

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking Regarding Policies,
Procedures and Rules for the Low Income Energy
Efficiency Programs of California's Energy
Utilities.

R.07-01-042
(January 25, 2007)

Southern California Edison Company's (U 338-E)
Application for Approval of SCE's "Change A
Light, Change The World," Compact Fluorescent
Lamp Program.

A.07-05-010
(Filed May 10, 2007)

**PACIFIC GAS AND ELECTRIC COMPANY'S REPLY TO COMMENTS
FILED PURSUANT TO ADMINISTRATIVE LAW JUDGE'S SEPTEMBER
27, 2007 RULING ON ISSUES RAISED IN THE KEMA REPORT AND ON
NATURAL GAS APPLIANCE TESTING ISSUES**

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I. INTRODUCTION

This reply responds to the opening comments submitted by The Association of California Community and Energy Services (“ACCES”), A World Institute for a Sustainable Humanity (“A W.I.S.H.”), Disability Rights Advocates, The Division of Ratepayer Advocates (“DRA”), Richard Heath & Associates (“RHA”), San Diego Gas & Electric Company and Southern California Gas Company (“Sempra”), Southern California Edison Company (“SCE”), and Southwest Gas Corporation (“Southwest Gas”), on October 16, 2007.

PG&E believes that the most important item facing the Commission in this proceeding relates to the LIEE enrollment process and the level of documentation required. PG&E agrees with prior Commission decisions that income verification is an important component of the LIEE application process and should be retained in most circumstances.

II. DISCUSSION

A. **PG&E SUPPORTS RETENTION OF INCOME VERIFICATION RULES FOR LIEE PROGRAMS AND BELIEVES THAT ANY MODIFICATION REQUIRES SAFEGUARDS TO ENSURE ONLY QUALIFIED CUSTOMERS RECEIVE SUCH MEASURES.**

SCE and Sempra both address utilizing categorical and demographic eligibility strategies to expedite the sign-up process and thereby increase participation in LIEE. Sempra has reduced LIEE income documentation requirements via its neighborhood self certification pilot process and enrolls CARE customers into LIEE without requiring any proof-of-income documentation. (Comments of Sempra, p. 11) SCE advocates adoption of similar demographic and categorical eligibility standards, with a specific eye toward CARE customers, since the qualification standards between LIEE and CARE are presently aligned. (Comments of SCE, p. 12)

PG&E does not currently support any relaxation of the income verification rules. D.01-03-028 upheld this criterion (income verification requirement) for LIEE, noting that maintaining stringent income verification was more appropriate for LIEE than for the self-certifying CARE program because:

“... the sizeable up-front ratepayer investment in LIEE weatherization measures, home repairs and furnace repairs/replacements (and associated bill savings to the customer) cannot be ‘discontinued’ unless the measures are physically removed. Removal of these measures is costly and in many instances physically impossible. (D.01-03-028, Mimeo, p. 14-15)

Nothing has changed since the issuance of that decision to warrant an abandonment of these safeguards.

PG&E is presently opposed to enrolling CARE customers into LIEE without income verification because CARE is a self-certification program. However, PG&E does support utilizing existing CARE program income verification documentation that has already been provided to the utilities to streamline the process. For example, PG&E’s LIEE contractors

already use PG&E's customer database to identify and recruit CARE customers in homes that have not participated in LIEE within the previous 10 years.

Similarly, PG&E is currently investigating ways to work with its CARE program so that LIEE staff can know which customers have provided income documentation to CARE in response to PG&E's post verification sampling. In addition, if a customer enrolled through participating in the LIEE program, his/her verified income eligibility is noted in the CARE database.

Disability Rights Advocates recommends investigating whether persons on SSDI who are the party responsible for paying the bill should automatically qualify for LIEE measures. They recognize that SSDI qualification is not based on household income, but note:

“If the person on SSDI is the party responsible for paying the bill, as is the case in 20% of all low income households, it is likely that the SSDI payment is the primary, if not sole, income for the household, putting the household in the income range to qualify for LIEE.” (Disability Rights Advocates, Comments, p.4-5, footnote 13)

Implementing categorical eligibility for SSDI recipients would be problematic precisely because SSDI is not based on household income and one would still need to confirm that the individual's income is the primary or exclusive source of revenue for the household.

PG&E is committed to maintaining and increasing its LIEE participation rate in the disabled low-income community. Nevertheless, there is always room for improvement and PG&E will work with Disability Rights Advocates and other interested parties to discuss categorical eligibility and other program outreach strategies.

In summary, while PG&E considers income verification important for the effectiveness of the LIEE program, PG&E believes that the Commission, utilities, and other stakeholders should continue to explore reliable methods of expedited enrollment for the low-income

program. For its part, PG&E is in dialogue with the other California utilities about their experiences with implementing categorical eligibility and will look at what types of pilot and program activities will best serve the Commission's policies and objectives for the 2009-2011 LIEE program.

B. PG&E AGREES WITH ACCES-AW.I.S.H. THAT SERIOUS CONSIDERATION SHOULD BE GIVEN TO EXPANDING THE LEVEL OF LIEE MEASURES AVAILABLE TO RENTAL DWELLINGS AS LONG AS PARTIES RECOGNIZE THE IMPACT ON PROGRAM COSTS.

ACCES-AW.I.S.H. point out that renters are ineligible to receive water heater and furnace repair/replacement if they fail NGAT. (Comments of ACCES-AW.I.S.H, p. 3) ACCES-AW.I.S.H recommend that the Commission reexamine the reasons for declaring renters ineligible for water heater and furnace repair/replacement. (Id.) PG&E does not object to a reexamination of this issue, but cautions that any modifications would have significant implications for 2009-2011 LIEE program planning, as the addition of renter eligibility for this measure would substantially increase budget projections.

There are pros and cons associated with the expansion of LIEE services to rental dwellings. The contractor is already in the home and would be able to address the furnace and/or water heater issues efficiently for our customers. On the other hand, replacing furnaces and hot water heaters will have a noticeable impact on the cost of treating all units. That is, the average cost of treatment per home will increase, because of the costs associated with the additional furnace and water heater repair/replacement.

In summary, while expanding services available to renters is very appealing, the impact on program goals and budget is substantial and any modification must be made with this in mind.

C. PG&E SUPPORTS UPDATING COST EFFECTIVENESS AND NON-ENERGY BENEFITS (NEBS).

In D.02-08-034, the Commission adopted cost effectiveness tests that include non-energy benefits such as comfort, health and safety to assess the LIEE program and its measures. SCE writes:

“If the Commission decides to require the utilities to focus on the most cost-effective measures, it would be important to consider both the energy and non-energy benefits (NEBs) for each measure. It has been at least six years since the NEBs have been updated. In that time, the methods of calculating NEBs have been greatly enhanced and warrant further consideration.” (SCE Comments, p.6)

In particular, as global warming concerns become more of a priority in energy efficiency programs, greenhouse gas reductions should be included as a NEB.

PG&E performs cost effectiveness testing of the LIEE program annually, but has not assessed individual measures since 2005. In its comments, DRA also recommends that cost effectiveness assessments should be updated:

“The Commission in D. 02-08-034 provided a mechanism for assessing the cost effectiveness of such measures and programs, including assessments of measures from the perspective of LIEE participants and also from that of utilities. These assessments should be brought up to date, including observations of cost trends since the last changes were made in 2003, and new EE products and prices made available since then.” (DRA Comments, p.14)

PG&E supports recommendations of SCE and DRA to update cost effectiveness and NEBs. PG&E recommends the creation of a working group consisting of utility employees, Energy Division, DRA, and other interested members of the public, to review and modify as appropriate the existing NEBs and cost-effectiveness tests.

D. PG&E SUPPORTS ESTABLISHING A GROUP TO PROVIDE ONGOING LIEE TECHNICAL REVIEW.

In their comments, both RHA and Sempra called for the establishment of a group to provide technical guidance regarding LIEE processes (including NGAT) and LIEE installation standards and specifications. (Comments of RHA, p. 9 & Comments of Sempra, p. 4-5) Additionally, Southwest Gas requested that increased Commission direction be provided to utilities regarding LIEE policies and procedures when questions and program modifications arise. (Comments of Southwest Gas, p. 3)

In the past there was a public process through the Standardization Team to update LIEE manuals and discuss specific implementation issues on an ongoing basis. In light of the absence of this process, PG&E agrees with RHA and Sempra that a standing technical group should be established to help the Commission address LIEE processes, installation standards, and other technical implementation issues.

E. PG&E DOES NOT LEAVE LIEE HOMES IN A HAZARDOUS CONDITION.

ACCES-AW.I.S.H. write in their joint comments that NGAT forces contractors to leave homes in a hazardous condition. For example: “Instead LIEE policies and procedures require LIEE contractors to install water measures and *leave the home with a hazardous condition*, a circumstance which causes LIEE contractors concern about potential liability.” (Comments of ACCES-AW.I.S.H., p.4. Italics added.) This is simply not true. PG&E’s policy is to *never* leave homes in a hazardous condition. If a customer is not eligible to receive correcting services or measures to remediate the offending condition, the defective appliance is disconnected from the houseline and the portion of houseline serving that appliance is capped, so as to not place the customer at risk.

As ACCES-AW.I.S.H point out, renters are ineligible to receive furnace repair and replacement and water heaters if they fail NGAT. Once the offending condition is corrected, the home becomes eligible to receive any infiltration measures they did not receive due to the NGAT failure. ACCES-AW.I.S.H. recommend that the Commission reexamine the reasons for declaring renters ineligible for water heater and furnace and replacement. As indicated above, PG&E does not object to a reexamination of this issue.

F. PG&E CORRECTS FACTUAL ERRORS IN PARTIES COMMENTS.

DRA quotes the KEMA Report that “there are 12,192,996 households eligible for LIEE.” (DRA Comments, p.8, from KEMA Table 4-1.) This estimated eligibility for LIEE is incorrect. 12,192,996 is the total number of California households *technically* eligible for LIEE (that is the total number of individually-metered households, defined by KEMA in footnote 2 to table 4-1), *not* the estimated number of eligible low income households. The actual KEMA number of low income households in California estimated to be eligible for LIEE at 200% of the Federal Poverty Level is 4,012,010. (KEMA Report, Table 4-1)

G. PG&E SUPPORTS INCREMENTALLY INCREASING LIEE BUDGETS AND MID-YEAR FLEXIBILITY PROPOSED BY RHA.

RHA recommends that the Commission increase LIEE budgets incrementally, 20-25% per year, to allow for orderly expansion of program and subcontractor infrastructures. (Comments of RHA, p.2) PG&E agrees that any increase of the budget should occur on an incremental basis. There are, of course, ramifications associated with budget increases, including the effect on customer rates, which always require consideration when evaluating appropriate levels of budget spending.

PG&E also agrees with RHA that there should be mid-budget cycle flexibility to try out new approaches and encourage partnerships with the community (Comments of RHA, p.3). In order to permit such flexibility PG&E will consider requesting that a small portion of its program budget be set aside for special projects and pilots.

H. MISCELLANEOUS COMMENTS

PG&E has the following additional comments:

- PG&E acknowledges the issues mentioned by Disability Rights Advocates and will continue to work with it and other interested parties to make PG&E's LIEE program communications readily accessible to customers with disabilities.
- PG&E takes this opportunity to correct errors and misstatements in comments submitted by ACCES-AW.I.S.H. In their joint comments, ACCES-AW.I.S.H. write that utilities have had large unspent LIEE carryover amounts. In the past, PG&E has had relatively large carryover amounts; however, in 2006 PG&E spent 96.7% of its \$90,094,496 million LIEE budget, carrying over only 3.3% (or \$2,974,016 million) into 2007.

III. CONCLUSION

PG&E urges the Commission to provide direction concerning the appropriate level of documentation in the LIEE application process. PG&E also requests that the Commission be mindful that any enhancements in the level of LIEE program design require a commensurate increase in budget.

Respectfully Submitted,

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Dated: October 26, 2007

CERTIFICATE OF SERVICE

I, the undersigned, state that I am a citizen of the United States and am employed in the City and County of San Francisco; that I am over the age of eighteen (18) years and not a party to the within cause; and that my business address is Pacific Gas and Electric Company, Law Department, PO Box 7442, San Francisco, CA 94120.

I hereby certify that I have this day served:

**PACIFIC GAS AND ELECTRIC COMPANY'S REPLY TO COMMENTS FILED
PURSUANT TO ADMINISTRATIVE LAW JUDGE'S SEPTEMBER 27, 2007
RULING ON ISSUES RAISED IN THE KEMA REPORT AND ON NATURAL
GAS APPLIANCE TESTING ISSUES**

Via electronic mail to each party on the official service list providing an email address; or by first-class mail, postage prepaid, to each party on the official service list not providing an email address in:

R.07-01-042 and A.07-05-010 (See Attached Lists)

I certify and declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 26th day of October, 2007, at San Francisco, California.

/s/

PAMELA J. DAWSON-SMITH

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THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA SERVICE LIST

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Commissioner Assigned: Dian Grueneich on January 31, 2007

ALJ Assigned: Kim Malcolm on January 31, 2007

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