

AMENDED IN SENATE JUNE 25, 2014
AMENDED IN ASSEMBLY MAY 15, 2014
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 demand-side energy management 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. Under their existing authorities, the Public Utilities Commission and the State Energy Resources Conservation and Development Commission, in collaborating with various entities, have developed the Energy Upgrade California program to promote and finance energy efficiency and renewable energy projects for homes and businesses, reduce energy use, and help train contractors and building professionals.

This bill would require the Public Utilities Commission ~~and the State Energy Resources Conservation and Development Commission to jointly~~ to ensure that the Internet Web site for the Energy Upgrade California program be revised to include information related to demand-side management programs ~~for nonresidential customers, with emphasis on small businesses.~~ *for small business customers.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

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 better manage their energy use
4 can help California reduce energy consumption and thereby help
5 in 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 demandside energy management programs
9 the state, electrical corporations, gas corporations, and local
10 publicly owned electric and gas utilities offer can help small
11 businesses become more productive and assist in reducing electrical
12 demand during 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 demandside energy management
16 programs run by the state, as well as any programs of an electrical
17 corporation, gas corporation, or local publicly owned electric or
18 gas utility.

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

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

23 (1) “Demandside energy management programs” mean all
24 energy efficiency, demandside response, clean distributed
25 generation, energy conservation, energy savings, or weatherization
26 programs of the state or a local government, electrical corporations,
27 gas corporations, or a local publicly owned electric or gas utility.

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

33 (3) “Small business” has the same meaning as defined in Section
34 14837.

1 (b) In order to educate small business owners of the availability
 2 of various programs promoting the efficient use of energy, the
 3 office shall develop and maintain on its Internet Web site a section
 4 dedicated to all of the demandside energy management programs
 5 that are available to small businesses within the state. The office
 6 shall consult with the Public Utilities Commission, the State Energy
 7 Resources Conservation and Development Commission, and local
 8 publicly owned electric and gas utilities in developing the
 9 information to include on its Internet Web site.

10 SEC. 3. Section 323.5 is added to the Public Utilities Code, to
 11 read:

12 323.5. (a) For the purposes of this section, “demandside energy
 13 management programs” and “small business” have the same
 14 meanings as set forth in Section 12098.9 of the Government Code.

15 (b) ~~The commission and the Energy Commission shall jointly~~
 16 ensure that the Internet Web site for the Energy Upgrade California
 17 program be revised to include information related to demandside
 18 energy management programs ~~for nonresidential customers, with~~
 19 ~~emphasis on small businesses.~~ *for small business customers.*