

AMENDED IN SENATE JUNE 24, 2013

AMENDED IN ASSEMBLY APRIL 16, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 719

Introduced by Assembly Member Roger Hernández

February 21, 2013

An act to add Section 384.5 to the Public Utilities Code, relating to energy.

LEGISLATIVE COUNSEL'S DIGEST

AB 719, as amended, Roger Hernández. Energy: ~~energy efficiency:~~ *efficiency: street light pole.*

Under the Public Utilities Act, or the act, the Public Utilities Commission, or the PUC, has regulatory authority over public utilities, including electrical corporations. The act requires the commission to review and adopt a procurement plan for each electrical corporation in accordance with specified elements, incentive mechanisms, and objectives. The act requires that an electrical corporation's proposed procurement plan include certain elements, including a showing that the electrical corporation will first meet its unmet needs through all available energy efficiency and demand-reduction resources that are cost effective, reliable, and feasible. Existing law requires the PUC, in consultation with the State Energy Resources Conservation and Development Commission, to identify all potentially achievable cost-effective electricity efficiency savings and establish efficiency targets. ~~A violation of the act is a crime.~~

This bill would require the commission, on or before March 1, 2014, to order electrical corporations to submit a tariff to be used, at the

discretion of local governments, to fund energy efficiency improvements in street light poles owned by the electrical corporations. ~~This~~ *The* bill would state the intent of the Legislature that utility-owned street light poles, whose electricity use is paid by local governments, be converted to use cost-effective technology that reduces electricity consumption ~~to~~ *and may* achieve lower utility bills.

Under existing law, a violation of the act or any order, decision, rule, direction, demand, or requirement of the PUC is a crime.

Because this bill would require electrical corporations, pursuant to an order of the PUC, to submit the specified tariff and a violation of this requirement is a crime, this bill would impose a state-mandated local program by creating a new crime.

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. It is the intent of the Legislature that*
2 *electrical-corporation-owned street light poles, whose electricity*
3 *use is paid by local governments, be converted to use cost-effective*
4 *technology that reduces electricity consumption so that a city,*
5 *county, or city and county may achieve lower utility bills for the*
6 *electricity used by these street light poles.*

7 ~~SECTION 1.~~

8 *SEC. 2. Section 384.5 is added to the Public Utilities Code, to*
9 *read:*

10 ~~384.5. (a) It is the intent of the Legislature that~~
11 ~~electrical-corporation-owned street light poles, whose electricity~~
12 ~~use is paid by local governments, be converted to use cost-effective~~
13 ~~technology that reduces electricity consumption so that a city,~~
14 ~~county, or city and county may achieve lower utility bills for the~~
15 ~~electricity used by these street light poles.~~

16 ~~(b)~~

17 384.5. (a) On or before March 1, 2014, the commission shall
18 order electrical corporations to submit a tariff to be used, at the

1 discretion of local governments, to fund energy efficiency
2 improvements in street light poles owned by the electrical
3 corporations to ensure reduced energy consumption and lower
4 electricity bills for local governments who are streetlight customers
5 covered by these tariffs.

6 ~~(e)~~

7 (b) The tariff shall be designed to allow local governments to
8 remit the cost of the improvement through the tariff over time,
9 resulting in lower reduced energy consumption and lower energy
10 bills; consumption, without shifting costs to nonparticipating
11 ratepayers. *The cost of the improvement shall be identified*
12 *separately rather than included within the charge for electrical*
13 *service.*

14 ~~(d)~~

15 (c) Notwithstanding subdivision ~~(e)~~, (b), the ~~conversion~~
16 *improvement* performed pursuant to the tariff submitted under
17 subdivision ~~(b)~~ (a) shall be eligible for any rebate or incentives
18 available through ratepayer-funded programs intended to increase
19 energy efficiency.

20 ~~(e)~~

21 (d) For the purposes of this section, the following terms have
22 the following meanings:

23 (1) “Electrical corporation” means an electrical corporation, as
24 defined in Section 218, with at least 100,000 service connections
25 in California.

26 (2) “Street light pole” means a pole, arm, or fixture used
27 primarily for street, pedestrian, or security lighting.

28 ~~SEC. 2.~~

29 *SEC. 3.* No reimbursement is required by this act pursuant to
30 Section 6 of Article XIII B of the California Constitution because
31 the only costs that may be incurred by a local agency or school
32 district will be incurred because this act creates a new crime or
33 infraction, eliminates a crime or infraction, or changes the penalty
34 for a crime or infraction, within the meaning of Section 17556 of
35 the Government Code, or changes the definition of a crime within
36 the meaning of Section 6 of Article XIII B of the California
37 Constitution.

O