

AMENDED IN SENATE APRIL 2, 2013

**SENATE BILL**

**No. 196**

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**Introduced by Senator Cannella**

February 7, 2013

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An act to amend Section 798.40 of the Civil Code *and to amend Section 739.5 of the Public Utilities Code*, relating to ~~mobilehomes.~~ *utility rates.*

LEGISLATIVE COUNSEL'S DIGEST

SB 196, as amended, Cannella. ~~Mobilehomes.~~ *Utility rates: mobilehomes and apartment buildings.*

Existing law, the Mobilehome Residency Law, governs residency in mobilehome parks. Existing law requires the management of a mobilehome park, when the management provides master-meter and submeter service of utilities to a homeowner, to separately state the cost of the charges for the period along with the opening and closing readings of the meter. Existing law further requires the management of a mobilehome park *a master-meter customer in a mobilehome park or apartment building, among other duties*, to post in a conspicuous place, the prevailing residential utilities rate schedule as published by the serving utility.

This bill would authorize ~~the management of a master-meter customer in a mobilehome park, apartment building, or similar residential complex, as specified~~, to ~~instead~~ also post the Internet Web site address where that utilities rate information is posted.

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

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

1 SECTION 1. Section 798.40 of the Civil Code is amended to  
2 read:

3 798.40. (a) Where the management provides both master-meter  
4 and submeter service of utilities to a homeowner, for each billing  
5 period the cost of the charges for the period shall be separately  
6 stated along with the opening and closing readings for his or her  
7 meter. The management shall post in a conspicuous place, the  
8 prevailing residential utilities rate schedule as published by the  
9 serving utility or the Internet Web site address where the  
10 information is posted.

11 (b) If a third-party billing agent or company prepares utility  
12 billing for the park, the management shall disclose on each  
13 resident's billing, the name, address, and telephone number of the  
14 billing agent or company.

15 *SEC. 2. Section 739.5 of the Public Utilities Code is amended*  
16 *to read:*

17 739.5. (a) The commission shall require that, whenever gas  
18 or electric service, or both, is provided by a master-meter customer  
19 to users who are tenants of a mobilehome park, apartment building,  
20 or similar residential complex, the master-meter customer shall  
21 charge each user of the service at the same rate that would be  
22 applicable if the user were receiving gas or electricity, or both,  
23 directly from the gas or electrical corporation. The commission  
24 shall require the corporation furnishing service to the master-meter  
25 customer to establish uniform rates for master-meter service at a  
26 level that will provide a sufficient differential to cover the  
27 reasonable average costs to master-meter customers of providing  
28 submeter service, except that these costs shall not exceed the  
29 average cost that the corporation would have incurred in providing  
30 comparable services directly to the users of the service.

31 (b) Every master-meter customer of a gas or electrical  
32 corporation subject to subdivision (a) who, on or after January 1,  
33 1978, receives any rebate from the corporation shall distribute to,  
34 or credit to the account of, each current user served by the  
35 master-meter customer that portion of the rebate which the amount  
36 of gas or electricity, or both, consumed by the user during the last  
37 billing period bears to the total amount furnished by the corporation  
38 to the master-meter customer during that period.

1 (c) An electrical or gas corporation furnishing service to a  
2 master-meter customer shall furnish to each user of the service  
3 within a submetered system every public safety customer service  
4 which it provides beyond the meter to its other residential  
5 customers. The corporation shall furnish a list of those services to  
6 the master-meter customer who shall post the list in a conspicuous  
7 place accessible to all users. Every corporation shall provide these  
8 public safety customer services to each user of electrical or gas  
9 service under a submetered system without additional charge unless  
10 the corporation has included the average cost of these services in  
11 the rate differential provided to the master-meter customer on  
12 January 1, 1984, in which case the commission shall deduct the  
13 average cost of providing these public safety customer services  
14 when approving rate differentials for master-meter customers.

15 (d) Every master-meter customer is responsible for maintenance  
16 and repair of its submeter facilities beyond the master-meter, and  
17 nothing in this section requires an electrical or gas corporation to  
18 make repairs to or perform maintenance on the submeter system.

19 (e) Every master-meter customer shall provide an itemized  
20 billing of charges for electricity or gas, or both, to each individual  
21 user generally in accordance with the form and content of bills of  
22 the corporation to its residential customers, including, but not  
23 limited to, the opening and closing readings for the meter, and the  
24 identification of all rates and quantities attributable to each block  
25 in the applicable rate structure. The master-meter customer shall  
26 also post, in a conspicuous place, the applicable prevailing  
27 residential gas or electrical rate schedule, as published by the  
28 corporation, *or the Internet Web site address where the corporation*  
29 *posts that information.*

30 (f) The commission shall require that every electrical and gas  
31 corporation shall notify each master-meter customer of its  
32 responsibilities to its users under this section.

33 (g) The commission shall accept and respond to complaints  
34 concerning the requirements of this section through the consumer  
35 affairs branch, in addition to any other staff that the commission  
36 deems necessary to assist the complainant. In responding to the  
37 complaint, the commission shall consider the role that the office  
38 of the county sealer in the complainant's county of residence may  
39 have in helping to resolve the complaint and, where appropriate,  
40 coordinate with that office.

- 1 (h) Notwithstanding any other provision of law or decision of  
2 the commission, the commission shall not deny eligibility for the  
3 California Alternative Rates for Energy (CARE) program, created  
4 pursuant to Section 739.1, for a residential user of gas or electric  
5 service who is a submetered resident or tenant served by a  
6 master-meter customer on the basis that some residential units in  
7 the master-meter customer’s mobilehome park, apartment building,  
8 or similar residential complex do not receive gas or electric service  
9 through a submetered system.
- 10 (i) For purposes of this section, “rebate” does not include the  
11 award of a monetary incentive under the California Solar Initiative  
12 adopted by the Public Utilities Commission in Decision 05-12-044  
13 and Decision 06-01-024, as modified by Article 1 (commencing  
14 with Section 2851) of Chapter 9 of Part 2, for a solar energy system  
15 that provides electrical generation to a mobilehome park.

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