

AMENDED IN SENATE AUGUST 12, 2013

AMENDED IN SENATE JUNE 24, 2013

AMENDED IN ASSEMBLY APRIL 16, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 719**

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**Introduced by Assembly Member Roger Hernández**

February 21, 2013

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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: 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.

This bill would require the commission, on or before March 1, 2014, to order electrical corporations to submit, *on or before July 1, 2015*, 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. 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 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 SEC. 2. Section 384.5 is added to the Public Utilities Code, to  
8 read:

9 384.5. (a) On or before March 1, 2014, the commission shall  
10 order electrical corporations to submit, *on or before July 1, 2015*,  
11 a tariff to be used, at the discretion of local governments, to fund  
12 energy efficiency improvements in street light poles owned by the  
13 electrical corporations to ensure reduced energy consumption for  
14 local governments who are streetlight customers covered by these  
15 tariffs.

1 (b) The tariff shall be designed to allow local governments to  
2 remit the cost of the improvement through the tariff over time,  
3 resulting in reduced energy consumption, without shifting costs  
4 to nonparticipating ratepayers. The cost of the improvement shall  
5 be identified separately rather than included within the charge for  
6 electrical service.

7 (c) Notwithstanding subdivision (b), the improvement performed  
8 pursuant to the tariff submitted under subdivision (a) shall be  
9 eligible for any rebate or incentives available through  
10 ratepayer-funded programs intended to increase energy efficiency.

11 (d) For the purposes of this section, the following terms have  
12 the following meanings:

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

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

18 SEC. 3. No reimbursement is required by this act pursuant to  
19 Section 6 of Article XIII B of the California Constitution because  
20 the only costs that may be incurred by a local agency or school  
21 district will be incurred because this act creates a new crime or  
22 infraction, eliminates a crime or infraction, or changes the penalty  
23 for a crime or infraction, within the meaning of Section 17556 of  
24 the Government Code, or changes the definition of a crime within  
25 the meaning of Section 6 of Article XIII B of the California  
26 Constitution.