

ELECTRIC RULE 23

MOBILEHOME PARK CONVERSION PROGRAM

A. PURPOSE: Pursuant to the California Public Utility Commission’s (CPUC or Commission) Decision (D.)20-04-004, Liberty Utilities is offering the Mobilehome Park Conversion Program (“MHP Program”) as a voluntary ten-year program to convert eligible master-metered electric service to direct service for Mobilehome Parks or Manufactured Housing Communities (MHP) spaces within Liberty Utilities’ service territory. Based on D.20-04-004, the MHP Program will conclude the earlier date of December 31, 2030, 100 percent of the MHPs volunteering for the program are converted, or the issuance of a Commission Decision for the continuation, expansion or modification of the program. Subject to the requirements set forth in this Rule and the program extension limitations set forth in D.20-04-004, all eligible master-metered and submetered spaces (including both “To-the-Meter” and “Beyond-the-Meter”), and eligible common use services within the entire MHP will be converted from master-metered electric distribution service to direct Liberty Utilities distribution and service (Distribution System).

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B. APPLICABILITY: The MHP Program is available to all eligible MHPs within Liberty Utilities’ service territory as defined in Section C. Within the eligible MHPs the only eligible Mobilehome spaces are those permitted by the California Department of Housing and Community Development or its designated agency. Recreational vehicle parks and spaces are not eligible for the MHP Program.

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C. PROGRAM ELIGIBILITY

1. MHPs must meet all of the following criteria to be eligible for the MHP Program. Program eligibility does not guarantee acceptance into the program, nor does it guarantee conversion to direct service from Liberty Utilities.

a. Receive electricity through a single master-meter, own and operate the distribution system with at least a natural gas or electric associated submeters, and furnish electricity to residents. In cases where only one service is submetered, the submetered service must be served by an Investor Owned Utility participating in the MHP Program.

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b. Take electric service under one of the following rate schedules:

- Electric Schedule D-1
- Electric Schedule DM-1

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C. PROGRAM ELIGIBILITY (Continued)

- c. Operate under a current and valid license from the governmental entity with relevant authority. (L)
- d. If operated on leased real property, the land lease agreement must continue for a minimum of 20 years from the time that the MHP Agreement is executed by Liberty Utilities. (T)
- e. Not be subject to an enforceable condemnation order and/or to a pending condemnation proceeding. (T)

2. MHP Owner/Operators who elect to participate in the MHP Program must comply with all general rules, rights and obligations as set forth in this Rule. In addition, MHP Program participants must complete and/or execute the following documents:

- The CPUC’s “Application for Conversion of Master-Meter Service at Mobilehome Park or Manufactured Housing Community to Direct Service from Electric or Gas Corporation” [“CPUC’s Form of Intent”]; and
- The “Mobilehome Park Conversion Program Application” [“Utilities’ MHP Application”] (Form 14-0700); and
- The “Mobilehome Park Conversion Program Agreement” [“MHP Agreement”] (Form 14-0710).

D. MHP PROGRAM COMPONENTS

1. CPUC’s Form of Intent

CPUC’s Form of Intent will be accepted January 1, 2021, through March 31, 2021 (90-day period). The MHP Owner/Operator must complete and submit the CPUC’s Form of Intent concurrently to both the Safety Enforcement Division (SED) of the CPUC and Liberty Utilities. CPUC’s Form of Intent received after the 90-day period will be placed on a waiting list. (T)

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D. MHP PROGRAM COMPONENTS (Continued)

1. CPUC's Form of Intent (Continued)

a. Prioritization of CPUC's Form of Intent

- 1) CPUC's Form of Intent will be reviewed and prioritized as follows: (1) SED will prioritize MHPs that are gas only or dual system (gas and electric service), and (2) the California Department of Housing and Community Development (HCD) will prioritize MHPs that are electric only. Liberty Utilities will consult and coordinate with SED, HCD, or its local agency designee. MHPs whose Initial Applications are accepted and prioritized by SED and HCD will be considered pre-qualified. (L) (T) (T)
- 2) Liberty Utilities will receive a list of pre-qualified MHP Initial Applications from SED and HCD. Liberty Utilities will then contact the MHPs with the highest priority to participate in the MHP program until the program goal is achieved. Liberty Utilities will undertake its best efforts to communicate and coordinate with other utilities, municipal entities, and/or water and telecommunications providers to maximize efficiencies where possible. (L)
- 3) If a new MHP that is not currently on Liberty Utilities' list of MHPs is accepted into another participating utility's MHP Program, Liberty Utilities will allow this MHP to move to the next stage of Liberty Utilities' MHP Program, so long as Liberty Utilities' MHP Program is still substantially underway. (N) (N)

2. Utilities' MHP Application

- a. After an MHP has been preliminarily contacted by Liberty Utilities to participate in the MHP Program, the MHP Owner/Operator will be provided with the Utilities' MHP Application. The Utilities' MHP Application requests additional information that the MHP Owner/Operator must provide to enable Liberty Utilities to commence the engineering and planning process for the new MHP distribution system.
- b. Upon receipt of a completed Utilities' MHP Application and necessary documentation from the MHP Owner/Operator, Liberty Utilities will commence engineering and planning a new MHP distribution system.

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3. MHP Agreement

- a. After Liberty Utilities has engineered and planned the new MHP distribution system and Liberty Utilities has received the name of the MHP’s Contractor and the cost for the “Beyond-the-Meter” work, Liberty Utilities will prepare the MHP Agreement for signature.
- b. The conversion project will commence upon 1) the satisfactory resolution of any environmental, endangered species and/or cultural issues, 2) procurement of all required permits, and 3) payment for any applicable re-arrangements/relocation of facilities or addition of new electric facilities, 4) the execution of the MHP Agreement.

4. Construction

- a. Liberty Utilities will perform or select a qualified, licensed contractor to perform all necessary “To-the-Meter” construction, and/or electric work as set forth in this Rule, and the MHP Agreement.
- b. The MHP Owner/Operator selected Contractor will perform all necessary “Beyond-the-Meter” construction and/or electrical work as set forth in this Rule, and the MHP Agreement.

5. Cutover of Service

- a. Cutover to direct service from Liberty Utilities will occur only after the inspection and approval of the “Beyond-the-Meter” facilities by the appropriate jurisdictional authorities.
- b. The MHP Owner/Operator’s MHP master-meter submetered discount will cease as described in the MHP Owner/Operator Responsibilities section of the MHP Agreement.
- c. MHP residents (tenants or owners of the Mobilehome) will become customers of Liberty Utilities and served in accordance with all applicable rates, rules and conditions set forth in Liberty Utilities’ existing Tariffs, except as otherwise noted in this Rule.

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6. Ownership of Facilities After Conversion

- a. Upon cutover to direct service, Liberty Utilities will own, operate, and maintain all of the "To-the-Meter" electric distribution and service systems within the MHP in accordance with all applicable rates, rules and conditions set forth in Liberty Utilities existing Tariffs.
- b. The MHP Owner/Operator or MH Owner shall own, operate and maintain all "Beyond-the-Meter" facilities in accordance with State and local jurisdictional codes and ordinances.
- c. Liberty Utilities shall have no liability for the MHP submetered system (referred to as legacy systems), or the "Beyond-the-Meter" infrastructure installed during conversion. The MHP Owner/Operator will hold harmless, defend and indemnify the Utility from all causes of action or claims arising from or related to these systems.

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7. Safety

The MHP Owner/Operator and its Contractor participating in the MHP Program recognize and agree that safety is of paramount importance in the performance of the MHP Program and are solely responsible for performing the "Beyond-the-Meter" work in a safe manner and in accordance with the National Electric Code, Universal Plumbing Code and the Safety Section of the MHP Agreement.

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8. Reimbursement to MHP Owner/Operator

Liberty Utilities will reimburse the MHP Owner/Operator for reasonable and prudently incurred expenses for "Beyond-the-Meter" construction covered by the MHP Program. These expenditures shall not include costs relating to any modification or retrofit of the Mobilehome, costs associated with "Beyond-the-Meter" cost to serve common areas, service relocations, rearrangements, upgrades, or other service modification(s) by the MHP Owner/Operator and/or by the MHP residents beyond what is being provided by the MHP Program. The amount eligible for reimbursement will be stated in the MHP Agreement.

9. Payment to Liberty Utilities

If applicable, any costs associated with service relocations, rearrangements and upgrades that are not covered by the MHP Program or in excess of what the MHP Program requires must be paid in full to Liberty Utilities prior to or included with the submittal of the MHP Agreement in order for the construction phase to begin.

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E. INTERACTION WITH OTHER TARIFFS

1. MHP Residents

Upon conversion, MHP residents will be subject to Liberty Utilities' effective Tariffs, which can be found at: www.libertyutilities.com/west/customer_support/tariffs_with_the_following_exceptions:

- 1) Service Connection Charge – Existing MHP residents who become customers of Liberty Utilities through the MHP Program will be deemed “grandfathered” into their Liberty Utilities service account, whereby MHP residents, on a one-time basis, will be charged fees associated with service connection. This will be a one-time exception to the Service Connection Charge. (T)
- 2) CARE/FERA Program – Existing MHP residents who participate in the California Alternate Rates for Energy (CARE) and/or Family Electric Rate Assistance (FERA) programs through the MHP master-meter/submeter distribution system and become customers of Liberty Utilities through the MHP Program will be deemed “grandfathered” (L) into the respective program without having to recertify or reapply as long as the name of the customer for the new service account matches that of the name of the participant in the CARE/FERA program. This will be a one-time exception to the respective CARE/FERA Rules at the time of the service conversion. (T)
- 3) Medical Baseline Allowance – Existing MHP residents who receive a medical baseline allowances through the MHP master-meter/submeter distribution system and become customers of Liberty Utilities through the MHP Program will be deemed “grandfathered” and will continue to receive the same medical baseline allowances without having to recertify or reapply as long as the participant who is receiving the medical baseline allowance still resides at the residence. This will be a one-time exception to the Medical Baseline Rules at the time of the service conversion. (T)

2. MHP Owner/Operator(s)

Utility service provided by Liberty Utilities to the MHP Owner/Operator(s) is subject to Liberty Utilities' effective Tariffs, which can be found at www.libertyutilities.com/west/customer_support/rates_with_the_following_exceptions:

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2. MHP Owner/Operator(s) (Continued)

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- a. Electric Rules 15 – Distribution Extension: Because Liberty Utilities will design and install the new Distribution Line/Main Extension, at no cost to the MHP Owner/Operator, sections in Electric Rules 15 that cover applicant responsibilities or options are not applicable to MHP Owner/Operator while participating in the MHP Program. This may include, but is not limited to applicants': responsibilities; allowances; contributions or advances; refunds; and design and installation options.
- b. Electric Rules 16 – Service Extension: Because Liberty Utilities will design and install the new Service Extension, at no cost to the MHP Owner/Operator, sections in Electric Rules 16 that cover applicant responsibilities or options are not applicable to MHP Owner/Operators while participating in the MHP Program. This may include, but is not limited to applicants': installation options, allowances and payment.

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Because space for metering equipment and its associated working space are very limited in MHPs, the requirements of the Meter Location provision of Electric Rule 16 may be waived by the utility during MHP Program participation. Under the MHP Program, all meters and associated metering equipment shall be located at a protected location on Applicant's Premises as designated and approved by Liberty Utilities.

F. DEFINITIONS and ACRONYMS

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Certain specific terms used in this Rule are defined below. Additional definitions for more widely used terms in Liberty Utilities' tariffs are also found in Electric Rule 1

- 1. MHP AGREEMENT – The Mobilehome Park Conversion Agreement (Form 12-0710).

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F. DEFINITIONS and ACRONYMS (Continued)

- 2. BEYOND-THE METER (Electric) – Electric “Beyond-the-Meter” facilities include the electric equipment to establish the Service Delivery Point as identified in the “Required Service Equipment” of Electric Rule 16, along with additional conductors, infrastructure and substructures necessary to complete the extension of facilities from the Service Delivery Point (e.g. Electric Metering Facility to the point of connection (e.g. power supply cord or hard wire feeder assembly) for the mobile home. The Utility will not be responsible for any part of the “point of connection” as noted above, including labor, or any work that would require an alteration permit. Beyond-the-Meter facilities are solely the responsibility of the MHP Owner/Operator or the mobilehome owner (MH Owner). The power supply cord or hard wire feeder assembly will continue to be part of the mobilehome and be the responsibility of the mobilehome owner.
- 3. COMMON USE AREA – Designated building(s), areas, or facilities within an MHP that is (are) intended to be used by all the park residents or the MHP Owner/Operator. Energy costs for servicing the common area are paid for by the MHP Owner/Operator.
- 4. CPUC’s FORM OF INTENT – The CPUC’s Application for Conversion of Master-Meter Service at Mobilehome Park or Manufactured Housing Community to Direct Service from Electric or Gas Corporation (Appendix C of Decision14-03-021).
- 5. HCD - California Department of Housing and Community Development –HCD administers and enforces uniform statewide standards which assure owners, residents and users of mobilehome parks protection from risks to their health and safety.
- 6. MANUFACTURED HOUSING COMMUNITY – Any area or tract of land where two or more manufactured home lots are rented or leased, held out for rent or lease, or were formerly held out for rent or lease and later converted to a subdivision, cooperative, condominium, or other form of resident ownership, only to accommodate the use of manufactured homes constructed pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974.
- 7. MOBILEHOME – See Rule 1.
- 8. MOBILEHOME PARK – See Rule 1.

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F. DEFINITIONS and ACRONYMS (Continued)

- 9. MOBILEHOME SPACE (MH-Space) – Designated area within a Mobilehome Park that is owned, rented, or held out for rent, to accommodate a mobilehome used for human habitation.
- 10. MOBILEHOME PARK OWNER/OPERATOR (MHP Owner/Operator) – The party that has legal obligation for the MHP.
- 11. MHP RESIDENT – A person who has tenancy in a mobilehome park under a rental agreement or who lawfully occupies a mobilehome.
- 12. SED – California Public Utilities Commission’s Consumer Safety and Enforcement Division: The SED has safety oversight of electric and communications facilities, natural gas and propane gas systems, railroads, light rail transit systems, and highway/rail crossings, licensing, consumer protection, and safety oversight of motor carriers of passengers, household goods, and water vessels, and regulatory oversight of hot air balloons and some air carriers.
- 13. SERVICE DELIVERY POINT (Electric) – Where Liberty Utilities’ Service Facilities are connected to either Applicant’s conductors or other service termination facility designated and approved by Liberty Utilities.
- 14. LIBERTY UTILITIES TO-THE-METER (Electric) – Electric “To-the-Meter” facilities include all electrical facilities (e.g. cable, connectors, poles, transformers, switches, and meters) including the conduit and substructures necessary to complete the electrical distribution line and service extensions to the Service Delivery Point, and will be owned, maintained and operated by Liberty Utilities.
- 15. UTILITIES’ MHP APPLICATION – The Joint Utilities Mobilehome Park Conversion Application (Form 12-0700).

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