April 27, 2012

Edward Hasbrouck
edward@hasbrouck.org

VIA ELECTRONIC MAIL

Re: California Public Records Act Request
CPUC Reference No.: PRA 0683

Dear Mr. Hasbrouck:

You ask the California Public Utilities Commission (CPUC) to provide you with copies of any communications within the CPUC or between the CPUC and PG&E regarding this PG&E Advice Letter 3278-G/4006-E (including regarding your protest of this Advice Letter and your request for CPUC review of the Energy Division’s actions and inactions related thereto).

The Commission records responsive to your request are attached, with the exception of several documents, or portions of documents, which are exempt from disclosure pursuant to a Public Records Act exemption.

The Commission will not provide you with access to, or copies of, records responsive to your request that are exempt from disclosure in response to your request pursuant to Government Code § 6254(k), which exempts: “Records, the disclosure of which is exempted or prohibited pursuant to federal or state law, including, but not limited to, provisions of the Evidence Code relating to privilege.” This exemption covers documents that are subject to the attorney work product doctrine (see Code of Civil Procedure § 2018.010); lawyer-client privilege (see Evidence Code § 950 et seq.); or official information privilege (see Evidence Code § 1040). The Commission construes the Government Code § 6254(k) exemption narrowly. Nonetheless, there are times when the public interest favors confidential treatment for records of communications between Commission lawyers and staff during the course of the Commission’s lawyer-client relationships, records reflecting the thoughts and impressions of Commission lawyers, and records that include information acquired in confidence by the Commission, where disclosure to the public is barred by state or federal law, or where the public interest in the confidentiality of such information outweighs the necessity for disclosure in the interest of justice (e.g., confidential pre-decisional advice given to Commission decisionmakers by the advisors to the Commissioners, and other staff).

Please direct future records requests to the CPUC’s Legal Division Public Records Office, Attn: Fred Harris, 505 Van Ness Avenue, San Francisco, CA 94102
I hope this is helpful.

Very truly yours,

Fred Harris
Staff Counsel

Attachments
Thanks, Molly. I believe the story David is working on is about the number (or lack of) of people electing to opt-out.

----- Original Message ----- 
From: Sterkel, Merideth "Molly"
Sent: Friday, April 20, 2012 05:
To: Randolph, Edward F.; Prosper, Terrie D.; Dorman, Elizabeth; Yip-Kikugawa, Amy C.
Cc: Malashenko, Elizaveta I.
Subject: RE: Reporter Question re: Hasbrouck

I don’t mess around with David Baker. I spoke with him. He is not interested in writing a story now that he knows the practical effect is nothing. He would have written a story if he thought this situation meant PG&E’s opt out program was suspended -- which it is not.
David did think the gentleman had some interesting ideas and I explained to him that those ideas belonged in the proceeding, not in the advice letter process. David understands that point and he is ‘moving on’.

He didn’t say for sure, but he may be writing an opt-out story anyway for next week -- but not on this particular issue. He started by saying "I was already writing a story about opt-out and then I came across this"... he never went back to that point but he assured me he wasn’t interested in this particular sub-story unless it actually suspended the PG&E program.

Molly Tirpak Sterkel
California Public Utilities Commission, Energy Division Program Manager, Infrastructure Planning and Permitting
415-703-1873
mts@cpuc.ca.gov
Hello,

The San Francisco Chronicle is working on a story about "a PG&E customer who filed a protest against a PG&E Advice Letter (Feb. 16) regarding the implementation of the opt-out program." I assume the customer the reporter is taking about is the subject of the emails below.

I don't know much about this situation other than what's written below. The customer (again, Hasbrouck, I assume) has sent the Chronicle reporter a letter he received from Elizabeth Dorman stating that as of today the PG&E Advice Letter has been suspended.

The reporter is asking us to confirm that we sent the customer a letter and if so what affect does it have on the opt-out program. Does it halt the program?

Anything else I can tell this reporter about the customer's complaint? If you'd rather speak to the reporter with me, please let me know.

Thanks!

Terrie

-----Original Message-----
From: Edward Hasbrouck [mailto:edward@hasbrouck.org]
Sent: Fri 4/20/2012 11:20 AM
To: CPUC SmartMeter service list A1103014
Cc: Dorman, Elizabeth
Subject: CPUC confirms that PG&E SmartMeter opt-out fee Advice Letter has been suspended

I just received the following e-mail message from the CPUC.

Since the CPUC didn't see fit to notify the parties to the purportedly related proceedings of
this suspension, and neither the CPUC nor PG&E Web sites reflect this suspension (at least as of now), I'm forwarding this to those with e-mail addresses on CPUC service list A1103014.

I've reported this on my blog at:

http://hasbrouck.org/blog/archives/002001.html

Sincerely,

Edward Hasbrouck

------- Forwarded message follows -------
Subject: RE: (Fwd 2 of 2) Re: protest to PG&E Advice Letter 3278-G 4006-E and related matters
Date sent: Fri, 20 Apr 2012 10:15:06 -0700
From: "Dorman, Elizabeth" <elizabeth.dorman@cpuc.ca.gov>
To: "Edward Hasbrouck" <edward@hasbrouck.org>
Copies to: "Miller, Karen" <karen.miller@cpuc.ca.gov>,
        "Randolph, Edward F." <edward.randolph@cpuc.ca.gov>,
        "Tousey, Mary Lou" <marylou.tousey@cpuc.ca.gov>

Mr. Hasbrouck,

I'm sorry that I have not previously responded to your requests. I sent you a letter by certified mail (for which I received a return receipt) explaining the process that the CPUC is undergoing as to your Advice Letter protest. I have also been working on other matters, several of which are time sensitive, and only have so many hours in the day in which to address such matters. Because of the passage of the 10 days since the service of the additional materials, Legal Division believes that the prior defects in service have been cured. Legal Division has instructed Energy Division that the Advice Letter filing is suspended, and requested that they include such label on our website. Energy Division is now at liberty to issue a disposition regarding the above-referenced Advice Letter. You are free to request Commission review of that disposition pursuant to General Order 96-B if you choose to do so after reviewing the disposition.

You have been directed to contact me so that we can address your previously stated concern that you were getting different answers from different people. You may also participate in our proceedings as a party, as is any other interested person.

I have contacted our attorney who handles public records requests regarding your concerns about communication between CPUC and PG&E staff regarding the above-referenced Advice
Letter.

Elizabeth Dorman
CPUC/Legal
elizabeth.dorman@cpuc.ca.gov
415.703.1415

This email message and any attachments are for the sole use of the intended recipient(s) and may contain confidential and/or privileged information. Any unauthorized review, use, disclosure or distribution is prohibited and punishable by civil and/or criminal penalties. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message and any attachments.

-----Original Message-----

From: Edward Hasbrouck [mailto:edward@hasbrouck.org]
Sent: Friday, April 20, 2012 9:58 AM
To: Dorman, Elizabeth; Dorman, Elizabeth
Cc: Miller, Karen; Randolph, Edward F.; Tousey, Mary Lou
Subject: (Fwd 2 of 2) Re: protest to PG&E Advice Letter 3278-G 4006-E and related matters

Dear Ms. Dorman:

I have received no response to my outstanding request for a definitive official statement as to what the the Energy Division and/or the CPUC consider to be the current status of PG&E advice letter 3278-G/4006-E, and specific whether you consider it to have been automatically suspended.

The Advice Letter is now listed on the CPUC web site as "Closed -- No Action". But it is not listed on the CPUC Web site as "Suspended".

Please confirm whether you consider this Advice Letter to be rejected or suspended, including automatic suspension by action of CPUC rules.

Prohibiting the Office of the Public Advisor from responding to my requests for information and assistance in exercising my rights, and requiring that I direct all my inquiries exclusively to you, but then ignoring those requests and inquiries yourself, deprives me of my right to assistance in exercising my rights, and deprives the Office of the Public Advisor of the ability to fulfill its responsibilities.

Sincerely,
Edward Hasbrouck

------ End of forwarded message ------

Attachments:
C:\users\edward\Temp\WPM$6J7V.PM$
Gee, Berlina W.

From: Edward Hasbrouck [edward@hasbrouck.org]
Sent: Friday, April 20, 2012 11:21 AM
To: CPUC SmartMeter service list A1103014
Cc: Dorman, Elizabeth
Subject: CPUC confirms that PG&E SmartMeter opt-out fee Advice Letter has been suspended

I just received the following e-mail message from the CPUC.

Since the CPUC didn’t see fit to notify the parties to the purportedly related proceedings of this suspension, and neither the CPUC not PG&E Web sites reflect this suspension (at least as of now), I’m forwarding this to those with e-mail addresses on CPUC service list A1103014.

I’ve reported this on my blog at:

http://hasbrouck.org/blog/archives/002001.html

Sincerely,

Edward Hasbrouck

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Subject: RE: (Fwd 2 of 2) Re: protest to PG&E Advice Letter 3278-G 4006-E and related matters
Date sent: Fri, 20 Apr 2012 10:15:06 -0700
From: "Dorman, Elizabeth" <elizabeth.dorman@cpuc.ca.gov>
To: "Edward Hasbrouck" <edward@hasbrouck.org>
Copies to: "Miller, Karen" <karen.miller@cpuc.ca.gov>,
"Randolph, Edward F." <edward.randolph@cpuc.ca.gov>,
"Tousey, Mary Lou" <marylou.tousey@cpuc.ca.gov>

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Commission review of that disposition pursuant to General Order 96-B if you choose to do so after reviewing the disposition.

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I have contacted our attorney who handles public records requests regarding your concerns about communication between CPUC and PG&E staff regarding the above-referenced Advice Letter.

Elizabeth Dorman
CPUC/Legal
elizabeth.dorman@cpuc.ca.gov
415.703.1415

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Subject: (Fwd 2 of 2) Re: protest to PG&E Advice Letter 3278-G 4006-E and related matters

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Sincerely,

Edward Hasbrouck

-------- End of forwarded message --------

Attachments:
C:\users\edward\Temp\WPM$6J7V.PM$
Thanks for meeting with us today to clarify next steps in the procedural process.

As we discussed on the phone, PG&E is reviewing our internal procedures regarding service to parties and taking corrective measures.

We wanted to note that once we were informed that Mr. Hasbrouck did not receive service of PG&E’s Response to Protest, we served him, via email on March 22, 2012, PG&E’s Response to Protest. On March 23, 2012, we also provided Mr. Hasbrouck with a copy of the Commission disposition letter by email. I’ve attached both emails here.

Please contact us if you have any further questions or concerns.

Thank you,
Bonnie and Chris

Regulatory Relations | Operations
77 Beale Street, Room 1048
San Francisco, CA 94105
Phone: 415.972.5509
BWT4@pge.com
From: Tam, Bonnie W. <BWT4@pge.com>
Sent: Tuesday, March 27, 2012 6:01 PM
To: Malashenko, Elizaveta I.
Cc: Dorman, Elizabeth; Gupta, Aloe; Sterkel, Merideth "Molly"
Subject: RE: Connecting with PG&E

Thanks, Liza.

Elizabeth, I’m the regulatory case manager for the PG&E SmartMeter Opt-Out and as Liza mentioned, I’m trying to determine PG&E’s next steps on this issue. Please let me know if a conference call would work and if you’d like me to set it up.

Regards,
Bonnie

Regulatory Relations | Operations
77 Beale Street, Room 1048
San Francisco, CA 94105
Phone: 415.972.5509
BWT4@pge.com

From: Malashenko, Elizaveta I. [mailto:elizaveta.malashenko@cpuc.ca.gov]
Sent: Tuesday, March 27, 2012 5:39 PM
To: Tam, Bonnie W.
Cc: Dorman, Elizabeth; Gupta, Aloe; Sterkel, Merideth "Molly"
Subject: Connecting with PG&E

Elizabeth,

Connecting you with Bonnie Tam -- we should probably get on the call and figure out next steps for both CPUC and PG&E regarding Mr. Hasbrouck protest situation.

Thanks,

Liza

Elizaveta Malashenko
Program and Project Supervisor
Grid Planning and Reliability
Energy Division
California Public Utilities Commission
Phone: 415-703-2274
E-mail: elizaveta.malashenko@cpuc.ca.gov
From: Pease, Daniel <DRP6@pge.com>  
Sent: Thursday, February 09, 2012 3:20 PM  
To: Pease, Daniel; Malashenko, Elizaveta I.  
Cc: Tam, Bonnie W.  
Subject: SmartMeterTM Opt-Out Tariffs

Liza: The tariff is undergoing review here and has not been filed as yet. Just noted the decision was issued today. We will be having a look to see if any aspect of it has changed from the last version. Dan

From: Pease, Daniel  
Sent: Tuesday, February 07, 2012 11:10 AM  
To: 'Malashenko, Elizaveta I.'  
Cc: Tam, Bonnie W.  
Subject: RE: PG&E Advice 3275-G/4002-E (Internal) Approval of Electric Preliminary Statement FW, SmartMeterTM Opt-

Hi: Liza: In case you were looking for it, we were not able to file yesterday, but expect to file the tariffs today. If there is a change in plan, I will let you know. Thank you, Dan

From: Pease, Daniel  
Sent: Friday, February 03, 2012 4:20 PM  
To: 'Malashenko, Elizaveta I.'  
Cc: Tam, Bonnie W.  
Subject: RE: PG&E Advice 3275-G/4002-E (Internal) Approval of Electric Preliminary Statement FW, SmartMeterTM Opt-

Liza: As you probably already know, PG&E is moving forward with installation of analog meters. We intend to file the tariff on Monday. Don't hesitate to let me know if you have any questions.

Thanks, Dan

From: Malashenko, Elizaveta I. [mailto:elizaveta.malashenko@cpuc.ca.gov]  
Sent: Friday, February 03, 2012 4:18 PM  
To: Pease, Daniel  
Cc: Tam, Bonnie W.  
Subject: RE: PG&E Advice 3275-G/4002-E (Internal) Approval of Electric Preliminary Statement FW, SmartMeterTM Opt-

Thank you!

Elizaveta Malashenko  
Program and Project Supervisor  
Grid Planning and Reliability  
Energy Division  
California Public Utilities Commission  
Phone: 415-703-2274  
E-mail: elizaveta.malashenko@cpuc.ca.gov

From: Pease, Daniel [mailto:DRP6@pge.com]  
Sent: Thursday, February 02, 2012 4:12 PM  
To: Malashenko, Elizaveta I.
Cc: Tam, Bonnie W.; Sterkel, Merideth "Molly"
Subject: FW: PG&E Advice 3275-G/4002-E (Internal) Approval of Electric Preliminary Statement FW, SmartMeter™ Opt-

Liza: Here is the initial advice letter in compliance with Ordering Paragraph 2 of the Opt Out Program. This advice letter is for cost and revenue tracking accounts. The second advice letter will be for the necessary tariffs and for the procedures required by OP 2.

We will continue to keep you informed. Please let us know if we can provide additional information.

Thank you, Dan Pease
415 973 1179

=================================================================

On Thursday, February 2, 2012, PG&E filed Advice 3275-G/4002-E with the Commission

Approval of Electric Preliminary Statement FW, SmartMeter™ Opt-Out Memorandum Account, and Gas Preliminary Statement CU, SmartMeter™ Opt-Out Memorandum Account, in Compliance with D.12-02-014

PG&E Tariffs
(415) 973-6520
From: Malashenko, Elizaveta I.
Sent: Tuesday, March 27, 2012 5:39 PM
To: 'Tam, Bonnie W. (BWT4@pge.com)'
Cc: Dorman, Elizabeth; Gupta, Alok; Sterkel, Merideth "Molly"
Subject: Connecting with PG&E

Elizabeth,

Connecting you with Bonnie Tam -- we should probably get on the call and figure out next steps for both CPUC and PG&E regarding Mr. Hasbrouck protest situation.

Thanks,

Liza

Elizaveta Malashenko  
Program and Project Supervisor  
Grid Planning and Reliability  
Energy Division  
California Public Utilities Commission  
Phone: 415-703-2274  
E-mail: elizaveta.malashenko@cpuc.ca.gov
From: Tam, Bonnie W. [BWT4@pge.com]  
Sent: Tuesday, March 27, 2012 6:01 PM  
To: Malashenko, Elizaveta I.  
Cc: Dorman, Elizabeth; Gupta, Aloe; Sterkel, Merideth "Molly"  
Subject: RE: Connecting with PG&E  

Thanks, Liza.

Elizabeth, I’m the regulatory case manager for the PG&E SmartMeter Opt-Out and as Liza mentioned, I’m trying to determine PG&E’s next steps on this issue. Please let me know if a conference call would work and if you’d like me to set it up.

Regards,

Bonnie

Regulatory Relations | Operations  
77 Beale Street, Room 1048  
San Francisco, CA 94105  
Phone: 415.972.5509  
BWT4@pge.com

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Sent: Tuesday, March 27, 2012 5:39 PM  
To: Tam, Bonnie W.  
Cc: Dorman, Elizabeth; Gupta, Aloe; Sterkel, Merideth "Molly"  
Subject: Connecting with PG&E

Elizabeth,

Connecting you with Bonnie Tam - - we should probably get on the call and figure out next steps for both CPUC and PG&E regarding Mr. Hasbrouck protest situation.

Thanks,

Liza

---

Elizaveta Malashenko  
Program and Project Supervisor  
Grid Planning and Reliability  
Energy Division  
California Public Utilities Commission  
Phone: 415-703-2274  
E-mail: elizaveta.malashenko@cpuc.ca.gov

file://C:\Documents and Settings\bwg\Local Settings\Temporary Internet Files\OLK13\RE ... 4/25/2012
Does it work if we call you tomorrow afternoon? Sorry to delay this, but we need to have another discussion internally on this (to make sure we don’t confuse things further). Is there a number we should call you on?

Thanks,
Liza
Thanks. Let's talk at 9:30 tomorrow... Does that still work?

Hey Cliff,

In your advice letter, you may want to add language about those customers who do not choose. Either they are automatically opting in or out or you may want to add penalty language or disconnection language. Just a thought after looking at the meter that was under lockdown.

Marzia Zafar • CPUC • zaf@cpuc.ca.gov • 415-703-1997
-----Original Message-----
From: Zafar, Marzia
Sent: Wednesday, April 25, 2012 3:42 PM
To: Dorman, Elizabeth; Harris, Frederick
Subject: FW: AL filing

This is the only chain

From: Zafar, Marzia
Sent: Monday, February 13, 2012 4:42 PM
To: 'Gleicher, Cliff (SmartMeter)'
Subject: RE: AL filing

yep

From: Gleicher, Cliff (SmartMeter) [mailto:CJGf@pge.com]
Sent: Monday, February 13, 2012 4:41 PM
To: Zafar, Marzia
Subject: Re: AL filing

9:30?

From: Zafar, Marzia [mailto:marzia.zafar@cpuc.ca.gov]
Sent: Monday, February 13, 2012 04:40 PM
To: Gleicher, Cliff (SmartMeter)
Subject: RE: AL filing

Okay, it'll just be me from here, so let me know when and where

From: Gleicher, Cliff (SmartMeter) [mailto:CJGf@pge.com]
Sent: Monday, February 13, 2012 4:40 PM
To: Zafar, Marzia
Subject: Re: AL filing

I'll be in Sac for a meeting, so I should set up a conf line...

From: Zafar, Marzia [mailto:marzia.zafar@cpuc.ca.gov]
Sent: Monday, February 13, 2012 04:38 PM
To: Gleicher, Cliff (SmartMeter)
Subject: RE: AL filing

Yea, works for me. I will call you?

From: Gleicher, Cliff (SmartMeter) [mailto:CJGf@pge.com]
Sent: Monday, February 13, 2012 4:38 PM
To: Zafar, Marzia
Cc: Malashenko, Elizaveta I.
Subject: RE: AL filing

Thanks. Let's talk at 9:30 tomorrow... Does that still work?

From: Zafar, Marzia [mailto:marzia.zafar@cpuc.ca.gov]
Sent: Monday, February 13, 2012 2:03 PM
To: Gleicher, Cliff (SmartMeter)
Cc: Malashenko, Elizaveta I.
Subject: AL filing

Hey Cliff,

In your advice letter, you may want to add language about those customers who do not choose. Either they are automatically opting in or out or you may want to add penalty language or disconnection language. Just a thought after looking at the meter that was under lockdown.

Marzia Zafar * CPUC * zaf@cpuc.ca.gov <mailto:zaf@cpuc.ca.gov> * 415-703-1997
FOR IMMEDIATE RELEASE PRESS RELEASE Media Contact: Terrie Prosper, 415.703.1366, news@cpuc.ca.gov Docket #: A.11-03-014

CPUC APPROVES ANALOG METERS FOR PG&E CUSTOMERS ELECTING TO OPT-OUT OF SMART METER SERVICE

SAN FRANCISCO, February 1, 2012 - The California Public Utilities Commission (CPUC) today modified Pacific Gas and Electric Company's (PG&E) Smart Meter program to include an analog meter option for residential customers who do not wish to have a wireless Smart Meter installed at their location.

Customers electing to retain or return to an analog meter will be assessed an initial fee of $75 and a monthly charge of $10. Customers enrolled in the CPUC's low income program (California Alternate Rates for Energy (CARE)) electing to opt-out will be assessed an initial fee of $10 and a monthly charge of $5.

Said CPUC President Michael R. Peevey, "The standard for metering has been transitioning worldwide from the older technology of analog meters to today's Smart Meter technology. We are not reversing that transition by allowing for an analog opt-out, but we are recognizing that certain customers prefer an analog meter."

Added Commissioner Timothy Alan Simon, "Today's decision provides a choice to customers who would like to opt-out of PG&E's Smart Meter installation program at a much lower costs than originally proposed. It is a great example of how public initiative and participation can result in better regulatory policy."

The costs approved today are interim to allow residential customers to begin selecting the opt-out option immediately. The costs are subject to adjustment upon conclusion of a second phase of this proceeding where issues concerning the actual costs associated with offering an analog opt-out option will be addressed.

The September 21, 2011, Assigned Commissioner's Ruling directing PG&E to establish a delay list is no longer in effect and all customers on the delay list will be transitioned to a wireless Smart Meter unless they elect to participate in the opt-out option.

The proposal voted on is available at http://docs.cpuc.ca.gov/PUBLISHED/AGENDA_DECISION/158309.htm.

For more information on the CPUC, please visit www.cpuc.ca.gov.

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http://docs.cpuc.ca.gov/PUBLISHED/NEWS_RELEASE/158621.htm

4/20/2012
February 16, 2012

Advice 3278-G/4006-E
(Pacific Gas and Electric Company ID U 39 M)

Public Utilities Commission of the State of California

Subject: Approval of Electric Rate Schedule E-SOP, Residential Electric SmartMeter™ Opt-Out Program, and Gas Rate Schedule G-SOP, Residential Gas SmartMeter™ Opt-Out Program, in Compliance with D.12-02-014

In accordance with Ordering Paragraph 2 of Decision 12-02-014, PG&E submits for approval its proposed gas and electric rate schedules to implement the SmartMeter™ Opt-Out Program. The affected tariff sheets are listed on the enclosed Attachment 1.

Purpose

Ordering Paragraph 2 of Decision 12-02-014 requires that within 15 days of the effective date of that decision, PG&E file a Tier 1 advice letter to submit tariffs necessary to implement an opt-out option for customers who do not wish to have a wireless SmartMeter™ installed at their location. On February 2, 2012, PG&E submitted its tariff to implement the Memorandum Accounts required by Ordering Paragraph 2d. In this advice letter, PG&E submits the remaining requirements pursuant to Ordering Paragraph 2 of Decision 12-02-014.

Background

Ordering Paragraph 2 of D.12-02-014 provides as follows:

Within 15 days of the effective date of this order, Pacific Gas and Electric Company (PG&E) shall file a Tier 1 advice letter in compliance with General Order 96-B. The advice letter shall be served on the service list in Application 11-03-014. The advice letter shall include tariff sheets to modify PG&E’s SmartMeter Program to include an opt-out option for customers who do not wish to have a wireless SmartMeter installed at their location and to implement a SmartMeter Opt-Out Tariff. The Advice Letter filing shall:
a. Establish procedures for residential customers to select the option to have an analog meter if they do not wish to have a wireless SmartMeter.

b. Establish procedures to inform customers that a SmartMeter opt-out option is available. A customer currently on the delay list shall be informed that the customer will be scheduled to receive a wireless SmartMeter unless the customer elects to exercise the opt-out option.

c. Adopt the following interim fees for residential customers selecting the opt-out option:

   For Non-CARE and Non-FERA Customers:
   Initial Fee    $75.00
   Monthly Charge $10.00/month

   For CARE and FERA Customers:
   Initial Fee    $10.00
   Monthly Charge $5.00/month

d. Establish new two-way electric and gas Modified SmartMeter Memorandum Accounts to track revenues and costs associated with providing the SmartMeter opt-out option.

On February 2, 2012, PG&E filed Tier 1 Advice Letter 3275-G/4002-E implementing the memorandum accounts required by part d. PG&E submits the remaining requirements of Ordering Paragraph 2 in this Advice Letter within 15 days of the effective date of D.12-02-014, as ordered.

Filing Requirements

Attachment 2 to this advice letter provides procedures requested in Ordering Paragraph 2, parts a and b. Specifically, part a requires PG&E to establish procedures for residential customers to select the option to have an analog meter if they do not wish to have a wireless SmartMeter™. Part b requires PG&E to establish procedures to inform customers currently on the delay list that a SmartMeter™ opt-out option is available and that the customer will be scheduled to receive a wireless SmartMeter™ unless the customer elects to exercise the opt-out option.

Finally, as noted above gas and electric tariffs implementing the charges approved by the Commission are provided as Attachment 1.
Protests

Anyone wishing to protest this filing may do so by letter sent via U.S. mail, by facsimile or electronically, any of which must be received no later than March 7, 2012, which is 20 days after the date of this filing. Protests should be mailed to:

CPUC Energy Division  
Tariff Files, Room 4005  
DMS Branch

505 Van Ness Avenue  
San Francisco, California 94102

Facsimile: (415) 703-2200  
E-mail: jnj@cpuc.ca.gov and mas@cpuc.ca.gov

Copies of protests also should be mailed to the attention of the Director, Energy Division, Room 4004, at the address shown above.

The protest also should be sent via U.S. mail (and by facsimile and electronically, if possible) to PG&E at the address shown below on the same date it is mailed or delivered to the Commission:

Brian K. Cherry  
Vice President, Regulation and Rates  
Pacific Gas and Electric Company  
77 Beale Street, Mail Code B10C  
P.O. Box 770000  
San Francisco, California 94177

Facsimile: (415) 973-6520  
E-mail: PGETariffs@pge.com

Effective Date

PG&E requests that this advice filing become effective on February 16, 2012.

Notice

In accordance with General Order 96-B, Section IV, a copy of this advice letter is being sent electronically and via U.S. mail to parties shown on the attached list and the parties on the service list for Application 11-03-014. Address changes to the General Order 96-B service list should be directed to PG&E at email address PGETariffs@pge.com. For changes to any other service list, please contact the Commission's Process Office at (415) 703-2021 or at Process_Office@cpuc.ca.gov. Send all electronic approvals to
PGETariffs@pge.com. Advice letter filings can also be accessed electronically at: http://www.pge.com/tariffs.

[Signature]

Vice President, Regulation and Rates

Attachments

cc: Service List A. 11-03-014
CALIFORNIA PUBLIC UTILITIES COMMISSION

ADVICE LETTER FILING SUMMARY
ENERGY UTILITY

**MUST BE COMPLETED BY UTILITY** (Attach additional pages as needed)

<table>
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<tr>
<th>Company name/CPUC Utility No.</th>
<th>Pacific Gas and Electric Company (ID U39 M)</th>
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<tbody>
<tr>
<td>Utility type:</td>
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<tr>
<td>☑ ELC  ☑ GAS</td>
<td>Contact Person: Britta Brown</td>
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<tr>
<td>☐ PLC  ☐ HEAT  ☐ WATER</td>
<td>Phone #: (415) 973-8584</td>
</tr>
<tr>
<td></td>
<td>E-mail: <a href="mailto:B2Bn@pge.com">B2Bn@pge.com</a></td>
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**EXPLANATION OF UTILITY TYPE**

- ELC = Electric
- GAS = Gas
- PLC = Pipeline
- HEAT = Heat
- WATER = Water

**Advice Letter (AL) #:** 3278-G/4006-E  **Tier:** 1

**Subject of AL:** Approval of Electric Rate Schedule E-SOP, Residential Electric SmartMeter™ Opt-Out Program, and Gas Rate Schedule G-SOP, Residential Gas SmartMeter™ Opt-Out Program, in Compliance with D.12-02-014

**Keywords** (choose from CPUC listing): **Compliance, Metering**

**AL filing type:** ☐ Monthly ☐ Quarterly ☐ Annual ☑ One-Time ☐ Other

If AL filed in compliance with a Commission order, indicate relevant Decision/Resolution #: **D.12-02-014**

Does AL replace a withdrawn or rejected AL? If so, identify the prior AL: **No**

Summarize differences between the AL and the prior withdrawn or rejected AL:

Is AL requesting confidential treatment? If so, what information is the utility seeking confidential treatment for: **No**

Confidential information will be made available to those who have executed a nondisclosure agreement: **N/A**

Name(s) and contact information of the person(s) who will provide the nondisclosure agreement and access to the confidential information:

Resolution Required? ☐ Yes ☑ No

Requested effective date: **2/16/12**

No. of tariff sheets: **8**

**Estimated system annual revenue effect (%):** **N/A**

**Estimated system average rate effect (%):** **N/A**

When rates are affected by AL, include attachment in AL showing average rate effects on customer classes (residential, small commercial, large C/1, agricultural, lighting).

**Tariff schedules affected:** **E-SOP, G-SOP**

**Service affected and changes proposed:** Residential Electric SmartMeter™ Opt-Out Program

Protests, dispositions, and all other correspondence regarding this AL are due no later than 20 days after the date of this filing, unless otherwise authorized by the Commission, and shall be sent to:

**CPUC, Energy Division**

- **Tariff Files, Room 4005**
- **DM5 Branch**
- **505 Van Ness Ave., San Francisco, CA 94102**
- **E-mail: PGETariffs@pge.com**

**Pacific Gas and Electric Company**

- **Attn: Brian K. Cherry, Vice President, Regulation and Rates**
- **77 Beale Street, Mail Code B10C**
- **P.O. Box 770000**
- **San Francisco, CA 94177**

**E-mail: PGETariffs@pge.com**
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<td>29535-G</td>
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GAS SCHEDULE G-SOP
RESIDENTIAL GAS SMARTMETER(TM) OPT-OUT PROGRAM

1. APPLICABILITY: This program is available to all residential customers who do not wish to have a wireless, communicating meter, known as a SmartMeter™, installed at their premises (hereafter, “Opt-Out Customers”). Under this program, customers may receive service using an analog meter. This schedule is applicable to customers that take gas-only service from PG&E. Customers who take both gas and electric service, or electric-only service, from PG&E and wish to have analog meters used for service should refer to Schedule E-SOP for terms and conditions of service.

2. TERRITORY: This schedule applies everywhere that PG&E provides gas service.

3. RATES: Customers who elect this option will be charged as follows:

Customers who take service on the California Alternate Rates for Energy (CARE) program will pay an initial amount and a monthly charge. The initial amount is $10 for this service. In addition, these customers will pay $5 per month for analog meter service.

Customers who are not taking service on the CARE program will pay an initial amount and a monthly charge. The initial amount is $75 for this service. In addition, these customers will pay $10 per month for analog meter service.

The initial and monthly charges described above are applicable to customers who receive only gas service from PG&E. Customers who take both gas and electric service from PG&E, and wish to have an analog gas meter installed, should refer to Schedule E-SOP, the Residential Electric SmartMeter™ Opt-Out Program, for the associated charges.

Customers will not be charged the initial amount or monthly charge until the analog meter is installed.
GAS SCHEDULE G-SOP
RESIDENTIAL GAS SMARTMETER(TM) OPT-OUT PROGRAM

4. METERING EQUIPMENT: At PG&E's discretion, the SmartMeter™-module will be removed from the gas meter, or the gas meter will be exchanged for an analog gas meter, at premises where PG&E provides gas service.

5. BILLING: Customers will be billed for charges applicable under the customer's Otherwise Applicable Rate Schedule (OAS), plus the initial amount and monthly charge described herein.

The initial amount and monthly charge will appear on a customer's electric service agreement when the customer takes both gas and electric service from PG&E. The initial amount and monthly charge will appear on the customer's gas service agreement if the customer takes only gas service from PG&E under this Schedule.

Opt-Out Program customers will be charged the initial and monthly charges described above once the analog meter(s) is installed, and they will be required to pay the initial amount within 90 days. All such charges will be subject to the terms and conditions for rendering and payment of bills under Gas Rules 8 and 9.

Pursuant to Decision 12-02-014, a customer must affirmatively elect to opt-out of the SmartMeter™ Program, and shall default to SmartMeter™-based utility service absent such an election. If PG&E makes a field visit to a customer's residence for purposes of installing a SmartMeter™ and the customer does not provide reasonable access to PG&E to install a SmartMeter™ after being provided notice of eligibility for service under this Opt-Out Program and not electing to opt-out, the customer shall be deemed to have elected service under this Opt-Out Program.
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<td>CARE Program Service for Qualified Nonprofit Group Living and Qualified Agricultural Employee Housing Facilities</td>
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ELECTRIC SCHEDULE E-SOP
RESIDENTIAL ELECTRIC SMARTMETER(TM) OPT-OUT PROGRAM

1. APPLICABILITY: This program is available to all residential customers who do not wish to have a wireless, communicating meter, known as a SmartMeter™, installed at their premises (hereafter, "Opt-Out Customers"). Under this program, customers may receive service using an analog meter(s). Customers taking service under Schedule E-RSMART, Residential SmartRate™, are not eligible for this program. This schedule is applicable to customers who take gas and electric service, or electric-only service, from PG&E.

2. TERRITORY: This schedule applies everywhere that PG&E provides electric and gas service.

3. RATES: Customers who elect this option will be charged as follows:

Customers who take service on either the California Alternate Rates for Energy (CARE) or Family Electric Rate Assistance (FERA) programs will pay an initial amount and a monthly charge. The initial amount is $10 for this service. In addition, these customers will pay $5 per month for analog meter service.

Customers who are not taking service on CARE or FERA programs will pay an initial amount and a monthly charge. The initial amount is $75 for this service. In addition, these customers will pay $10 per month for analog meter service.

The initial and monthly charges described above are applicable to customers who receive gas and electric service, or receive electric-only service, from PG&E. Customers that take only gas service from PG&E, and wish to have an analog gas meter installed, should refer to Schedule G-SOP, the Residential Gas SmartMeter™ Opt-Out Program, for the associated charges.

Customers will not be charged the initial amount or monthly charge until the analog meter(s) is installed.

(Continued)
4. METEING EQUIPMENT: A non-communicating meter will be used to provide electric service for customers who elect this option. For the great majority of customers, these meters will be analog meters. For a very small number of residential electric customers that require special meters, these meters will be non-communicating solid-state digital meters.

For example, analog meters are not available to support electric time-of-use service, such that analog meters may not be used for electric service under time-of-use rate schedules, including Schedules EM-TOU, EML-TOU, E-6, EL-6, E-7, EA-7, EL-7, E-A7, EL-A7 and E-9. Customers served under time-of-use rate schedules may elect to have an analog non-communicating meter installed and take service under any non-time-of-use schedule for which they are eligible, such as Schedule E-1, or, alternatively, may remain on their current time-of-use rate schedule and choose to elect service under this Opt-Out Program using a non-communicating solid state digital time-of-use meter.

5. BILLING: Customers will be billed for charges applicable under the customer's Otherwise Applicable Rate Schedule (OAS), plus the initial amount and the monthly charge described herein. The initial amount and monthly charge will appear on the electric service agreements of both customers that take electric-only service from PG&E and customers that take gas and electric service from PG&E. Opt-Out Program customers will be charged the initial and monthly charges described above once the replacement meter(s) is installed, and they will be required to pay the initial amount within 90 days. All such charges will be subject to the terms and conditions for rendering and payment of bills under Electric Rules 8 and 9.

Pursuant to Decision 12-02-014, a customer must affirmatively elect to opt-out of the SmartMeter™ Program, and shall default to SmartMeter™-based utility service absent such an election. If PG&E makes a field visit to a customer's residence for purposes of installing a SmartMeter™ and the customer does not provide reasonable access to PG&E to install a SmartMeter™ after being provided notice of eligibility for service under this Opt-Out Program and not electing to opt-out, the customer shall be deemed to have elected service under this Opt-Out Program.
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Electric Rate Schedule E-SOP
Residential Electric SmartMeter™ Opt-Out Program, and
Gas Rate Schedule G-SOP
Residential Gas SmartMeter™ Opt-Out Program

ATTACHMENT 2
SmartMeter™ Opt-Out Program Procedures

Purpose: Ordering Paragraph 2 of Decision (D.) 12-02-014 requires Pacific Gas and Electric Company (PG&E) to include certain procedures needed to implement the SmartMeter™ Opt-Out Program in the Tier 1 Advice Letter implementing the SmartMeter™ Opt-Out Tariff (SOP).

Specifically, part (a) of Ordering Paragraph 2 of D. 12-02-014 requires PG&E to establish procedures for residential customers to select an analog meter option if they do not wish to have a wireless SmartMeter™. Part (b) of Ordering Paragraph 2 requires PG&E to establish procedures to inform customers that a SmartMeter™ opt-out option is available and to inform customers currently on the Delay List that the customer will be scheduled to receive a wireless SmartMeter™ unless the customer elects to exercise the opt-out option.

This Attachment 2 complies with Ordering Paragraph 2 and provides those procedures.

Attachment 2 also provides the procedures that PG&E will employ to install the non-SmartMeter™ once a customer elects to exercise the opt-out option.

Procedure for Residential Customers to Select the Opt-Out Option

PG&E has established the five following methods for residential customers to opt-out of the SmartMeter™ Program if they do not wish to have a wireless SmartMeter™:

1. Live Phone Call with SmartMeter™ Representative. PG&E has a dedicated SmartMeter™ phone line (1-866-743-0263) and has staffed the line with Customer Service Representatives (CSRs) trained to explain the SmartMeter™ Opt-Out Program to allow residential customers to enroll via a live phone call.

2. Interactive Voice Recording (IVR) Automated Enrollment. PG&E has created new IVR functionality on its dedicated SmartMeter™ phone line (1-866-743-0263) to allow residential customers to enroll in the SmartMeter™ Opt-Out Program by pressing buttons on their touch-tone telephone. This automated system prompts residential customers to record their information, which is then routed for processing.

3. Web Form Enrollment. PG&E has created a link on its external website at www.pge.com/SmartMeterOptOut to allow residential customers to access a web form to enroll in the SmartMeter™ Opt-Out Program. This web form, which requires the residential customer to provide his/her name, service address, and phone number, with
optional email and account number, is routed via email to PG&E for processing. The site also provides detailed information on the SmartMeter™ Opt-Out Program terms, including associated charges.

4. Local Office Visit. Residential customers can walk into a local PG&E office to enroll. PG&E has trained the personnel in its Local Offices to explain the SmartMeter™ Opt-Out Program to allow residential customers to enroll in the Office.

5. Form with Pre-Paid Postage Return Envelope. Decision 12-02-014 requires PG&E to notify residential customers currently on the Delay List individually by certified mail that the SmartMeter™ Opt-Out Program is available to them. As explained below, PG&E is sending a form in the certified letter that the residential customer can complete and mail to PG&E with their choice of participating either in the SmartMeter™ Opt-Out Program or the SmartMeter™ Program. For the residential customer’s convenience, the certified letter also includes a pre-paid postage return envelope to mail the form back to PG&E.

**Procedure to Inform Residential Customers that the Opt-Out Option is Available**

PG&E is using the following methods to inform residential customers that they have the option to opt-out of the SmartMeter™ Program if they do not wish to have a wireless SmartMeter™:

- Posting information on PG&E’s external web, PGE.com, about the SmartMeter™ Opt-Out Program and how residential customers can enroll, including a new page dedicated to the Program.
- Establishing new in-queue telephone messages with information about the Program for residential customers calling PG&E.
- Developing and distributing a one-page hand-out with Program information, for use at the counters in Local Offices and for Field employees approached by residential customers.
- Sending certified letters with postage-paid return envelopes to residential customers who (1) formally requested that PG&E add them to the Delay List that PG&E initiated in April 2011; (2) affirmatively refused PG&E’s attempt to install a SmartMeter™; (3) notified PG&E that they intended to remove their SmartMeter™ upon installation; (4) failed to provide PG&E with access to their residences (e.g., locked gate, unleashed dog) to allow PG&E to install a SmartMeter™ despite multiple PG&E-attempts to do so; (5) called PG&E to request that the existing SmartMeter™ be removed; or (6) removed their SmartMeter™ on their own (collectively, the Extended Delay List).
- Sending IVR messages to residential customers on the Extended Delay List to alert them of the program and that the certified letter would be sent to them.

PG&E also will add a reference to the SmartMeter™ Opt-Out Program in its standard SmartMeter™ installation letter for customers in those areas where deployment is still
underway, which will describe the opt-out alternative and provide residential customers with information on how to enroll.

Beginning in late February, PG&E will include a bill insert describing the SmartMeter\textsuperscript{TM} Opt-Out Program in the March 2012 bills for all residential customers.

**Procedure to Inform Delay List Residential Customers that the Opt-Out Option Is Available**

As noted above, Decision 12-02-014 requires PG&E to notify residential customers currently on the Delay List individually by certified mail that the SmartMeter\textsuperscript{TM} Opt-Out Program is available to them. This process must be complete within 20 days of the issuance of Decision 12-02-014.

PG&E is sending certified letters to these residential customers. The letter is accompanied by a form that the residential customer can complete and mail to PG&E with their choice of participating either in the SmartMeter\textsuperscript{TM} Opt-Out Program or the SmartMeter\textsuperscript{TM} Program. For the residential customer’s convenience, the certified letter also includes a pre-paid postage return envelope to mail the form back to PG&E.

PG&E is establishing procedures to allow timely, electronic reports and information regarding the status of each letter, including delivery attempts, signature receipt, recipient rejection, and/or return-to-sender as part of its due diligence in reaching these residential customers.

**Procedure to Install Analog Meter(s) for Opt-Out Program Residential Customers**

Pursuant to Decision 12-02-014, a customer must affirmatively elect to opt-out of the SmartMeter\textsuperscript{TM} Program, and shall default to SmartMeter\textsuperscript{TM}-based utility service absent such an election. If PG&E makes a field visit to a customer's residence for purposes of installing a SmartMeter\textsuperscript{TM} and the customer does not provide reasonable access to PG&E to install a SmartMeter\textsuperscript{TM} after being provided notice of eligibility for service under this Opt-Out Program and not electing to opt-out, the customer shall be deemed to have elected service under this Opt-Out Program.
PG&E Gas and Electric
Advice Filing List
General Order 96-B, Section IV

AT&T
Alcantar & Kahl LLP
Ameresco
Anderson & Poole
BART
Barkovich & Yap, Inc.
Bartle Wells Associates
Bloomberg
Bloomberg New Energy Finance
Boston Properties
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Brookfield Renewable Power
CA Bldg Industry Association
CLECA Law Office
CSC Energy Services
California Cotton Ginners & Growers Assn
California Energy Commission
California League of Food Processors
California Public Utilities Commission
Calpine
Casner, Steve
Center for Biological Diversity
Chris, King
City of Palo Alto
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City of San Jose
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Coast Economic Consulting
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Occidental Energy Marketing, Inc.
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RCS, Inc.
Recurrent Energy
SCD Energy Solutions
SCE
SMUD
SPURR
San Francisco Public Utilities Commission
Seattle City Light
Sempra Utilities
Sierra Pacific Power Company
Silicon Valley Power
Silco Energy LLC
Southern California Edison Company
Spark Energy, L.P.
Sun Light & Power
Sunshine Design
Sutherland, Asbill & Brennan
Tabors Caramanos & Associates
Tecogen, Inc.
Tiger Natural Gas, Inc.
TransCanada
Turlock Irrigation District
United Cogen
Utility Cost Management
Utility Specialists
Verizon
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Western Manufactured Housing
Communities Association (WMA)
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