

**ASSEMBLY BILL**

**No. 1890**

**Introduced by Assembly Member Conroy**

February 24, 1995

An act to amend Section 453 of, and to add Section 10009.4 to, the Public Utilities Code, relating to public utilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 1890, as introduced, Conroy. Public utilities: bills for services.

Under existing law, the Public Utilities Commission is vested with regulatory authority over public utilities.

This bill would permit each gas, electrical, heat, and water corporation, and each publicly owned utility furnishing light, heat, water and power, to identify, as a separate amount, on any bill for services or commodities furnished any customer or subscriber, the amount to be paid by the customer or subscriber that represents the costs of complying with a federal, state, or local governmental mandate, not including any fees imposed by the commission.

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. It is the intent of the Legislature to  
2 unbundle the cost of electricity and to identify the costs  
3 incurred by utilities. It is the further intent of the  
4 Legislature to encourage all energy utilities to identify



1 the amounts charged to customers due to government  
2 mandates.

3 SEC. 2. Section 453 of the Public Utilities Code is  
4 amended to read:

5 453. (a) No public utility shall, as to rates, charges,  
6 service, facilities, or in any other respect, make or grant  
7 any preference or advantage to any corporation or person  
8 or subject any corporation or person to any prejudice or  
9 disadvantage.

10 (b) No public utility shall prejudice, disadvantage, or  
11 require different rates or deposit amounts from a person  
12 because of race, religious creed, color, national origin,  
13 ancestry, physical handicap, medical condition,  
14 occupation, sex, marital status or change in marital status.  
15 A person who has exhausted all administrative remedies  
16 with the commission may institute a suit for injunctive  
17 relief and reasonable attorney’s fees in cases of an alleged  
18 violation of this subdivision. If successful in litigation, the  
19 prevailing party shall be awarded attorney’s fees.

20 (c) No public utility shall establish or maintain any  
21 unreasonable difference as to rates, charges, service,  
22 facilities, or in any other respect, either as between  
23 localities or as between classes of service.

24 (d) No public utility shall include with any bill for  
25 services or commodities furnished any customer or  
26 subscriber any advertising or literature designed or  
27 intended (1) to promote the passage or defeat of a  
28 measure appearing on the ballot at any election whether  
29 local, statewide, or national, (2) to promote or defeat any  
30 candidate for nomination or election to any public office,  
31 (3) to promote or defeat the appointment of any person  
32 to any administrative or executive position in federal,  
33 state or local government, or (4) to promote or defeat  
34 any change in federal, state, or local legislation or  
35 regulations.

36 (e) *Each gas, electrical, heat, and water corporation*  
37 *may identify, as a separate amount, on any bill for services*  
38 *or commodities furnished any customer or subscriber, the*  
39 *amount to be paid by the customer or subscriber that*  
40 *represents the costs of complying with a federal, state, or*



1 *local governmental mandate, not including any fees*  
2 *imposed by the commission.*

3 (f) The commission may determine any question of  
4 fact arising under this section.

5 SEC. 3. Section 10009.4 is added to the Public Utilities  
6 Code, to read:

7 10009.4. Each public utility furnishing light, heat,  
8 water, and power may identify, as a separate amount, on  
9 any bill for services or commodities furnished any  
10 customer or subscriber, the amount to be paid by the  
11 customer or subscriber which represents the costs of  
12 complying with a federal, state or local governmental  
13 mandate.

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