

PUBLIC UTILITIES COMMISSION

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April 30, 2010

Advice Letter 4086-A

Ronald van der Leeden, Director
Rates, Revenues and Tariffs
555 W. Fifth Street, GT14D6
Los Angeles, CA 90013-1011

**Subject: Supplement – Request to Create New Program to Leverage Federal
Stimulus Money from Temporary Assistance for Needy Families
Emergency Fund for Utility Bill Assistance**

Dear Mr. van der Leeden:

Advice Letter 4086-A is effective April 22, 2010 per Resolution G-3446.

Sincerely,

A handwritten signature in blue ink that reads "Julie A. Fitch".

Julie A. Fitch, Director
Energy Division



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March 15, 2010

Advice No. 4086-A
(U 904-G)

Public Utilities Commission of the State of California

Subject: Supplement - Request to Create New Program to Leverage Federal Stimulus Money from Temporary Assistance for Needy Families Emergency Fund for Utility Bill Assistance

In compliance with the direction given by the California Public Utilities Commission (Commission) in Ordering Paragraph (OP) 13 of its February 4, 2010 Order Instituting Rulemaking (R.) 10-02-005 on Electric and Natural Gas Service Disconnections (Order), Southern California Gas Company (SoCalGas) hereby submits this Tier 3 advice letter filing with its proposal to increase critical payment assistance to its eligible low-income customers, by taking advantage of the American Recovery and Reinvestment Act (ARRA) Temporary Assistance to Needy Families Emergency Contingency Fund (TANF Emergency Fund).¹

Purpose

The purpose of this filing is to request Commission approval to record and recover up to \$2 million in one-time funding and incremental program expense² for a "Utility TANF Leveraging" program.³ This new program, to be funded through the California Alternate Rates for Energy Balancing Account (CAREA), will provide eligible low-income customers who have experienced an uncontrollable or unforeseen hardship the opportunity to receive a one-time emergency energy credit on their utility bill, through the access to the TANF Emergency Fund. The size of the energy credit amount is based upon a number of criteria, but its availability depends upon accompanying TANF Emergency funding. Working in cooperation with a third party administrator and existing county agencies, CAREA funds will be leveraged to the extent

¹ In drafting this proposal, SoCalGas attempted to pattern its program, as much as practicably possible, after Pacific Gas and Electric Company's (PG&E) proposed Community Help (REACH) Program—an almost identical program also designed to leverage TANF monies to assist low-income customers. Even so, SoCalGas made necessary modifications to account for the current status of the availability of TANF funds in SoCalGas' service territory. Although the means employed by the two utilities may slightly differ, the end results will be the same—more immediate financial assistance to needy customers.

² R.10-02-005 at pp. 10-11. "We also expect that IOUs will keep administrative costs to a minimum in order to provide the greatest benefit to needy utility customers." SoCalGas estimates that program expenses will be within the range of 15-20%.

³ SoCalGas has discussed this advice letter with the Energy Division and DRA and will continue to consult with them during the Commission Resolution process.

possible with the TANF Emergency Fund Program, which allows for a four-to-one match to provide eligible low-income families assistance with their utility bills. Additionally, SoCalGas requests approval to record activities associated with implementing the TANF Leveraging Program in SoCalGas' existing CARE balancing account via a new subaccount.

This supplement is the result of discussions with the Commission's Energy Division and Division of Ratepayer Advocates and is intended to further clarify the purpose of the new TANF Emergency Fund Program and replaces in its entirety AL 4086 filed on March 8, 2010.

Background

On February 4, 2010, the Commission instituted R.10-02-005 to address the Commission's goal of reducing the number of residential gas and electric utility service disconnections due to nonpayment. As part of that rulemaking, the Order directs the Investor Owned Utilities to file Tier 3 advice letters to take advantage of the Emergency Fund available through the ARRA.

According to a recent California Employment Development Department news release, unemployment in California reached 12.4% in December.⁴ With companies downsizing and families and individuals losing their jobs, many customers are experiencing difficulties paying their gas and electric bills.

The severity of the economic crisis is further evidenced by the magnitude of the federal government's stimulus package developed by Congress. Under the ARRA, up to \$5 billion was appropriated for the TANF Emergency Fund over federal fiscal years 2009 and 2010. This TANF Emergency Fund is in addition to the regular TANF Contingency Fund that needy families in California can access through established agencies during the economic downturn.

Specifically, the TANF Emergency Fund⁵ allows for non-recurring short-term payments for such increased expenditures such as rental assistance to homeless families and utility assistance. Counties have the option to participate to use these funds for utility assistance where there is an opportunity for the 20% match from non-federal dollars. If counties participate and accept the utility guidelines, such as having counties provide upfront cash deposits for the 80% match and paying incremental administrative costs to a program administrator, many of SoCalGas' low-income families would be able to take full advantage of the additional funding that would be available to California under the ARRA.

To aid this effort, SoCalGas requests authority to record and recover up to \$2 million in programmatic contributions toward customer bills plus expanded customer communication and other incremental program expenses from its CAREA to eligible low-income families. These additional ratepayer funds collected through the CAREA will be used as the 20% match needed to obtain the 80% from the TANF Emergency Fund. Any unspent ratepayer funds remaining at the conclusion of the program (currently projected to end on September 30, 2010) will be returned to the ratepayer through the CAREA. SoCalGas estimates the administrative costs of this program to be 15% of the funds with 85% providing the direct benefits. The CARE

⁴California Employment Development Department News Release No.: 10-01, dated January 22, 2010, cited a statewide unemployment rate of 12.4% for December 2009.

⁵ Additional information on the TANF Emergency Fund is available on the Department of Health and Human Services website at: www.hhs.gov/recovery/reports/plans/tanf_emergencyfund.pdf.

balancing subaccount will record the amount of ratepayer funds for payment assistance provided to eligible customers under the new program as well as administrative and marketing costs necessary to implement this new program. SoCalGas will give credit to the ratepayers' funding in all written marketing and promotion materials related to the "Utility TANF Leveraging" program.

SoCalGas is committed to doing everything possible to effectuate the implementation and administration of its proposed program. Nevertheless, because this is, in essence a pilot program, dependent upon the cooperation of local and state agencies, utilities, as well as federal agencies, there may be some initial hurdles to implementation. For example, according to the county and state Department of Public Social Services (DPSS), a baseline expenditure for TANF-qualified families will have to be determined from the lesser of 2007 or 2008 expenditures for utility assistance to these families. This means that in order to access matching federal funds, SoCalGas will have to expend more funds for its Gas Assistance Fund (GAF) program in 2010, than it did in 2008. Since SoCalGas does not track utility assistance from its GAF to TANF-qualified families, this requirement may pose a challenge for counties to obtain reimbursement from the Emergency Fund. However, SoCalGas will work with DPSS to determine guidelines for a "new" program where the baseline requirement will not be necessary.⁶

Consistent with R.10-02-005, SoCalGas has implemented the following interim measures:

- 1) All customer service representatives (CSRs) must inform any customer that owes an arrearage on a utility bill that puts the customer at risk for disconnection that the customer has right to arrange for a bill payment plan extending a minimum of three months in which to repay the arrearage. CSRs may exercise discretion as to extending the three months up to twelve months depending on the particulars of a customer's situation and ability to repay the arrearage. CSRs may work with customers to develop a shorter repayment plan, as long as the customer is informed of the three-month option. Customers must keep current on their utility bills while repaying the arrearage balance.
- 2) Once a customer has established credit as a customer of that utility, the utility must not require that customer to pay additional reestablishment of credit deposits with the utility for either slow-payment/no-payment of bills or following a disconnection.
- 3) Each utility is authorized to file a Tier 1 advice letter to establish a memorandum account to track any significant additional costs associated with complying with the three new practices initiated with this rulemaking, including the operations and maintenance charges associated with implementing the practices as well as any uncollectables that are in excess of those projected in the utility's last general rate case. As part of this proceeding, the Commission will consider the process for determining the categories and amounts of costs in the memorandum account that should be considered reasonable for recovery, as well as the appropriate methods for recovery.⁷

⁶ An example could be that the Utility TANF Leveraging fund will only be made available to TANF-eligible families in need of payment assistance pursuant to eligibility requirements established by the Federal Government in addition to meeting existing guidelines for GAF.

⁷ SoCalGas filed AL 4074 on February 8, 2010 seeking approval to establish a Disconnection Memorandum Account (DMA) to record significant costs of compliance in the DMA, including, but not limited to, operations and maintenance charges related to implementation of new practices and

In accordance with R.10-02-005, SoCalGas would apply these interim measures to any TANF eligible customers seeking funds under the new TANF Leveraging Program as long as they remain in effect. Any such costs incurred in complying with these interim measures will be recorded in SoCalGas' DMA as proposed in AL 4074.⁸

In addition, as of this filing date, several counties have indicated that the State of California has not submitted its program request that federal stimulus funds be used for the non-recurring short-term funds for utility assistance. Notwithstanding, SoCalGas will continue to work with the counties in its service territory to offer this program to interested counties. In fact, in an effort to respond expeditiously to customers' concerns in this recessed economic climate and to leverage available monies through the TANF Emergency Fund, SoCalGas has already been in discussions with representatives from Los Angeles County and Imperial County on a program to provide the 20% non-federal money needed to match with the 80% TANF funds for TANF-eligible families. In addition, SoCalGas has contacted the remaining counties in its service territory to solicit their interest as well.

Because of the issues detailed above and in addition to the fact that time is of the essence,⁹ SoCalGas requests that the Commission permit it some flexibility to determine the best information and funding mechanisms for its program.

Program Results

To keep the Commission apprised of the distribution of funds through the "Utility TANF Leveraging" program, SoCalGas proposes to file in the CARE/LIEE annual report due on May 1, 2011, with the following information:

1. Total payment assistance provided to families separated by TANF Emergency funds and total ratepayer funded distributions.
2. A breakdown of distributed funds between CARE and non-CARE recipients provided through the Utility TANF Leveraging Program.
3. Total number of CARE customers assisted through the Utility TANF Leveraging Program by county.
4. Total payment assistance provided to non-CARE customers under the Utility TANF Leveraging Program.
5. A breakdown of ratepayer funds used for the Utility TANF Leveraging Program separated into administrative or program expense and direct distributions by county.
6. Total applications successfully processed and total reimbursement amount paid by each participating county through the TANF Emergency Funds.

procedures, and any uncollectible expenses in excess of those projected in SoCalGas' last general rate case Decision 08-07-046.

⁸ In addition to this new TANF Leveraging Program, SoCalGas will continue to refer customers to all of its other available assistance programs.

⁹ Unless extended by the federal government, the additional payment assistance from the TANF Emergency Fund will expire on September 30, 2010.

7. Amount of any unspent ratepayer funds remaining at the conclusion of the TANF Leveraging Program (currently projected to end on September 30, 2010) to be returned to the CAREA.

Tariff Changes

SoCalGas proposes revisions to its Preliminary Statement Part V – Balancing Accounts – California Alternate Rates for Energy Account (CAREA) in order to record the use of \$2 million in authorized ratepayer funds collected through the CAREA for the purposes of providing a 20% match needed to obtain the 80% from the TANF Emergency Fund to be administered by a third party provider. Specifically, the CAREA will include a new subaccount to record activities associated with implementing the TANF Leveraging Program. SoCalGas' proposed tariff revisions are provided in Attachment B.

Protest Period

Due to the short period of time the Emergency Fund will be available as a source of funding for eligible customers, SoCalGas is requesting a shortened protest period of five (5) days and a shortened response period of two (2) days. Anyone wishing to protest this filing may do so by sending a letter by March 22, 2010, which is five (5) days from the date of this filing. The protest must state the grounds upon which it is based, including such items as financial and service impact, and should be mailed to:

CPUC Energy Division
Attention: Tariff Unit
505 Van Ness Avenue
San Francisco, CA 94102

Copies of the protest should also be sent via e-mail to the attention of both Maria Salinas (mas@cpuc.ca.gov) and Honesto Gatchalian (inj@cpuc.ca.gov) of the Energy Division. A copy of the protest should also be sent via both e-mail and facsimile to the address shown below on the same date it is mailed or delivered to the Commission.

Attn: Sid Newsom
Tariff Manager - GT14D6
555 West Fifth Street
Los Angeles, CA 90013-1011
Facsimile No. (213) 244-4957
E-mail: snewsom@SemptraUtilities.com

Effective Date

As ordered in OP 13 of R.10-02-005, this is a Tier 3 filing and, as such, requires a resolution to be issued by the Commission. SoCalGas respectfully requests that such resolution be placed on the agenda for the April 22, 2010 meeting.

Notice

A copy of this advice letter is being sent to the parties listed on Attachment A, which includes parties in R.10-02-005.

Ronald van der Leeden
Director
Rates, Revenues & Tariffs

Attachments

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. **SOUTHERN CALIFORNIA GAS COMPANY (U 904G)**

Utility type:

ELC GAS
 PLC HEAT WATER

Contact Person: Sid Newsom

Phone #: (213) 244-2846

E-mail: SNewsom@semprautilities.com

EXPLANATION OF UTILITY TYPE

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

(Date Filed/ Received Stamp by CPUC)

Advice Letter (AL) #: 4086-A

Subject of AL: Supplement: New Program to Leverage Federal Stimulus Money from Temporary Assistance for Needy Families (TANF) Emergency Fund for Utility Bill Assistance per R.10-02-005

Keywords (choose from CPUC listing): Balancing Account, CARE

AL filing type: Monthly Quarterly Annual One-Time Other _____

If AL filed in compliance with a Commission order, indicate relevant Decision/Resolution #:

Rulemaking 10-02-005

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: N/A

Does AL request confidential treatment? If so, provide explanation: No

Resolution Required? Yes No

Tier Designation: 1 2 3

Requested effective date: 4/22/10

No. of tariff sheets: 3

Estimated system annual revenue effect (%): _____

Estimated system average rate effect (%): _____

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: Preliminary Statement V, CAREA and TOC

Service affected and changes proposed¹: NA

Pending advice letters that revise the same tariff sheets: None

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

mas@cpuc.ca.gov and jnj@cpuc.ca.gov

Southern California Gas Company

Attention: Sid Newsom

555 West 5th Street, GT14D6

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¹ Discuss in AL if more space is needed.

ATTACHMENT A
Advice No. 4086-A

(See Attached Service Lists)

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ATTACHMENT B
Advice No. 4086-A

Cal. P.U.C. Sheet No.	Title of Sheet	Cancelling Cal. P.U.C. Sheet No.
Revised 45882-G	PRELIMINARY STATEMENT - PART V - BALANCING ACCOUNTS, CALIFORNIA ALTERNATE RATES FOR ENERGY , ACCOUNT (CAREA), Sheet 1	Revised 45874-G Revised 40872-G
Revised 45883-G	PRELIMINARY STATEMENT - PART V - BALANCING ACCOUNTS, CALIFORNIA ALTERNATE RATES FOR ENERGY , ACCOUNT (CAREA), Sheet 2	Revised 45875-G Revised 40872-G, 40873- G
Revised 45884-G	TABLE OF CONTENTS	Revised 45881-G

PRELIMINARY STATEMENT - PART V - BALANCING ACCOUNTS
CALIFORNIA ALTERNATE RATES FOR ENERGY
ACCOUNT (CAREA)

Sheet 1

The CAREA is a balancing account. The CAREA consists of two subaccounts. The purpose of the CARE (California Alternate Rates for Energy) subaccount is to balance CARE program expenses incurred against gas surcharge funds reimbursed from the State of California (State). The gas surcharge was established pursuant to Assembly Bill 1002 and implemented by the utilities pursuant to the Natural Gas Surcharge Decision (D.) 04-08-010. Pursuant to Commission Decision 02-07-033 effective July 17, 2002, the utility is also authorized to record all costs related to automatic enrollment, which include the CARE rate subsidy costs, utility administrative costs (including start-up and implementation), and the Commission's clearinghouse costs. These costs will be recorded as separate line items in the CARE Subaccount. The CARE/TANF (Temporary Assistance for Needy Families) Subaccount is to record actual expenses incurred by SoCalGas for implementing the CARE/TANF Leveraging Program as adopted by the Commission in Rulemaking (R.) 10-02-005.

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Commencing on the effective date of this tariff, the Utility shall maintain the CAREA Subaccounts by making entries at the end of each month as follows:

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CARE Subaccount:

N

- a. A debit entry equal to recorded administrative costs for the CARE program, excluding costs associated with the automatic enrollment process into the CARE Program.
- b. A debit entry equal to the recorded incremental administrative and general expenses, including Commission's allocated incremental clearinghouse costs, associated with the automatic enrollment process into the CARE Program.
- c. A debit entry equal to the recorded CARE program discounts billed for the month, excluding F&U, to customers who have not been automatically enrolled in the program.
- d. A debit entry equal to the recorded CARE program discounts billed for the month, excluding F&U, to customers who have been automatically enrolled in the program.
- e. A debit entry equal to revenue shortfalls associated with discounts to the service establishment charge adopted in D.97-04-082 and implemented in D.97-07-054 for CARE customers.
- f. A debit entry equal to the revenue shortfall associated with the discounted customer charge adopted for CARE program customers.
- g. A debit (or credit) entry for the transfer of funds associated with the CARE/TANF Leveraging Program to (from) the CARE/TANF Subaccount;

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(Continued)

(TO BE INSERTED BY UTILITY)
ADVICE LETTER NO. 4086-A
DECISION NO.

ISSUED BY
Lee Schavrien
Senior Vice President
Regulatory Affairs

(TO BE INSERTED BY CAL. PUC)
SUBMITTED Mar 15, 2010
EFFECTIVE Apr 22, 2010
RESOLUTION NO. _____

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(Continued)

(TO BE INSERTED BY UTILITY)
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ISSUED BY
Lee Schavrien
 Senior Vice President
 Regulatory Affairs

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