

AMENDED IN SENATE AUGUST 4, 2010

AMENDED IN ASSEMBLY APRIL 8, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1879

Introduced by Assembly Member Beall

February 16, 2010

An act to add Section 737.1 to the Public Utilities Code, relating to utility charges.

LEGISLATIVE COUNSEL'S DIGEST

AB 1879, as amended, Beall. Electrical and gas corporations: collection of charges.

The California Constitution establishes the Public Utilities Commission, with jurisdiction over all public utilities, including electrical corporations and gas corporations, as respectively defined. Existing law authorizes the commission to fix the rates and charges for every public utility, and requires that those rates and charges be just and reasonable. An existing decision of the commission governs retroactive billing by gas corporations and electrical corporations and imposes a 3-year limit on utility billing adjustments for meter and billing errors for commercial customers.

This bill would require the commission to reconsider that decision and, *if it has not done so in a proceeding by January 1, 2011*, open a proceeding to examine whether the 3-year limit on billing adjustments for meter and billing errors is an appropriate timeframe for small commercial customers of gas corporations and electrical corporations.

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 of the
2 following:

3 (a) In 1986, the Public Utilities Commission issued Decision
4 86-06-035, an order establishing procedures for retroactive billing
5 by gas corporations and electrical corporations.

6 (b) Under Decision 86-06-035, if a commercial customer is
7 undercharged, gas corporations and electrical corporations may
8 render an adjusted retroactive bill for the undercharged amount
9 for up to three previous years.

10 (c) Decision 86-06-035 makes no distinction between small
11 commercial customers and corporations for purposes of the
12 retroactive billing procedures.

13 (d) Under Decision 86-06-035, the retroactive billing limit for
14 residential customers is three months.

15 (e) It is the intent of the Legislature to call on the Public Utilities
16 Commission to reexamine the allowable timeframe that gas
17 corporations and electrical corporations have to collect an
18 erroneous bill, derived from a faulty meter or bill, for small
19 commercial customers.

20 SEC. 2. Section 737.1 is added to the Public Utilities Code, to
21 read:

22 737.1. The commission shall reconsider Decision 86-06-035
23 of the commission. ~~The~~ *If the commission has not reconsidered*
24 *that decision in a proceeding on or before January 1, 2011, the*
25 *commission shall open a proceeding to examine whether the*
26 *three-year limit on billing adjustments for meter and billing errors*
27 *is an appropriate timeframe for small commercial customers of*
28 *gas corporations and electrical corporations.*

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