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AB-50 Public utilities: timely service: timely electrical interconnection. (2023-2024)

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AMENDED IN ASSEMBLY APRIL 17, 2023

AMENDED IN ASSEMBLY MARCH 23, 2023

CALIFORNIA LEGISLATURE— 2023–2024 REGULAR SESSION

ASSEMBLY BILL

NO. 50

Introduced by Assembly Member Wood
(Coauthors: Assembly Members Aguiar-Curry, Connolly, and Robert Rivas)
(Coauthors: Senators Dodd, McGuire, and Wiener)

December 05, 2022

An act to amend Section 451 of, and to add Section 783.4 to, the Public Utilities Code, relating to public utilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 50, as amended, Wood. Public utilities: timely service: timely electrical interconnection.

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 a public utility to furnish and maintain such adequate, efficient, just, and reasonable service, instrumentalities, equipment, and facilities as are necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public. Existing law requires the commission to enforce rules governing the extension of service by electrical corporations.

This bill would additionally require a public utility to furnish and maintain timely service, instrumentalities, equipment, and facilities. The bill would require the commission, on or before January 1, 2025, to determine the criteria for timely service for electric customers that meets specified requirements. Until the commission determines that criteria, the bill would require each large electrical corporation, among other things, to ~~make a good faith effort~~ *take all practical measures* to deliver electric service within 90 days of issuing a written commitment to serve for customers seeking a new connection, and within 30 days of issuing a written commitment to serve for customers seeking upgrades to an existing connection. If a large electrical corporation fails to deliver service to a customer by the date communicated on a written commitment to serve, the bill would require the impacted customer to be entitled to a utility bill credit, as specified. *In order to evaluate the timely performance of each large electrical corporation in meeting the interconnection dates in written commitments to*

serve, the bill would require the commission to annually collect certain information from each large electrical corporation.

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 451 of the Public Utilities Code is amended to read:

451. (a) All charges demanded or received by any public utility, or by any two or more public utilities, for any product or commodity furnished or to be furnished or any service rendered or to be rendered shall be just and reasonable. Every unjust or unreasonable charge demanded or received for a product or commodity or service is unlawful.

(b) Every public utility shall furnish and maintain such adequate, efficient, just, reasonable, and timely service, instrumentalities, equipment, and facilities, including telephone facilities, as defined in Section 54.1 of the Civil Code, as are necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public.

(c) All rules made by a public utility affecting or pertaining to its charges or service to the public shall be just and reasonable.

SEC. 2. Section 783.4 is added to the Public Utilities Code, to read:

783.4. (a) On or before January 1, 2025, the commission shall determine the criteria for timely service for electric customers, as required pursuant Section 451. Timely electric service shall include, but is not limited to, all of the following:

(1) The timely start of service for new connections after a ~~written commitment to serve has been issued.~~ *customer has submitted a request.*

(2) The timely fulfillment of requests for increased load from existing connections after a ~~written commitment to serve the load increase has been issued.~~ *customer has submitted a request for increased load.*

(3) Reenergization of customers following a power outage event.

(b) Until the commission determines the criteria for timely service of electric customers pursuant to subdivision (a), all of the following shall apply:

(1) For customers seeking a new connection, each large electrical corporation shall ~~make a good faith effort~~ *take all practical measures* to deliver electric service within 90 days of issuing a written commitment to serve.

(2) For customers seeking upgrades to an existing connection, each large electrical corporation shall ~~make a good faith effort~~ *take all practical measures* to deliver electric service within 30 days of issuing a written commitment to serve.

(3) Each large electrical corporation shall respond to requests for service in writing within 30 days of receipt of the request for service.

(4) A written response to a request for service shall state whether the large electrical corporation will deliver service or not.

(5) A written response to a request for service shall state the anticipated date ~~of interconnectivity.~~ *on which new or upgraded service will be completed, consistent with the timelines established pursuant to this*

subdivision.

(6) (A) If a large electrical corporation fails to deliver service to a customer by the date communicated on a written commitment to serve, the impacted customer shall be entitled to a utility bill credit ~~in the amount of ___ kilowatthours for each month they were delayed.~~ *sufficient to compensate the customer for any financial damages suffered from the delay, unless the electrical corporation can demonstrate that unanticipated events occurring after the date of the written commitment justify the delay.*

(B) Any funds used to compensate an impacted customer's utility bill credit shall not be ~~borne by~~ *collected from* ratepayers.

(7) To facilitate achievement of the goal of timely electric service, each large electrical corporation shall evaluate and update, as necessary, their existing distribution planning processes to ensure that the projected demand for a given planning cycle closely matches the actual demand for new or additional service.

(8) ~~Each~~ *To improve the accuracy of projected demand, each* large electrical corporation shall have biannual meetings with *the relevant* county ~~staff, which is presumed to include~~ *chief administrative officers, officers, planning directors, public works directors, chief building officials, and economic development officials,* to discuss existing capacity, delays in interconnectivity, and distribution planning.

(9) To reduce costs and increase the pace and scale of local projects intended to meet state, regional, and local housing and economic development objectives, each large electrical corporation shall share information with local governments, the commission, and the Energy Commission about those areas where existing capacity either exists or could be easily added within the distribution system to meet those objectives.

(c) (1) In order to evaluate the timely performance of each large electrical corporation in meeting the interconnection dates in written commitments to serve, the commission shall annually collect the following information from each large electrical corporation in the form of a report:

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

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

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

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

(E) A summary of recorded spending on 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 customer connections.

(2) This subdivision shall only apply to interconnection of customers and does not include generation interconnection.

SEC. 3. 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.