

AMENDED IN SENATE JUNE 25, 2013

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 has regulatory authority over public utilities, including electrical and gas corporations. The Public Utilities Act requires the 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 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 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 commission to include in that annual report information on its effort to identify ratepayer-funded energy efficiency programs that are similar *to* 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.

1 (e) There currently exists an information gap that inhibits  
2 assessment and monitoring of the expenditures of ratepayer funds  
3 expended toward energy efficiency improvements and programs,  
4 and research, development, and demonstration programs.

5 SEC. 2. Section 589 is added to the Public Utilities Code, to  
6 read:

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

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

17 (2) The location of each customer receiving ratepayer-funded  
18 energy efficiency assistance.

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

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

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

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

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

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

39 (e) The commission shall have a link to the Internet Web site  
40 established pursuant to subdivision (a) on the commission's Internet

1 Web site and require the electrical and gas corporations to have a  
2 link to the Internet Web site established pursuant to subdivision  
3 (a) on the appropriate page of the Internet Web site of each  
4 electrical and gas corporation.

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

8 ~~(1) Personal information as defined in subdivision (e) of Section~~  
9 ~~1798.80 of the Civil Code.~~

10 ~~(2) A customer’s electrical or gas consumption data as defined~~  
11 ~~in subdivision (a) of Section 8380.~~

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

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

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

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