



Future Agenda Item Request Form

Future agenda items should be limited to new issues that emerge during the course of the year that are urgent and cannot wait until the next priority setting session of Council before requiring action.

Name: Wes Speake

Date: 8/10/2023

Title Name/Topic:

Background

1. What is the purpose for the request i.e. what you are trying to achieve or do?

Submit a comment and letter in opposition to linking base rate to income level. Where does this end, all Utilities, fuel and food? Incomes are taxed already this is double taxation. Explore what it means to become a Formal Party and if any other cities are doing so.

2. What is the scope of the work you wish to see done?

In 2022, the State of California passed [Assembly Bill 205](#), which requires the CPUC by July 1, 2024, to authorize a fixed charge for residential electric rates in order to distribute electricity costs in a way that is more equitable. Shortly after this bill was signed into law, the CPUC opened a [proceeding](#) to do this work, called an Order Instituting Rulemaking to Advance Demand Flexibility Through Electric Rates. This proceeding, among other things, considers how the CPUC should design and implement fixed charges.

A fixed charge is being established to better reflect the cost of each customer being connected to the electric grid. Currently, costs of being connected to the electric grid are worked into the per kilowatt-hour price for electricity that customers pay. When a fixed charge is established, it is expected that the per kilowatt-hour cost will decrease. As such, a fixed charge may or may not affect your future bill.

Comments submitted by utility companies or any other stakeholder participating in the CPUC's proceeding, such as proposed fixed charges based on income level, are only proposals at this time. The CPUC Administrative Law Judge overseeing the proceeding is expected to release a Proposed Decision in the first quarter of 2024. The Proposed Decision would be issued for at least 30 days for public comment before a vote of the CPUC's Commissioners to approve or reject.

Comments made by parties to this Rulemaking are available for review under the Documents tab on the CPUC [Docket Card](#). You can make your voice heard in this proceeding and read the comments of others by clicking on the Public Comments tab.

If you would like to receive free email copies of documents related to this proceeding, please sign-up using your email address and the proceeding number R2207005 on our [Subscription Service](#) webpage.

Additional information on this issue is available on the CPUC's Demand Flexibility [webpage](#).

I've attached a flyer on how you can become a formal party to the proceeding if you wish to do so

3. Does this request align with the City's Strategic Plan? How?

4. What is the desired timeline to have the issue considered by Council?

Before Spring 2024

5. Is the issue urgent requiring action before the next priority setting session of Council (Spring Workshop)?

Please see timeline above. This question is redundant to #4?

Staff Section (To be completed by staff)

Approximate Staff Time Required: _____ Hours

Approximate Cost: \$ _____


How to Participate in CPUC Proceedings




Where Can I Follow and Find More Information About CPUC Proceedings?

- Use the CPUC's Subscription Service to follow proceedings: www.cpuc.ca.gov/subscription
- Contact the Public Advisor's Office if you have questions:

 **EMAIL:**
public.advisor@cpuc.ca.gov

 **CALL:**
866-849-8390
or 415-703-2074
TTY 866-836-7825

 **WRITE:**
CPUC Public Advisor's Office
505 Van Ness Ave.
San Francisco, CA 94102

What is a CPUC Proceeding?

A proceeding of the California Public Utilities Commission (CPUC) is a legal process that forms the basis of our decisions, such as approving or denying rate increases, or introducing new safety rules. Proceedings fall into one of three categories:



RATE-SETTING PROCEEDINGS

set or investigate rates that utilities charge customers.



QUASI-LEGISLATIVE PROCEEDINGS

establish policies or rules affecting regulated entities.



ADJUDICATORY PROCEEDINGS

investigate possible violations of state law or CPUC orders or rules.

During proceedings, the CPUC often needs to gather information to help make the best decision possible. To do so, the CPUC may hold a variety of hearings and meetings, including:

- **Evidentiary Hearings**, to take evidence through oral presentation and cross-examination.
- **Public Forums (also called Public Participation Hearings)**, for the general public to provide input and perspective on the proceeding.
- **Full Panel Hearings or En Banc Hearings**, for a majority of the five CPUC Commissioners to hear and discuss issues.
- **Workshops**, where the technical issues of a proceeding are analyzed and discussed.

All these events are open to the public to observe. The CPUC provides remote access options to many of its events, including webcasts and live streams, to allow those that cannot attend in person an opportunity to participate.



What is the Process for a Typical Proceeding from Start to Finish?

- 1** A utility's application to, for example, change the rates its customer pays, is filed with the CPUC and appears in the CPUC's Daily Calendar (www.cpuc.ca.gov/DailyCalendar). Interested parties usually have 30 days to formally protest the application.
- 2** The application is categorized (e.g., Rate-setting, Quasi-Legislative, Adjudicatory), and a CPUC Commissioner and Administrative Law Judge are assigned to lead the proceeding.
- 3** If needed, a Pre-hearing Conference (PHC) is scheduled 45 to 60 days from the start of the proceeding.
- 4** At or after the PHC, a Scoping Memo is issued that outlines the schedule and the issues to be addressed in the proceeding.
- 5** What follows next is either a process of written comments and responses, or an Evidentiary Hearing process, which includes testimony, briefs, and comments by entities that become formal "parties" to the proceeding.
- 6** The assigned Administrative Law Judge writes a Proposed Decision as a result of either process.
- 7** The public has 30 days to review and comment on the Proposed Decision. Comments may be submitted on the proceeding's Docket Card (www.cpuc.ca.gov/DocketCard).
- 8** The CPUC's Commissioners vote on the Proposed Decision at a public Voting Meeting (www.cpuc.ca.gov/Commission_Meeting).
- 9** An Alternate Proposed Decision can be filed by a Commissioner prior to the vote. In that case, the CPUC's Commissioners consider the Proposed Decision and the Alternate Proposed Decision at the Voting Meeting.
- 10** The adopted decision is implemented.



How Can I Participate in CPUC Proceedings?

- Submit comments on the proceeding's Docket Card (www.cpuc.ca.gov/DocketCard) or email public.advisor@cpuc.ca.gov.
- Attend and speak at CPUC meetings where there are opportunities to make public comment.
- Request to become a formal party in a proceeding. The Administrative Law Judge assigned to the proceeding will determine whether to grant you party status. All parties have rights, responsibilities, and obligations including providing testimony and cross-examining witnesses.
- Anyone who would like to participate in a CPUC proceeding must follow the CPUC's Rules of Practice and Procedure (www.cpuc.ca.gov/Party_to_a_Proceeding/).

