

Assembly Bill No. 270

Passed the Assembly September 6, 2013

Chief Clerk of the Assembly

Passed the Senate September 3, 2013

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2013, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

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

LEGISLATIVE COUNSEL'S DIGEST

AB 270, 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.

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

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

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

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

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

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

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

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

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

- (1) The types of energy efficiency measures installed.
- (2) The ZIP Code location of each customer receiving ratepayer-funded energy efficiency assistance.
- (3) The amount of funds expended at each ZIP Code location.
- (4) The expected annual energy savings and reduced energy usage expected in kilowatthours or therms.

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

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

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

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

(e) The commission shall have a link to the Internet Web site established pursuant to subdivision (a) on the commission's Internet Web site and require the electrical and gas corporations to have a link to the Internet Web site established pursuant to subdivision (a) on the appropriate page of the Internet Web site of each electrical and gas corporation.

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

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

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

Approved _____, 2013

Governor