

CALIFORNIA PUBLIC UTILITIES COMMISSION

ADVICE LETTER FILING SUMMARY ENERGY UTILITY

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

Company name/CPUC Utility No.: **California Pacific Electric Company, LLC/U 933-E**

Utility type:

ELC GAS
 PLC HEAT WATER

Contact Person: Mike Long
Phone #: 530-543-5277
E-mail: mike.long@liberty-energy.com

EXPLANATION OF UTILITY TYPE

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

(Date Filed/ Received Stamp by CPUC)

Advice Letter (AL) #: **15-E**

Subject of AL: **Revisions to Rule 11 and Rule 16 Pursuant to Decision No. 12-01-032, Ordering Paragraph No. 7**

Keywords (choose from CPUC listing):

AL filing type: Monthly Quarterly Annual One-Time Other

If AL filed in compliance with a Commission order, indicate relevant Decision/Resolution #: **Decision 12-01-032**

Does AL replace a withdrawn or rejected AL?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Summarize differences between the AL and the prior withdrawn or rejected AL¹:

Resolution Required? Yes No Tier Designation: 1 2 3

Requested effective date: **Upon Commission Approval** No. of tariff sheets: **2**

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/I, agricultural, lighting).

Tariff schedules affected: **Sheet No. 215A – Rule 11; Sheet No. 239 – Rule 16**

Pending advice letters that revise the same tariff sheets: **N/A**

Protests 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
Attention: Tariff Unit
505 Van Ness Ave.
San Francisco, CA 94102
inj@cpuc.ca.gov and mas@cpuc.ca.gov**

**California Pacific Electric Company, LLC
Attention: Advice Letter Protests
933 Eloise Avenue
South Lake Tahoe, CA 96150
Email: mike.long@liberty-energy.com**



California Pacific Electric Company, LLC
933 Eloise Avenue
South Lake Tahoe, CA 96150
Tel: 800-782-2506
Fax: 905-465-4514

VIA EMAIL AND HAND-DELIVERY

March 15, 2012

Advice Letter 15-E (U 933-E)

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

**Subject: Revisions to Rule 11 and Rule 16 Pursuant to Decision No. 12-01-032,
Ordering Paragraph No. 7**

California Pacific Electric Company, LLC (U 933-E) (“CalPeco”)¹ hereby submits for approval revisions to its tariff schedules. The revised tariff sheets are enclosed as Attachment 1.

Purpose

The purpose of this filing is to comply with the California Public Utilities Commission (“Commission”) Decision No. (“D.”) 12-01-032, Ordering Paragraph No. 7, which adopted regulations to reduce fire hazards within the service territories of electric utilities under its jurisdiction.

Background

On November 6, 2008, the Commission issued Order Instituting Rulemaking (“OIR”) No. 08-11-005, to consider and adopt regulations to reduce fire hazards associated with overhead power-line facilities and aerial communication facilities in close proximity to power lines. This OIR came about as a result of the investigation into the October 2007 Southern California Wildfires. Portions of the electric power network, public communication systems, and community water sources were destroyed in those wildfires. Several of the worst wildfires were reportedly ignited by power lines. D.12-01-032, among other things, adopted fire hazard reducing language that electric utilities were ordered to implement in their tariffs.

Specifically, Ordering Paragraph No. 7 in D.12-01-032 states:

Investor-owned electric utilities shall file and serve a Tier 3 advice letter to revise their tariffs to state that the electric utility may shut off power to customers who do not allow access to their property for vegetation management activities, subject to the following conditions:

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

- i. *The authority to shut off power is limited to situations where there is a breach of the minimum vegetation clearances for power lines required by General Order (GO) 95, Rule 35, Table 1, Cases 13 and 14.*
- ii. *The authority to shut off power to customers who obstruct vegetation management activities does not extend to customers that are state and local governments and agencies.*
- iii. *The authority to shut off power is limited to one meter serving the property owner's primary residence, or if the property owner is a business entity, the entity's primary place of business. This one meter is in addition to shutting off power, if necessary for public safety, at the location of the vegetation-related fire hazard.*
- iv. *Prior to shutting off power, the electric utility shall follow the then-current procedures and notice requirements applicable to discontinuance of service for non-payment, including the requirements applicable for sensitive customers, customers who are not proficient in English, multifamily accommodations, and other customer groups, except as set forth in Item v below. To the extent practical, the applicable procedures and notice requirements shall be completed prior to a breach of the minimum vegetation clearances required by GO 95, Rule 35, Table 1, Cases 13 and 14.*
- v. *For vegetation hazards that pose an immediate threat to public safety, the electric utility may shut off power to the obstructing property owner's residence or primary place of business at any time without prior notice, except when the customer receives service under a medical baseline allowance. If power is shut off without prior notice, the electric utility shall attempt to contact the property owner for five consecutive business days by daily visits to the property owner's residence or primary place of business, in addition to sending a written notice, to inform the property owner why power has been shut off and how to restore service. If a utility determines that it is necessary to shut off power to a medical baseline customer, the utility shall attempt to notify the customer by telephone prior to the shut off.*

Proposed Tariff Changes

CalPeco proposes revisions to Rule 11 and Rule 16 consistent with language provided by the Commission in D.12-01-032, as shown in Attachment 1.

Tier Designation and Effective Date

In accordance with D.12-01-032, Ordering Paragraph No. 7, CalPeco designates this advice letter as a Tier 3, effective after Commission approval.

Protests

Anyone wishing to protest this filing may do so by letter sent via U.S. mail, by facsimile or by email, any of which must be received no later than **April 4, 2012**, which is 20 days after the date of this filing. The protest shall set forth the grounds upon which it is based and shall be submitted expeditiously. There is no restriction on who may file a protest. Protests should be mailed to:

CPUC Energy Division
Attention: Tariff Unit, 4th Floor
505 Van Ness Avenue
San Francisco, CA 94102
Facsimile: (415) 703-2200
Email: jnj@cpuc.ca.gov and mas@cpuc.ca.gov

The protest also should be sent via email and U.S. Mail (and by facsimile, if possible) to CalPeco at the addresses shown below on the same date it is mailed or delivered to the Commission.

California Pacific Electric Company, LLC
Attn.: Advice Letter Protests
933 Eloise Avenue
South Lake Tahoe, CA 96150
Fax: 905-465-4514
Email: peter.eichler@liberty-energy.com

With a copy to:
Steven F. Greenwald
Vidhya Prabhakaran
Davis Wright Tremaine LLP
505 Montgomery Street, Suite 800
San Francisco, CA 94111
Fax: 415-276-6599
Email: stevegreenwald@dwt.com
Email: vidhyaprabhakaran@dwt.com

Notice

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 Mike Long, Director of Finance, Manager of Regulatory Affairs, mike.long@liberty-energy.com.

Please contact me at your convenience if you have any questions.

Sincerely,

/s/

Mike Long
Director of Finance, Manager of Regulatory Affairs

cc: CalPeco Advice Letter Service List

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

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

A.08-08-004 Service List

chilen@sppc.com
ljt@cpuc.ca.gov
jeffreygray@dwt.com
gbinge@ktminc.com
emello@sppc.com
epoole@adplaw.com
joshdavidson@dwt.com
cem@newsdata.com
rmccann@umich.edu
sheila@wma.org
abb@eslawfirm.com
cbk@eslawfirm.com
bhodgeusa@yahoo.com
dlf@cpuc.ca.gov
mmg@cpuc.ca.gov
md2@cpuc.ca.gov
tlg@cpuc.ca.gov

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

chilen@nvenergy.com
kjl@cpuc.ca.gov
stevegreenwald@dwt.com
phanschen@mofo.com
liddell@energyattorney.com
tciardella@nvenergy.com
judypau@dwt.com
jheckler@levincap.com
vidhyaprabhakaran@dwt.com
dwtpucdockets@dwt.com
cem@newsdata.com
dietrichlaw2@earthlink.net
abb@eslawfirm.com
glw@eslawfirm.com
clerk-recorder@sierracounty.ws
brianmorris@countyofplumas.com
plumascoco@gmail.com
marshall@psln.com
stephenhollabaugh@tdpud.org
gross@portersimon.com
Stephen.Aftanas@Emera.com
Ian.Robertson@algonquinpower.com
dlf@cpuc.ca.gov
jrw@cpuc.ca.gov
xjv@cpuc.ca.gov
mmg@cpuc.ca.gov

Mark Pocta
Division of Ratepayer Advocates
505 Van Ness Avenue
San Francisco, CA 94102

rmp@cpuc.ca.gov

Joe Como
Division of Ratepayer Advocates
505 Van Ness Avenue
San Francisco, CA 94102

joc@cpuc.ca.gov

Tamera Godfrey
Division of Ratepayer Advocates
505 Van Ness Avenue
San Francisco, CA 94102

tlg@cpuc.ca.gov

Dao Phan
Division of Ratepayer Advocates
505 Van Ness Avenue
San Francisco, CA 94102

dao@cpuc.ca.gov

Office of the General Counsel
Sierra Pacific Power Company
c/o NV Energy
6226 West Sahara Avenue
Las Vegas, NV 89146

Pacific Gas and Electric Company
77 Beale Street
San Francisco, CA 94106

PGETariffs@pge.com

Manager of Regulatory Affairs
San Diego Gas & Electric Company
P.O. Box 1831 - Room 10-A
San Diego, CA 92112

SDG&ETariffs@semprautilities.com
Director of Regulatory Affairs
Southwest Gas Corporation
P.O. Box 98510
Las Vegas, NV 89193-8510

Plumas Sierra Rural Electric
73233 State Route 70
Portola, CA 96122-7069

Southern California Edison Company
P.O. Box 800
Rosemead, CA 91770

AdviceTariffManager@sce.com

Truckee-Donner Public Utility District
P.O. Box 308
Truckee, CA 95734

Executive Director
California Energy Commission
1516 Ninth Street, MS-39
Sacramento, CA 95814

Honesto Gatchalian
California Public Utilities Commission
Energy Division, 4th Floor
505 Van Ness Avenue
San Francisco, CA 94102-3298

jnj@cpuc.ca.gov

Maria Salinas
California Public Utilities Commission
Energy Division, 4th Floor
505 Van Ness Avenue
San Francisco, CA 94102-3298

mas@cpuc.ca.gov

Edward Randolph, Director
California Public Utilities Commission
Energy Division, 4th Floor
505 Van Ness Avenue
San Francisco, CA 94102-3298

efr@cpuc.ca.gov

Jaclyn Marks
California Public Utilities Commission
Energy Division, 4th Floor
505 Van Ness Avenue
San Francisco, CA 94102-3298

jm3@cpuc.ca.gov

Adam C. Schultz, J.D.
Renewable Energy Policy & Procurement
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

Adam.Schultz@cpuc.ca.gov

ATTACHMENT 1

Rule No. 11

TERMINATION, RESTORATION AND REFUSAL OF SERVICE

(Continued)

L. Vegetation Management

(N)

CalPeco may disconnect service to customers who do not allow access to their property for vegetation management activities, subject to the following conditions:

1. The authority to disconnect service to a customer is limited to situations where there is a breach of the minimum vegetation clearances required for power lines in General Order (GO) 95, Rule 35, Table 1, Case 13; or when the company has knowledge obtained through normal operating practices that there is an occurrence of dead, rotten, or diseased trees or dead, rotten, or diseased portions of trees that overhang or lean toward and may fall into a span of supply lines; or under the provisions in effect at the time the breach is discovered.
2. The authority to disconnect service to a customer is limited to one meter serving the customer's primary residence, or if the customer is a business entity, the customer's primary place of business. This one meter is in addition to disconnecting service, if necessary for public safety, at the location of the vegetation-related fire hazard.
3. Prior to disconnecting service, CalPeco shall follow the then current procedures and notice requirements applicable to discontinuance of service for non-payment, including the requirements applicable for sensitive customers, customers who are not proficient in English, multifamily accommodations, and other customer groups, except as set forth in section 4 below. To the extent practical, the applicable procedures and notice requirements shall be completed prior to a breach of the minimum vegetation clearances required by GO 95, Rule 35, Table 1, Cases 13.
4. For vegetation hazards that pose an immediate threat to public safety, CalPeco may disconnect service to the obstructing customer's residence or primary place of business at any time without prior notice, except when the customer receives service under a medical baseline allowance. If service is disconnected without prior notice, CalPeco shall attempt to contact the customer for five consecutive business days by daily visits to the customer's residence or primary place of business, in addition to sending a written notice, to inform the customer why service has been disconnected and how to restore service. If CalPeco determines that it is necessary to disconnect service to a medical baseline customer, CalPeco shall attempt to notify the customer by telephone prior to the service disconnection.

(N)

Advice Letter No. 15-E

Issued by
Michael R. Smart

Date Filed March 15, 2012

Decision No. 12-01-032

Name
President
Title

Effective _____

Resolution No. _____

Rule No. 16

SERVICE EXTENSIONS

(Continued)

A. GENERAL (Continued)

8. CONTRACTS. Each Applicant requesting service may be required to execute a written contract(s) prior to Utility performing its work to establish service. Such contract(s) shall be in the form on file with the California Public Utilities Commission (Commission).

9. DISTRIBUTION LINE EXTENSIONS. Whenever Utility's distribution system is not complete to the point designated by Utility where the Service Lateral is to be connected to Utility's distribution system, the extension of Distribution Line facilities will be installed in accordance with Rule 15, Distribution Line Extensions.

10. RIGHTS-OF-WAY. Rights-of-way or easements maybe required by Utility to install Service Facilities on Applicant's property to serve only Applicant.

a. SERVICE FACILITIES. If the Service Facilities must cross property owned by a third party to serve Applicant, Utility may, at its option, install such Service Facilities after appropriate rights-of-way or easements, satisfactory to Utility, are obtained without cost to Utility; or

b. LINE EXTENSIONS. If Utility's facilities installed on Applicant's property, or third-party property, will be or are designed to serve adjacent property, then Utility may, at its option, install its facilities under Rule 15, after appropriate rights-of-way or easements, satisfactory to Utility, are obtained without cost to Utility.

c. CLEARANCES. Any necessary rights-of-way or easements for Utility's facilities shall have provisions to maintain legal clearances from adjacent structures.

11. ACCESS TO APPLICANT'S PREMISES. Utility shall at all times have the right to enter and leave Applicant's Premises for any purpose connected with the furnishing of electric service (meter reading, inspection, testing, routine repairs, replacement, maintenance, emergency work, vegetation management, etc.) and the exercise of any and all rights secured to it by law, or under Utility's tariff schedules. These rights include, but are not limited to,

(N)
(N)

a. The use of a utility-approved locking device, if Applicant desires to prevent unauthorized access to Utility's facilities;

(Continued)