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**VIA EMAIL AND HAND-DELIVERY**

March 16, 2011

**Revision to Advice Letter 3-E  
(U 933-E)**

Public Utilities Commission of the State of California  
Attn: Energy Division, 4<sup>th</sup> Floor  
505 Van Ness Avenue  
San Francisco, CA 94102-3298

Subject: Substitute Sheets – CalPeco Advice Letter 3-E

In accordance with Section 7.5.1 of General Order 96-B and at the request of the Energy Division, California Pacific Electric Company, LLC (U 933-E) (“CalPeco”)<sup>1</sup> hereby submits substitute tariff sheets 184, 259, and 472 to incorporate certain minor revisions. These revised tariff sheets were originally submitted as part of CalPeco Advice Letter 3-E, a **Tier 1** advice letter, on March 1, 2011 with an effective date of March 1, 2011. These revisions consist of:

**Electric Rule 1 – Definitions**

- Revise the definition for “Small Business Customer” to remove the previously included requirement that the maximum demand period occur “per meter for at least 9 billing periods during the most recent 12 month period” to simply state “per meter for the most recent 12 month period.”

**Electric Rule 18 – Meter Tests and Adjustment of Bills**

- Conform Section B.3 to the remainder of the revisions to Rule 18 in order to decrease the maximum period for which CalPeco will bill a Small Business Customer for undercharges resulting from a meter or billing error from three years to three months;

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<sup>1</sup> CalPeco also does business in California as “Liberty Energy - California Pacific Electric Company.”

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Form No. 11-0100, Affidavit in Support of Customer Claim as Qualifying as a Microbusiness  
Customer Under Government Code Section 14837

- Revise the new customer affidavit form enabling electric customers who do not otherwise qualify on the basis of annual electric usage or maximum billing demand to self-certify as a “Microbusiness Customer” in accordance with the correction made to Decision 10-10-032 by Decision 10-11-037.

In accordance with General Order 96-B, Section 4.3, a copy of this advice letter is being sent electronically and via U.S. mail to parties shown on the attached list.

If additional information is required, please contact Peter Eichler, Manager, Financial Planning & Analysis (Peter.Eichler@Liberty-Energy.com).

Sincerely,



Peter Eichler  
Manager, Financial Planning & Analysis

Attachments

cc: CalPeco Advice Letter Service List  
Service Lists for R.10-05-005, A.08-08-004, A.09-10-028, A.10-04-032  
Joe Como, Division of Ratepayer Advocates  
Mark Pocta, Division of Ratepayer Advocates  
Tamera Godfrey, Division of Ratepayer Advocates  
Dao Phan, Division of Ratepayer Advocates  
Laura Martin, Energy Division

## **Attachment 1**

**Rule 1**

**DEFINITIONS**  
(continued)

**Service Territory:** The territory in which the Utility has the responsibility to supply or make available electric service.

**Service Wires or Connection:** The overhead and underground primary or secondary facilities extending from the point of connection at the Distribution Line to the Service Delivery Point. When an underground Service Lateral is supplied from a Utility-designated overhead pole, the beginning point of connection to the Utility's Distribution Line shall be where the Service Lateral is connected to the Utility's overhead Distribution Line conductors.

**Settlement Day:** A day beginning at midnight and consisting of twenty-four (24) consecutive settlement periods for all transmission and PX transactions which use a period beginning at the start of an hour, and ending at the end of an hour.

**Single-family Dwelling:** A group of rooms, such as a house, a flat, or an apartment, which provides complete family living facilities in which the occupant(s) normally cooks meals, eats, sleeps, and carries on the household operations incidental to domestic life. Also referred to as Domestic Dwelling Unit.

**Small Business Customer:** A non-residential Customer who: (1) has a maximum billing demand of 20 kW, or less, per meter during the most recent 12 month period, or (2) has an annual usage of 40,000 kWh, or less, during the most recent 12 month period, or (3) meets the definition of a "microbusiness" under California Government Code 14837. This definition does not include non-residential Customers who are on a fixed usage or unmetered usage rate schedule.

**Small Customer:** Customers on demand-metered schedules with less than 20 kilowatts maximum billing demand per meter for at least nine billing periods during the most recent 12 month period; or (2) any customer on a non-demand metered schedule with demand estimated to be less than 20 kilowatts maximum billing demand per meter for at least nine billing periods during the most recent 12 month period, or (3) any domestic service customer.

**Statistical Load Profile:** The result of a statistical sampling technique which estimates a group of customers' (usually by customer class) hourly energy consumption calculated over a given period of time and allows such customers with load variances to be represented by a single measurement. Load profiles will be used to measure hourly energy consumption of residential, small and medium size commercial and agricultural customers, and other customers who engage in Direct Access transactions, consume a maximum demand of less than 50 kW and who have cumulative monthly metering instead of hourly metering.

(N)  
↓  
(N)

Advice Letter No. 3-E

Issued by

Bob Dodds

Date Filed March 1, 2011

(T)

Name

Decision No. 10-10-032

President and CEO

Effective March 1, 2011

(T)

Title

Resolution No. \_\_\_\_\_

**Rule No. 18**

**METER TESTS AND ADJUSTMENTS OF BILLS FOR METER ERROR**

(Continued)

**B. Adjustment of Bills for Meter Error (Continued)**

A Customer who qualified as a Small Business Customer based upon annual usage under Rule 1 during the period of the billing error, but exceeds the annual maximum usage as a result of applying the three-month back-billing to calculate annual usage shall be treated as a Small Business Customer under this section for any undercharges.

(N)  
↓  
(N)

- 3. Nonregistering Meter – If a meter is found to be nonregistering, the Utility may bill the Customer for the Utility’s estimate of the electric service used but not registered, not exceeding three months in the case of residential service or nonresidential service to Small Business Customer and three years for nonresidential service.

(N)  
(N)

**C. Adjustment of Bills for Unauthorized Use**

Where the Utility determines that there has been unauthorized use of electricity service, the Utility may bill the Customer for the Utility’s estimate of up to three years of such unauthorized use. However, nothing in this rule shall be interpreted as limiting the Utility’s rights in any provisions of any applicable law.

**D. Adjustment of Bills for Billing Error**

Where the Utility overcharges or undercharges a Customer as the result of a billing error, the Utility may render an adjusted bill for the amount of the undercharge, and shall issue a refund or credit to the Customer for the amount of the overcharge, for the same periods as for meter error.

**E. General**

Estimated Usage – When regular, accurate meter readings are not available or the electric usage has not been accurately measured, the Utility may estimate the Customer’s energy usage for billing purposes on the basis of information including but not limited to the physical condition of the metering equipment, available meter readings, records of historical use, and the general characteristics of the Customer’s load and operation.

Advice Letter No. 3-E

Issued by  
Bob Dodds

Date Filed March 1, 2011

(T)

Decision No. 10-10-032

Name  
President and CEO  
Title

Effective March 1, 2011

(T)

Resolution No. \_\_\_\_\_



**Form No. 11-0100 – Affidavit in Support of Customer Claim as Qualifying as a Microbusiness Customer Under Government Code Section 14837.**

**Customer Declaration:**

I, \_\_\_\_\_, state as follows:

1. I am authorized to make this declaration as the Customer ("Customer") or as an authorized representative of the Customer \_\_\_\_\_ and \_\_\_\_\_
2. I have personal knowledge of the matters set forth herein and if called upon as a witness could and would testify competently thereto.
3. Customer warrants it qualifies as a "microbusiness" as defined under California Government Code Section 14837. A "microbusiness" is defined as "a small business which, together with affiliates, has average annual gross receipts of two million five hundred thousand dollars (\$2,500,000) or less over the previous three years, or is a manufacturer, as defined in subdivision (c), with 25 or fewer employees." Subdivision (c) provides that a "manufacturer" is defined as a business that meets both of the following requirements: (1) it is primarily engaged in the chemical or mechanical transformation of raw materials or processed substances into new products, and (2) it is classified between Codes 31 to 33, inclusive, of the North American Industry Classification System.<sup>1</sup>

I declare under penalty of perjury under the laws of the State Of California that the foregoing is true and correct. Executed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ at \_\_\_\_\_, \_\_\_\_\_ [City, State]

Signature: \_\_\_\_\_  
Customer or Authorized Representative of the Customer

Title: \_\_\_\_\_

**II. Required Customer Information (Please Type or Print):**

Name On Account: \_\_\_\_\_  
Service Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_

**III. CalPeco Reply Information:**

Please return the completed affidavit by United States Postal Service to:  
California Pacific Electric Company, LLC  
Attention: Billing  
933 Eloise Avenue  
South Lake Tahoe, CA 96150

<sup>1</sup> See North American Industry Classification System Website: <http://www.census.gov/cgi-bin/sssd/naics/naicsrch?code=31&search=2007>

Advice Letter No. 3-E

Issued by Bob Dodds  
Name

Date Filed March 1, 2011

(T)

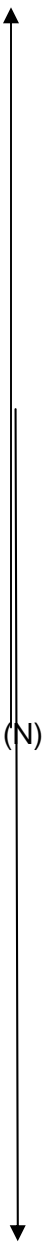
Decision No. 10-10-032

President and CEO  
Title

Effective March 1, 2011

(T)

Resolution No. \_\_\_\_\_



**CalPeco  
Advice Letter Filing Service List  
General Order 96-B, Section 4.3**

R.10-05-005 Service List

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A.09-10-028 and A.10-04-032 Service List

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