customer's electrical or gas consumption data as defined*  
10 *in subdivision (a) of Section 8380.*

11 (3) *Other information excluded from public disclosure pursuant*  
12 *to the California Public Records Act (Chapter 3.5 (commencing*  
13 *with Section 6250) of Division 7 of Part 1 of the Government*  
14 *Code).*

15 SEC. 3. Section 747.6 is added to the Public Utilities Code, to  
16 read:

17 747.6. The commission shall report annually on its effort to  
18 identify and ~~eliminate~~ ratepayer-funded energy efficiency programs  
19 that are ~~duplicative of~~ *similar to* programs administered by the  
20 ~~State Energy Resources Conservation and Development~~  
21 ~~Commission, the State Air Resources Board, and the California~~  
22 ~~Alternative Energy and Advanced Transportation Financing~~  
23 ~~Authority in its annual report prepared pursuant to subdivision (b)~~  
24 ~~of Section 747 and to require revisions to ratepayer-funded~~  
25 ~~programs, as necessary, to ensure that the ratepayer-funded~~  
26 ~~programs complement and do not duplicate programs of other~~  
27 ~~state agencies.~~

28 SEC. 4. No reimbursement is required by this act pursuant to  
29 Section 6 of Article XIII B of the California Constitution because  
30 the only costs that may be incurred by a local agency or school  
31 district will be incurred because this act creates a new crime or  
32 infraction, eliminates a crime or infraction, or changes the penalty  
33 for a crime or infraction, within the meaning of Section 17556 of  
34 the Government Code, or changes the definition of a crime within  
35 the meaning of Section 6 of Article XIII B of the California  
36 Constitution.