BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Consider New Approaches to Disconnections and Reconnections to Improve Energy Access and Contain Costs.	Rulemaking 18-07-005 (Filed July 12, 2018)

RESPONSE OF THE CALIFORNIA COMMUNITY CHOICE ASSOCIATION TO THE ADMINSTRATIVE LAW JUDGE'S RULING ISSUING STAFF REPORTS AND REQUEST FOR COMMENTS AND REPLY COMMENTS

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The California Community Choice Association[1] ("CalCCA") respectfully submits these comments in response to the *Administrative Law Judge's Ruling Issuing Staff Reports and Request for Comments and Reply Comments* ("ALJ Ruling") issued October 14, 2019.

I. INTRODUCTION

The 19 members of CalCCA are the operating community choice aggregators ("CCAs") and additional affiliated cities and counties interested in exploring the opportunities of community choice energy. As local government agencies, local governments, or community groups, we are keenly aware that electricity is a basic necessity in Californians' daily lives and critical to the economic and social health of the state. CalCCA's members strongly support this proceeding's aims to reduce the number of customers experiencing disconnection after

[1] California Community Choice Association represents the interests of 19 community choice electricity providers in California: Apple Valley Choice Energy, Clean Power SF, Clean Power Alliance, Desert Community Energy, East Bay Community Energy, Lancaster Choice Energy, Marin Clean Energy, Monterey Bay Community Power, Peninsula Clean Energy, Pioneer Community Energy, Pico Rivera Innovative Municipal Energy, Rancho Mirage Energy Authority, Redwood Coast Energy Authority, San Jacinto Power, San Jose Clean Energy, Silicon Valley Clean Energy, Solana Energy Alliance, Sonoma Clean Power, and Valley Clean Energy

nonpayment and to improve the reconnection processes and outcomes for customers that have been disconnected.

CalCCA supports certain parties' recommendations summarized in the Workshop Report II and reiterates many of the recommendations it has made in prior filings to this proceeding. Namely, as discussed below,

1) The reasons why focusing on communities with high disconnection rates when targeting solutions to bring down the statewide disconnection rate is necessary;
2) The importance of close coordination with community-based organizations (CBOs); and
3) The need for better CCA access to customer information including previous disconnections and future likelihood of being disconnected.

II. RESPONSES TO ALJ RULING ON WORKSHOP REPORT II

A. Sub-rules for Vulnerable Communities Must Accompany the Adoption of Any Statewide Disconnection Target

Although it is true that each IOU has unique territories with differing characteristics, CalCCA does not support setting individual targets for each IOU. The IOU territory where a customer happens to reside should not impact whether that customer is more or less likely to be disconnected. Not only has the reason for setting different disconnection targets not been substantiated by any evidence that it might be beneficial for decreasing the number of disconnection events but also, and more importantly, setting different disconnection targets would be inequitable. CalCCA supports GRID Alternatives and TURN's proposal to set a statewide disconnection target at 3.5% by 2024.[2] However, a 2024 statewide disconnection target of 3.5% would be an average of the disconnection rates across the state. This average rate would be misleading because it would hide disparities within the state. As East Bay Community Energy presented at the Workshop on July 23, 2019, certain zip codes have average disconnection rates that are much higher than the average rate of the IOU they are served by. For example, three zip codes in Oakland have an average disconnection rate greater than 15%, while PG&E's average disconnection rate is 5.4%.[3] These disparities would be hidden if California were to adopt solely an average statewide disconnection rate. For this reason, CalCCA supports implementation of not necessarily sub-targets (as PG&E points out there is no reason for communities with high disconnection rates to have an even lower target disconnection rate than 3.5%) but instead sub-rules that would focus on decreasing the disconnection rate of zip codes with the highest rates as the strategy for lowering the average rate across California.[4]

B. *Any Special Considerations in Disconnection Policy for Households with Children or Seniors Must Be Accompanied by Appropriate Protections to Prevent Abuse*

CalCCA continues to recommend that the Commission adopt solutions not only for vulnerable customers but also for customers that do not qualify for any energy assistance programs yet remain burdened by other socioeconomic factors.[5] Energy providers such as CCAs most certainly cannot relieve all the socioeconomic burdens that contribute to the root cause of disconnections but are willing to assist through the levers

[2] Workshop Report II, p. 6.
[3] See Slide 12 of "EBCE Connected Communities Pilot" presentation given on July 23, 2019.
[4] See Grid Alternatives and SCE's proposal summarized on page 8 of Workshop Report II.
[5] See recommendations in June 14, 2019 CalCCA Response to ALJ's Ruling Requesting Responses to Questions issued May 1, 2019.

we have direct control over. Innovative and comprehensive approaches to minimizing disconnection should be implemented such as the pilots discussed below and include solutions that consider establishing or increasing reserve funds for subsidies along with increased access to energy efficiency programs (e.g. inefficient refrigerator replacement for rental units).

More specifically, CalCCA agrees with Catholic Charities' suggestion that senior customers as well as families with children will need additional protections to prevent them from being disconnected. CalCCA supports Alameda County Public Health's proposal to "grant a grace period to prevent senior citizens and vulnerable customers from disconnections" because it is an effective protection that is relatively easy to implement since it would allow more time to work with seniors and families with children to develop a plan for addressing their disconnection risk (e.g. enrolling them in CARE/FERA, coordinating with CBOs to submit LIHEAP pledges, explaining how they can lower their energy usage and decrease their monthly bill, putting them on a fixed payment plan, percentage of income payment plan, or arrearage management program once implemented).[6] For any other solutions that attempt to assist as many customers facing disconnections as possible, and expand beyond only vulnerable customers, CalCCA recommends that program design to prevent misuse be considered upfront. One way to do this is to ensure that internal organization processes are robust (e.g. sufficient resources for staff, customer service training on all available programs, and training to efficiently and accurately process customers enrolling in programs). Additionally,

[6] Workshop Report II, p. 16.

alternative credit scoring methodologies could be adapted to qualify customer eligibility for certain programs.[7]

C. *Information Sharing Between CCAs and IOUs Will Be Crucial for Success of Any Disconnections Programs*

IOUs and CCAs share customers and the effectiveness of any disconnection program will be highly dependent on the ability of CCAs and IOUs to consistently coordinate. As discussed in CalCCA's June 14, 2019 Opening Comments, CCAs typically do not know that a customer has received a 15-day or 48-hour notice, or has been disconnected recently or in the past.[8] The only means by which a CCA can gain access to information about individual customers' disconnections history is through a formal data request to an IOU. In order for CCAs to evaluate the success of their programs and develop new ones, we need to know how frequently customers have been disconnected in the past. Additionally, to effectively be able to assist customers, CCA's must be able to continuously monitor and know exactly which customers are in danger of being disconnected. IOUs should ensure CCAs are notified of disconnection risk before a customer is disconnected. CalCCA recommends the disconnection history and 15-day

[7] See p. 27 of Vote Solar: Inclusive Solar Finance Framework, https://votesolar.org/files/1215/3394/2652/Inclusive_Solar_Finance_Framework_Report.pdf.
[8] See pp. 12-13 of CalCCA Response to *Administrative Law Judge's Ruling Requesting Responses to Questions* issued May 1, 2019.

notice information be added to the list of information currently released to CCAs on an ongoing basis under existing nondisclosure agreements with IOUs.[9]

Additionally, CalCCA supports the development of a framework for sharing customer information about payment history with third parties. CalCCA recommends the Commission develop such a framework by examining and, if necessary, modifying prior Commission Decision 12-08-045.[10] A modification to allow energy providers to work more effectively with CBOs on reducing disconnections would aid progress towards California's 2024 disconnection target. Customer privacy rules do not explicitly allow sharing of information on customer payment history. Out of an abundance of caution, energy providers thus may be disinclined to share with other organizations any information on customer payment history, including the fact that individual customers have had difficulty making payments. However, a key component of disconnection reduction efforts will be targeted referrals of individual customers to CBOs. Currently, certain customer data may be shared for the purpose of implementation or evaluation of DR/EE/Energy Management Programs. CalCCA recommends Decision 12-08-045 be modified to state that customer information related to payment history may be shared for the purpose of enrollment or implementation of Commission programs for low-income customers, such as CARE/FERA, DAC-SASH, and DAC-GT/CSGT. Without this change, CCAs will only be able to enroll customers in programs we administer and for which we do outreach directly, or, must request permission from customers individually

[9] Each IOU has an electric schedule that specifics the information provided to CCAs under NDA. These schedules are referred to as PG&E Electric Schedule E-CCAINFO, SCE Schedule CCA-INFO, and SDG&E Schedule CCA-INFO.
[10] Issued August 23, 2012, http://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M026/K531/26531585.PDF.

before sharing their information with CBOs, which is an inefficient method of addressing an already complex outreach process.

D. The Same New Program Pilot Proposals Must be Deployed in Each IOU's Service Territory

Parties presented numerous different pilot ideas and proposals for how to go about implementing pilots. CalCCA recommends that the same pilots developed be deployed in each IOU's service territory. Standardizing pilots across different IOU territories will allow the Commission to gather meaningful data on what works to reduce the disconnection rate and what does not. Additionally, CalCCA recommends, as emphasized in CalCCA's June 14, 2019 Opening Comments and July 1, 2019 Reply Comments to the May 1, 2019 *Ruling Requesting Responses to Questions*, close coordination with CBOs. Such coordination will be imperative to successfully determine the specifics of the pilots (e.g. how they should be structured, requirements for eligibility, enrollment process) and for successful outreach to ensure customers are made aware of the programs available. The October 25, 2019 webinar on arrearage management programs presented by Eversource, further exemplified this point when explaining that the Northeastern utility depends heavily on its community partners to successfully enroll customers in their programs.[11]

The specific pilot proposals CalCCA supports presented during this past summer's workshops include PG&E and SoCalGas' proposal to eliminate re-establishment deposits and reconnections fees for CARE and FERA customers and

[11] Penni McLean-Conner presentation on the success of NuStart, the AMP at Eversource.

update utility websites so that customers can understand IOU disconnection policies, relationship with CCAs, CBOs, and LIHEAP providers.[12] Part of this proposal effectuates CalCCA's recommendations in June 14, 2019 comments that deposits make disconnections less likely and make it harder for customers to regain utility service, and should at a minimum be eliminated for CARE, FERA, and Medical Baseline customers. CalCCA also supports TURN's proposal for both AMP and PIPPs to be made available in separate pilots. Allowing AMPs and PIPPs to be tested separately will allow the Commission to determine the performance of each independently of each other.

III. CONCLUSION

CalCCA appreciates the Commission's consideration of this response and looks forward to continuing to work with the Commission and other stakeholders on the critical issues addressed herein.

Respectfully submitted,

__*/s/ Irene Moosen*___________

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[12] Workshop Report, p. 22.