

CPUC Decision Strengthens Restrictions Against PG&E's Deceptive Marketing Against CCA Programs, Stops Short of Preventing PG&E CCA Smear Campaigns

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SAN FRANCISCO, CA – Today, the California Public Utilities Commission (CPUC) bolstered restrictions on PG&E's deceptive and misleading statements against Community Choice Aggregation (CCA) programs, but failed to put a halt to the pervasive smear campaigns that PG&E has unleashed against new CCAs in San Francisco and Marin County.

Today's CPUC decision makes clear that utilities that make "untrue or misleading" statements regarding CCA could be subject to a complaint before the CPUC and possible penalties. Additionally, the CPUC afforded CCAs the opportunity for a quick hearing and a temporary restraining order to cease such statements. Finally, the CPUC ruled that CCA programs, not utilities, are responsible for deciding the method by which customers can opt out of CCA service and that utilities cannot confuse customers by offering competing opt-out methods. Earlier this month, the CPUC took action against deliberate attempts in Marin by PG&E to offer alternative opt-out mechanisms.

"PG&E's chronic attacks are out of control. They act as if they are above the law using ratepayer money for political purposes," said Supervisor Ross Mirkarimi, Chair of Local Agency Formation Commission. "PG&E's fear-mongering is simply a ruse to cover up their unchecked, predatory behavior— we welcome the CPUC's intervention."

"The California Public Utilities Commission has managed to pay lip service to state law while frustrating the spirit of it," said City Attorney Dennis Herrera, whose office filed the petition seeking tougher regulations in January. "AB 117 was enacted into law to protect consumers from anti-competitive tactics by giant utilities. Today's decision may slow PG&E's end-run around the legislature, but it unfortunately won't stop it."

The CPUC decision on Thursday closely follows another important milestone; the CPUC certification of the CleanPowerSF implementation plan. In the next two weeks, the San Francisco Public Utilities Commission (SFPUC) plans on signing a service agreement with PG&E and delivering the official CCA registration packet to the CPUC. In the meantime, the SFPUC and LAFCo joint negotiating team continue to meet daily with the energy service provider on contract terms and customer rates.

"The CPUC took some positive steps in today's decision," said SFPUC General Manager Ed Harrington. "However, their measured steps certainly won't stop the millions of dollars being spent by PG&E against CCA programs."

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