

AMENDED IN ASSEMBLY MAY 6, 2014
AMENDED IN ASSEMBLY APRIL 21, 2014
AMENDED IN ASSEMBLY MARCH 28, 2014
CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2137

Introduced by Assembly Member Quirk

February 20, 2014

An act to add Section 12098.9 to the Government Code, and to add Section 323.5 to the Public Utilities Code, relating to energy efficiency.

LEGISLATIVE COUNSEL'S DIGEST

AB 2137, as amended, Quirk. Energy efficiency programs: information available for small businesses.

Existing law creates the Office of Small Business Advocate within the Governor's Office of Business and Economic Development. Existing law establishes the duties and functions of the advocate, which include advisory participation in the consideration of all legislation and administrative regulations that affect small businesses. Existing law also requires the office to post specified information on its Internet Web site, including information about emergency preparedness, responses, and recovery strategies for small businesses and information regarding programs administered through the statewide network of small business financial development corporations.

This bill would require the office to develop and maintain on its Internet Web site a section dedicated to all of the energy efficiency programs that are available to small businesses within the state.

Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations and gas

corporations, as defined. The Public Utilities Act requires the Public Utilities Commission to review and accept, modify, or reject 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 Public Utilities Commission, in consultation with the State Energy Resources Conservation and Development Commission, to identify all potentially achievable cost-effective electricity efficiency savings and to establish efficiency targets for electrical corporations to achieve pursuant to their procurement plan. The Public Utilities Act additionally requires the Public Utilities Commission, in consultation with the State Energy Resources Conservation and Development Commission, to identify all potentially achievable cost-effective natural gas efficiency savings and to establish efficiency targets for gas corporations to achieve and requires that a gas corporation first meet its unmet resource needs through all available gas efficiency and demand reduction resources that are cost effective, reliable, and feasible.

This bill would require the Public Utilities Commission to develop and maintain on its Internet Web site a section dedicated to all of the electrical corporation and gas corporation energy efficiency programs that are available to small businesses within the state, which emphasizes energy efficiency measures that are likely to be of most interest to small businesses. The bill would require the Public Utilities Commission, when available, to include hyperlink or URL connections to electrical corporation and gas corporation Internet Web sites that enable users of the Internet to directly access available information on those utility Internet Web sites. *The bill would require the commission to require those electrical corporations and gas corporations that are responsible for the joint Internet Web site dedicated to energy efficiency programs that is administered by a 3rd party, to include on that joint Internet Web site a hyperlink or URL connection to the section of the commission's Internet Web site that is dedicated to the energy efficiency programs available to small businesses.*

Existing law makes any public utility, as defined, and any corporation other than a public utility, that violates the Public Utilities Act, or that

fails to comply with any part of any order, decision, rule, direction, demand, or requirement of the commission guilty of a crime.

Because the provisions of this bill are within the act and require action by the commission to implement its requirements with respect to certain electrical corporations and gas corporations, a violation of these provisions 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: ~~no~~-yes.

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

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

3 (a) Helping small businesses become more energy efficient can
4 help California reduce energy consumption and thereby help in
5 reducing emissions of greenhouse gases throughout the state.

6 (b) Small businesses are the backbone of California’s economic
7 prosperity.

8 (c) Maximizing the energy efficiency programs the state,
9 electrical corporations, gas corporations, and local publicly owned
10 electric and gas utilities offer can help small businesses become
11 more productive and assist in reducing electrical demand during
12 peak demand periods.

13 (d) To better serve the public, and to benefit the state, the state
14 shall promote and facilitate the fullest possible participation of
15 small businesses to benefit from energy efficiency programs run
16 by the state, as well as any programs of an electrical corporation,
17 gas corporation, or local publicly owned electric or gas utility.

18 SEC. 2. Section 12098.9 is added to the Government Code, to
19 read:

20 12098.9. (a) For purposes of this section, the following terms
21 have the following meanings:

1 (1) “Energy efficiency programs” mean all energy efficiency,
2 energy conservation, energy savings, or weatherization programs
3 of the state or a local government, electrical corporations, gas
4 corporations, or a local publicly owned electric or gas utility.

5 (2) “Electrical corporation,” “gas corporation,” and “local
6 publicly owned electric utility” have the same meanings as
7 respectively defined in Sections 218, 222, and 224.3 of the Public
8 Utilities Code. “Local publicly owned gas utility” includes the gas
9 departments of the City of Long Beach and the City of Palo Alto.

10 (3) “Small business” has the same meaning as defined in Section
11 14837.

12 (b) In order to educate small business owners of the availability
13 of various programs promoting the efficient use of energy, the
14 office shall develop and maintain on its Internet Web site a section
15 dedicated to all of the energy efficiency programs that are available
16 to small businesses within the state. The office shall consult with
17 the Public Utilities Commission, the State Energy Resources
18 Conservation and Development Commission, and local publicly
19 owned electric and gas utilities in developing the information to
20 include on its Internet Web site.

21 SEC. 3. Section 323.5 is added to the Public Utilities Code, to
22 read:

23 323.5. (a) For purposes of this section, the following terms
24 have the following meanings:

25 (1) “Energy efficiency programs” mean all energy efficiency,
26 energy conservation, energy savings, or weatherization programs
27 of electrical corporations or gas corporations subject to direction
28 and supervision by the commission.

29 (2) “Hyperlink” means a special Hypertext Markup Language
30 (HTML) code that allows text or graphics to serve as a link that,
31 when clicked on, takes a user to another place in the same
32 document, to another document, or to another Internet Web site
33 or Web page.

34 (3) “Small business” has the same meaning as defined in Section
35 14837 of the Government Code.

36 (4) “Uniform Resource Locator” or “URL” means the address
37 of an Internet Web site or the location of a resource on the World
38 Wide Web that allows a browser to locate and retrieve the Internet
39 Web site or the resource.

1 (b) In order to educate small business owners of the availability
2 of various electrical corporation and gas corporation programs
3 promoting the efficient use of electricity and natural gas, the
4 commission shall develop and maintain on its Internet Web site a
5 section dedicated to all of the energy efficiency programs that are
6 available to small businesses within the state, which emphasizes
7 energy efficiency measures that are likely to be of most interest
8 to small businesses. Where available, the commission shall include
9 hyperlink or URL connections to electrical corporation and gas
10 corporation Internet Web sites that enable users of the Internet to
11 directly access available information on those utility Internet Web
12 sites.

13 (c) *The commission shall require those electrical corporations*
14 *and gas corporations that are responsible for the joint Internet*
15 *Web site dedicated to energy efficiency programs that is*
16 *administered by a third party, to include on that joint Internet Web*
17 *site a hyperlink or URL connection to the section of the*
18 *commission's Internet Web site that is dedicated to the energy*
19 *efficiency programs available to small businesses described in*
20 *subdivision (b).*

21 (e)

22 (d) (1) Nothing in this section limits the authority of the
23 commission to make information relative to energy efficiency
24 programs available to other target audiences in addition to small
25 businesses.

26 (2) Nothing in this section limits the authority of the commission
27 to make information specially available to small businesses relative
28 to other public utility programs that may be of special interest to
29 small businesses.

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

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