



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

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Order Instituting Rulemaking to Address
Energy Utility Customer Bill Debt
Accumulated During the COVID-19 Pandemic.

R.21-02-014

**CALIFORNIA COMMUNITY CHOICE ASSOCIATION'S
COMMENTS ON THE PROPOSED DECISION REQUIRING DEVELOPMENT OF
COMMUNITY BASED ORGANIZATION CASE MANAGEMENT PILOT PROGRAM
TO REDUCE ARREARAGES ASSOCIATED WITH THE COVID-19 PANDEMIC**

Evelyn Kahl
General Counsel and Director of Policy
Leanne Bober
Senior Counsel
CALIFORNIA COMMUNITY CHOICE
ASSOCIATION
One Concord Center
2300 Clayton Road, Suite 1150
Concord, CA 94520
(415) 254-5454
regulatory@cal-cca.org

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TABLE OF CONTENTS

I. INTRODUCTION1

II. THE PROPOSED DECISION MUST BE REVISED TO ALLOW ONE REPRESENTATIVE FROM EACH CCA TO PARTICIPATE IN THE CBO PILOT WORKING GROUP3

III. THE COMMISSION SHOULD REQUIRE THE CBO PILOT WORKING GROUP TO ENSURE THAT CBO TRAINING FOR CASE MANAGEMENT SERVICES INCORPORATE CCA PROGRAMS AND CCA CUSTOMER NEEDS.....4

IV. THE PROPOSED DECISION’S RECOMMENDATIONS REGARDING COMMUNITIES TARGETED FOR THE PILOT SHOULD INCLUDE CCA CUSTOMERS.....5

V. CONCLUSION.....6

TABLE OF AUTHORITIES

	Page
California Public Utilities Commission Decisions	
D.20-06-003	1
D.21-06-036	2
California Public Utilities Commission Proceedings	
R.18-07-005	1
R.18-07-006	5
R.21-02-014	1, 2
California Public Utilities Commission Rules of Practice and Procedure	
Rule 14.3	1

SUMMARY OF RECOMMENDATIONS

CalCCA recommends the following revisions to the Proposed Decision:

- ✓ Allow one representative from each community choice aggregator (CCA) (and not only a representative from one CCA in each of the investor-owned utility's service territories) participate in the Community Based Organization (CBO) Pilot Working Group;
 - ✓ Require the CBO Pilot Working Group to ensure that CBO training for case management services incorporate CCA programs and CCA customer needs; and
 - ✓ Include CCA unbundled customers in the targeted communities for the CBO Pilot.
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The California Community Choice Association (CalCCA)¹ submits these Comments, pursuant to Rule 14.3(a) of the California Public Utilities Commission (Commission) Rules of Practice and Procedure, on the proposed *Decision Requiring Development of Community Based Organization Case Management Pilot Program to Reduce Arrearages Associated With the COVID-19 Pandemic* (Proposed Decision), dated March 4, 2022.

I. INTRODUCTION

CalCCA appreciates the Commission's ongoing efforts to address the significant customer utility debt remaining even after the implementation of various programs available for COVID-19 arrearage and bill relief. The Arrearage Management Plans,² COVID-19 Payment

¹ California Community Choice Association represents the interests of 23 community choice electricity providers in California: Apple Valley Choice Energy, Central Coast Community Energy, Clean Energy Alliance, Clean Power Alliance, CleanPowerSF, Desert Community Energy, East Bay Community Energy, Lancaster Choice Energy, Marin Clean Energy, Orange County Power Authority, Peninsula Clean Energy, Pico Rivera Innovative Municipal Energy, Pioneer Community Energy, Pomona Choice Energy, Rancho Mirage Energy Authority, Redwood Coast Energy Authority, San Diego Community Power, San Jacinto Power, San José Clean Energy, Santa Barbara Clean Energy, Silicon Valley Clean Energy, Sonoma Clean Power, and Valley Clean Energy.

² Decision (D.) 20-06-003, *Phase I Decision Adopting Rules and Policy Changes to Reduce Residential Customer Disconnections for the Larger California-Jurisdictional Energy Utilities*, R.18-07-005 (Jun. 11, 2020) (establishing the Arrearage Management Plans to assist eligible customers with eliminating large unpaid arrearages while avoiding disconnection).

Plans,³ along with other state and federal programs for COVID-19 debt relief are intended to help customers pay their overdue energy bills. In addition, the California Arrearage Payment Program (CAPP) is distributing nearly \$695 million in relief to customers of investor-owned utilities (IOU), community choice aggregators (CCA), and direct access (DA) providers.⁴ Of the nearly \$695 million allocated to the IOUs, over \$55 million is being distributed to customers of 23 CCAs.⁵ Such a large allocation can be attributed to the fact that CCA customers account for over four million customer accounts, or approximately 32 percent of the load, within the IOU territories.⁶

CalCCA supports the Commission's establishment of a Community Based Organization (CBO) Case Management Pilot Program (CBO Pilot) to assist and provide case management services to the large number of customers with remaining arrearages even after the CAPP assistance. Given the myriad of programs available for relief, as well as choices provided by IOUs *and* CCAs, customer confusion over understanding and resolving utility bill debt is widespread. CalCCA also supports the Proposed Decision's requirements that a working group (CBO Pilot Working Group) be convened to develop and oversee the CBO Pilot. To ensure the effectiveness of the CBO Pilot, CalCCA recommends the following revisions to the Proposed Decision:

³ D.21-06-036, *Decision Addressing Energy Utility Customer Bill Debt Via Automatic Enrollment in Long Term Payment Plans*, R.21-02-014 (Jun. 24, 2021) (allowing customers up to two years to pay off debt incurred during the COVID-19 pandemic).

⁴ See CAPP Program Notice No. 2021-06-E2 (Nov. 2, 2021) (total allocations designated for each CCA); CAPP Program Notice No. 2021-10-R (Dec. 28, 2021) (total allocations designated for Direct Access customers).

⁵ See CAPP Program Notice No. 2021-06-E2 (Nov. 2, 2021), at 5 (list of CCA arrearages and CAPP allocations).

⁶ This number will rise by close to one million customers as San Diego Gas & Electric Company's customers' transition to San Diego Community Power in 2022.

- ✓ Allow one representative from each CCA (and not only a representative from one CCA in each of the IOUs' service territories) to participate in the CBO Pilot Working Group;
- ✓ Require the CBO Pilot Working Group to ensure that CBO training for case management services incorporate CCA programs and CCA customer needs; and
- ✓ Include CCA unbundled customers in the targeted communities for the CBO Pilot.

II. THE PROPOSED DECISION MUST BE REVISED TO ALLOW ONE REPRESENTATIVE FROM EACH CCA TO PARTICIPATE IN THE CBO PILOT WORKING GROUP

To ensure its effectiveness, the CBO Pilot Working Group must include representatives from all entities involved, including all CCAs that choose to participate. Attachment A to the Proposed Decision requires Pacific Gas and Electric Company (PG&E) to convene the CBO Pilot Working Group with a variety of stakeholder representatives, including one representative from each IOU, and from each IOU service territory, one CCA representative.⁷ Therefore, in the CBO Pilot Working Group, all three IOUs will have a representative, but only three out of the over 23 CCAs operating within the IOU service territories will be represented.

CCAs are distinct entities, each with unique policies and programs. One CCA in an IOU's territory cannot adequately represent or communicate the diverse programs or needs of each CCA's customers. In addition, each CCA can contribute invaluable knowledge regarding local CBO offerings as well as the local community. While one representative from various non-LSE stakeholder groups may be sufficient, all load-serving entities (including IOUs and CCAs) should be permitted to participate in the CBO Pilot Working Group to adequately represent the interests of its customers and its program offerings. Accordingly, Attachment A of the Proposed Decision should be revised to allow one representative from each CCA.

⁷ Proposed Decision, Attachment A, §§ 2(a) and (b).

III. THE COMMISSION SHOULD REQUIRE THE CBO PILOT WORKING GROUP TO ENSURE THAT CBO TRAINING FOR CASE MANAGEMENT SERVICES INCORPORATE CCA PROGRAMS AND CCA CUSTOMER NEEDS

Case management services provided through the CBO Pilot must include effective and accurate messaging regarding *all* programs available to a customer in need, including those provided by an IOU *or a CCA*. The Proposed Decision states that “effective case management requires CBOs to consider all available programs that may reduce customer utility bill debt, immediately and ongoing.”⁸ The Commission requires the CBO Pilot Working Group to “consider this problem and propose solutions in their final proposal,” and to “develop and include in the final proposal strategies to build CBO capacity for case management of the multiplicity of assistance programs.”⁹ However, the Proposed Decision fails to mention CCA programs or CCA unbundled customers in connection with these strategies. The CBO Pilot Working Group must develop and require fair, accurate, and effective communications from CBOs to customers, which account for whether a customer is an IOU or CCA customer, and all of the applicable programs available to each customer.

The Proposed Decision should be modified as set forth in Appendix A hereto to ensure that CCA programs and customers are fairly represented. CalCCA also recommends revising section 3 of the Straw Proposal in the Proposed Decision’s Attachment B to add the following question for the CBO Pilot Working Group to consider:

- f. How will the CBO Pilot incorporate messaging and written training materials formulated to assist both IOU bundled, and CCA unbundled, customers and to fairly, accurately, and effectively communicate the programs available to such customers.

In addition, section 9 of the Straw Proposal should be revised as follows:

⁸ Proposed Decision at 20-21.

⁹ *Id.* at 21, 30.

9. **Contract Administration.** Each IOU serving as a contract administrator will contract with, and pay all CBOs selected for the CBO Pilot. As contract administrator, each IOU will also
 - a. establish a checklist of IOU and/or CCA programs and services for CBOs to utilize in reporting options considered for each customer
 - b. provide initial training and ongoing consultation for each contracted CBO that includes the checklist set forth in subsection a. above, and ensures fair, accurate and effective communications regarding programs available to IOU and CCA customers
 - c. participate in and support the CBO Pilot Working Group
 - d. allow CCAs to participate in the development of any written materials being provided to CBOs to assist in case management services in their service area.

CalCCA further recommends that the CBO Pilot Working Group develop any other measures necessary to ensure that IOU *and* CCA customers can fairly and effectively navigate *all* available program and resource options.

IV. THE PROPOSED DECISION'S RECOMMENDATIONS REGARDING COMMUNITIES TARGETED FOR THE PILOT SHOULD INCLUDE CCA CUSTOMERS

The Proposed Decision should ensure that the criteria for targeting communities that would benefit from the CBO Pilot are inclusive of customers within each IOU *and* CCA service territories. The Proposed Decision provides target-vulnerable IOU communities for the CBO Pilot, based on the Commission's metrics established in the Affordability proceeding, R.18-07-006.¹⁰ Attachment D provides a list of targeted communities for the CBO pilot based on those metrics. The Proposed Decision and Attachment D, however, ignore that many customers within the communities listed, as well as many other customers within communities outside of the listed communities, are CCA customers. Importantly, the Proposed Decision, as well as the Attachment B straw proposal, should address how CCA customers within the targeted populations will be

¹⁰ *Id.* at 23-24, Attachment D (list of targeted communities).

included in the CBO Pilot. In addition, the Commission should broaden the reach of the CBO Pilot to include both IOU *and* all CCA service territories.

V. CONCLUSION

CalCCA appreciates the opportunity to submit these Comments and requests adoption of the recommendations proposed herein. For all the foregoing reasons, the Commission should modify the proposed decision as provided in Attachment A.

Respectfully submitted,

A handwritten signature in blue ink that reads "Evelyn Kahl".

Evelyn Kahl
General Counsel and Director of Policy
CALIFORNIA COMMUNITY CHOICE
ASSOCIATION

March 24, 2022

ATTACHMENT A

PROPOSED CHANGES TO FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ATTACHMENTS A AND B

FINDINGS OF FACT

7. CBO case management is a promising approach to help certain customers access the variety of utility and community choice aggregator relief programs and to combine the varied utility and community choice aggregator relief programs to their advantage.

CONCLUSIONS OF LAW

6. It is reasonable to consider development of a CBO Pilot for a specific number of residential utility and community choice aggregator customers, to be proposed by the CBO Pilot Working Group over a two-year period during the calendar years 2022, 2023 and 2024 that may be funded through a surcharge on all ratepayer classes.

REVISIONS TO PROPOSED DECISION, ATTACHMENT A

2. Composition

b. ~~From each IOU service territory, one~~From each Community Choice Aggregator (CCA) that chooses to participate, one representative.

REVISIONS TO PROPOSED DECISION, ATTACHMENT B

3.

f. How will the CBO Pilot incorporate messaging and written training materials formulated to assist both IOU bundled, and CCA unbundled, customers to fairly, accurately, and effectively communicate the programs available to such customers.

9. **Contract Administration.** Each IOU serving as a contract administrator will contract with, and pay all CBOs selected for the CBO Pilot. As contract administrator, each IOU will also

- a. establish a checklist of IOU and/or CCA programs and services for CBOs to utilize in reporting options considered for each customer
- b. provide initial training and ongoing consultation for each contracted CBO that includes the checklist set forth in subsection a. above, and ensures fair, accurate and effective communications regarding programs available to IOU and CCA customers
- c. participate in and support the CBO Pilot Working Group
- d. allow CCAs to participate in the development of any written materials being provided to CBOs to assist in case management services in their service area.