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AB-50 Public utilities: timely service: customer energization. (2023-2024)

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Assembly Bill No. 50

CHAPTER 317

An act to add Section 933.5 to the Public Utilities Code, relating to public utilities.

[Approved by Governor October 07, 2023. Filed with Secretary of State October 07, 2023.]

LEGISLATIVE COUNSEL'S DIGEST

AB 50, Wood. Public utilities: timely service: customer energization.

Existing law authorizes the Public Utilities Commission to fix the rates and charges for every public utility, and requires that those rates and charges be just and reasonable. Existing law requires the commission to enforce rules governing the extension of service by electrical corporations.

This bill would require the commission to determine the criteria for timely service for electric customers to be energized, including, among other things, categories of timely electric service through energization, as specified. The bill would require each electrical corporation that energized less than 35% of customers with completed applications exceeding 12 months in duration by January 31, 2023, to submit a report to the commission, as specified, on or before December 1, 2024, demonstrating that the electrical corporation has energized 80% of customers with applications deemed complete as of January 31, 2023, as specified. To improve the accuracy of projected demand and facilitate achievement of the goal of timely electric service through energization, the bill would require each electrical corporation to evaluate and update, as necessary, its existing distribution planning processes. In order to inform the commission's determination of criteria for timely service, the bill would require the commission to annually collect certain information from each electrical corporation until new reporting requirements are established.

Under the Public Utilities Act, a violation of an order, decision, rule, direction, demand, or requirements of the commission is a crime.

Because the above-described provisions would be a part of the act, a violation of which would be a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 933.5 is added to the Public Utilities Code, immediately following Section 933, to read:

933.5. (a) The commission shall determine the criteria for timely service for electric customers to be energized. The criteria shall include, but are not limited to, all of the following:

(1) Categories of timely electric service through energization, including, but not limited to, both of the following:

(A) The timely start of service, and timely fulfillment of requests, for energization, including new service connections and increased load from existing service connections after a customer has submitted a request for new or increased electrical load.

(B) Project types that justify unique or extended energization timelines. These may include, but are not limited to, projects requiring substantial upstream capacity upgrades or substation upgrades, unanticipated engineering or construction work, or projects requiring energization of significant, unanticipated new load.

(2) (A) Establishing annual reporting requirements, while leveraging existing reporting requirements for interconnections of generation and storage wherever possible, for the electrical corporations to report customer energization projects in order to evaluate the electrical corporations fulfillment of timely electric service.

(B) At a minimum, the reporting requirements shall include all of the following:

(i) The average, median, and standard deviation time between receiving an application for energizing the electrical service.

(ii) Explanations for energization time periods that exceed the target maximum for energization projects.

(iii) Constraints and obstacles to each type of energization, including funding limitations, qualified staffing availability, or equipment availability.

(iv) Any other information required by the commission.

(3) Annually convening a public workshop for the electrical corporations to discuss their reports with interested parties and experts in customer energization, including representatives from local governments, and to examine existing workflows and potential improvements to planning, timelines, processes, and customer communication and education, and criteria for determining timely service of energization requests. The workshops shall inform the commission in its determination of the criteria for timely service of energization for electric customers, and any subsequent revisions to established criteria.

(b) (1) In order to demonstrate improvement in energization performance and the resolution of backlogs of customers waiting for electricity, each electrical corporation that energized less than 35 percent of customers with completed applications exceeding 12 months in duration by January 31, 2023, shall submit a report to the commission, on or before December 1, 2024, demonstrating that the electrical corporation has energized 80 percent of customers with applications deemed complete as of January 31, 2023, excluding applications withdrawn, canceled, or with customer-requested energization dates beyond December 1, 2024. The commission may conduct an analysis of current energization status and adjust these thresholds and deadlines.

(2) If an electrical corporation fails to meet the performance metric in paragraph (1), the electrical corporation shall implement actions necessary to meet the performance metric and include a summary of these actions in the report submitted to the commission.

(3) Reports submitted to the commission pursuant to paragraphs (1) and (2) shall meet all of the following requirements:

(A) Be posted online to the commission's and the electrical corporation's internet websites.

(B) Include the number of withdrawn applications and aggregated data on the reasons, if any, given by customers for withdrawal.

(C) Include the number of canceled applications and aggregated data on the reasons for which the electrical corporation, or, if applicable, the customer, canceled the request.

(D) Include the number of projects delayed due to factors outside the electrical corporation's control and aggregated data by factors, including, but not limited to, supply shortages and local permitting delays.

(c) (1) To improve the accuracy of projected demand and facilitate achievement of the goal of timely electric service through energization, each electrical corporation shall evaluate and update, as necessary, its existing distribution planning processes.

(2) To improve the accuracy of projected demand, each electrical corporation shall have annual meetings with interested parties and experts in customer energization, including representatives from local governments and the relevant county staff for each interested county in its service territory, which is presumed to include chief administrative officers, planning directors,

public works directors, chief building officials, and economic development officials, to discuss relevant information, which may include, but is not limited to, customer service, existing capacity, planned capacity upgrades, projected local demand, local development plans, significant delays in customer energization in the county, distribution planning, existing workflows, and potential improvements to planning, timelines, processes, and customer communication and education.

(3) To increase the pace and scale of local projects intended to meet state, regional, and local housing and economic development objectives, each electrical corporation shall share relevant information, which may include, but is not limited to, data available through the integrated capacity analysis tool, upon request with local governments about those areas where existing capacity either exists or could be easily added, and where existing capacity is planned to be added, within the distribution system to meet those objectives. Local government employees authorized to request information include chief administrative officers, planning directors, public works directors, chief building officials, economic development officials, and city managers.

(d) (1) In order to inform the commission's determination of criteria for timely service pursuant to subdivision (a), the commission shall annually collect the following information from each electrical corporation in the form of a report:

(A) The number of submitted requests for energization of new customer connections and upgraded service during the prior year.

(B) The number of completed requests for energization of new customer connections and upgraded service during the prior year.

(C) The number of pending and uncompleted requests for energization of new customer connections and upgraded service at the end of the prior year.

(D) The number of days between requests for energization of new customer connections or upgraded service and final service delivery.

(E) A summary of recorded spending on energization of customer connections and service upgrades compared to the amounts authorized for these activities for that year in the most recent general rate case.

(F) Any other information requested by the commission to evaluate the status of energization of customer connections and service upgrades.

(2) This subdivision shall apply only to energization of customers and does not include interconnection of generation resources to either the distribution or transmission grid.

(3) The reporting requirement in this subdivision shall become inoperative once the commission establishes new reporting requirements for monitoring timely electric service pursuant to paragraph (2) of subdivision (a).

(e) The commission may modify or adjust the requirements of this section for any electrical corporation with fewer than 100,000 service connections, as individual circumstances merit.

(f) This section shall not apply to an electrical cooperative, as defined in Section 2776.

(g) For purposes of this section, "energization" and "energize" mean connecting customers to the electrical distribution grid and establishing adequate electrical distribution capacity or upgrading electrical distribution or transmission capacity to provide electrical service for a new customer, or to provide upgraded electrical service to an existing customer. The determination of adequate electrical distribution capacity includes consideration of future load. "Energization" and "energize" do not include activities related to connecting electrical supply resources.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.