

PUBLIC UTILITIES COMMISSION

SAN FRANCISCO, CA 94102-3298



December 29, 2004

JAN 03 2004

Advice Letter 1781-E-A

REVENUE & TARIFFS DEPT.

Akbar Jazayeri
Director of Revenue and Tariffs
Southern California Edison Company
P O Box 800
Rosemead, CA 91770

Reference: Direct access customer relocation replacement declaration form

Dear Mr. Jazayeri:

Advice Letter 1781-E-A is effective November 19, 2004. A copy of the advice letter is included herewith for your records.

Sincerely,

A handwritten signature in cursive script that reads "Paul Clanon".

Paul Clanon, Director
Energy Division

Filed: 11/29/04
Effective: 11/19/04

jjr

November 29, 2004

ADVICE 1781-E-A
(U 338-E)

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA
ENERGY DIVISION

SUBJECT: Supplemental to Advice 1781-E, Direct Access Customer
Relocation/Replacement Declaration Form

In compliance with Resolution E-3872, Southern California Edison Company (SCE) hereby submits for filing the following changes to its tariff schedules. The revised tariff sheets are listed on Attachment A and attached hereto.

PURPOSE

This advice filing supplements Advice 1781-E and further modifies the Direct Access Relocation/Replacement Declaration Form 14-756 as ordered in Decision (D.) 04-02-024. Advice 1781-E-A replaces Advice 1781-E in its entirety.

BACKGROUND

D.03-04-057 addressed an earlier petition of Albertson's, Inc. (Albertson's) to modify D.02-03-055, the Commission's decision adopting rules for implementing the temporary suspension of Direct Access (DA). In that petition, Albertson's had requested that rules adopted in D.02-03-055 be modified to allow existing DA customers to add new locations or accounts to DA service provided there is no net increase in the amount of load that is served under DA as of September 20, 2001. D.03-04-057 also discussed the requirement calling for the DA customer and its Energy Service Provider (ESP) to sign an affidavit that would state, under penalty of perjury, that the customer's aggregate DA load will not increase by virtue of the relocation or replacement of facilities.

The affidavit entitled Direct Access Customer Relocation/Replacement Declaration consists of two parts, an ESP Declaration and a Customer Declaration that also provides for specific account location information.

On February 11, 2004 the California Public Utilities Commission (Commission) issued D.04-02-024. Within that decision, the Commission granted modifications to the affidavit to relieve ESPs from the requirement to attest that the level of DA customer's load does not exceed permissible levels and eliminated the requirement that a customer may relocate DA load to a new location only on a "one-for-one" or "account-by-account" basis.

On March 17, 2004, SCE filed Advice 1781-E in compliance with D.04-02-024 to modify the Direct Access Customer Relocation/Replacement Declaration Form (Form) and to establish it as a filed tariff. Advice 1781-E was protested by Joint Parties including Albertson's Inc, the Alliance for Retail Energy Markets, and Energy Management Services (EMS). San Diego Gas & Electric Company, Sempra Energy and Pacific Gas and Electric Company submitted a joint reply to the protest in an effort to resolve a few areas of disagreement. On June 16, 2004, the Joint Parties submitted suggested changes to the Energy Division to resolve the remaining few areas of disagreement.

On July 16, 2004, D.04-07-025 was issued. This decision established "the benchmark for allowable load growth resulting from relocations and replacements... defined as the contractual load limitations provided in contracts covering eligible DA accounts (Principle 10 as discussed at p. 32 and adopted in that decision)." The Commission indicated that based on the load growth policy established in D.04-07-025 and the proposed revised Form as filed in SCE's Advice 1781-E, there was a potential for confusion about what was permissible DA load.

Therefore, on November 2, 2004, the Commission issued Draft Resolution E-3872 adopting certain changes to the Form to assure compliance with the DA Decisions that had been recently issued.¹ SCE submitted comments to the Draft Resolution on November 12, 2004 stating, "Draft Resolution E-3872 (the "DR") goes beyond the direction of D.04-02-024, and must not be adopted without substantial modifications." SCE submitted its comments and proposed modifications with regards to the Form, as did the other utilities and Parties interested in this matter.

On November 19, 2004, the Commission issued a final Resolution E-3872, which adopts and modifies the Direct Access Customer Relocation/Replacement Declaration Form. The final Resolution orders SCE to file a supplemental advice letter and to resubmit the Form to include the following modifications: 1) expand the definition of "New Load" on both the ESP and Customer Declaration portions, and; 2) revise paragraph 5, 7 and 8 of the Customer Declaration Form. In addition, SCE added to Paragraph 2 of the ESP Declaration and Paragraph 4 of the Customer Declaration the date the 60 day transition period begins which is January 18, 2005, as described on page 15 of the Resolution. SCE also slightly modified Paragraph 7 of the Customer Declaration to specify that service account numbers shall be included in the space provided for customers who choose to split their load.

The Resolution additionally directs the Utilities to issue letters to their DA customers 60 days from the effective date of the Resolution, explaining the 60-day transition period to relocate DA

¹ D.03-04-057, D.04-02-024, and D.04-07-025

accounts closed (or returned to Bundled Service) after September 20, 2001 by designating existing accounts on Bundled Service that were acquired after September 20, 2001 as “replacements”. SCE shall submit a draft of the DA Customer letter to the Energy Division prior to December 13, 2004 for review and approval.

Pursuant to Resolution E-3872, SCE hereby submits a modified Direct Access Customer Relocation/Replacement Declaration, Form 14-756.

No cost information is required for this advice filing.

This advice filing will not increase or decrease any rate or charge, cause the withdrawal of service, or conflict with any other schedule or rule.

EFFECTIVE DATE

SCE respectfully requests that this advice filing become effective on the date that Resolution E-3872 was approved, November 19, 2004.

NOTICE

Anyone wishing to protest this advice filing may do so by letter via U.S. Mail, facsimile, or electronically, any of which must be received by the Energy Division and SCE no later than 20 days after the date of this advice filing. Protests should be mailed to:

IMC Program Manager
Energy Division
California Public Utilities Commission
c/o Jerry Royer
505 Van Ness Avenue, Room 4002
San Francisco, California 94102
Facsimile: (415) 703-2200
E-mail: jjr@cpuc.ca.gov

Copies should also be mailed to the attention of the Director, Energy Division, Room 4004 (same address above).

In addition, protests and all other correspondence regarding this advice letter should also be sent by letter and transmitted via facsimile or electronically to the attention of:

Akbar Jazayeri
Director of Revenue and Tariffs
Southern California Edison Company
2244 Walnut Grove Avenue
Rosemead, California 91770
Facsimile: (626) 302-4829
E-mail: AdviceTariffManager@sce.com

Bruce Foster
Vice President of Regulatory Operations
Southern California Edison Company
c/o Karyn Gansecki
601 Van Ness Avenue, Suite 2040
San Francisco, California 94102
Facsimile: (415) 673-1116
E-mail: Karyn.Gansecki@sce.com

There are no restrictions on who may file a protest, but the protest shall set forth specifically the grounds upon which it is based and shall be submitted expeditiously.

In accordance with Section III, Paragraph G, of General Order No. 96-A, SCE is furnishing copies of this advice filing to the interested parties shown on the attached service list and R.02-01-011. Address change requests to the attached GO 96-A Service List should be directed by electronic mail to AdviceTariffManager@sce.com or (626) 302-4039. Changes to any other Service List, please contact the Commission's Process Office at (415) 703-2021 or by electronic mail at Process_Office@cpuc.ca.gov.

Further, in accordance with Public Utilities Code Section 491, notice to the public is hereby given by filing and keeping the advice filing open for public inspection at SCE's corporate headquarters. To view other SCE advice letters filed with the Commission, log on to SCE's web site at <http://www.sce.com/adviceletters>.

For questions, please contact Lisa Ornelas at (626) 302-3981 or by electronic mail at Lisa.Ornelas@sce.com.

Southern California Edison Company

Akbar Jazayeri

AJ: lo/mm
Enclosures

Cal. P.U.C. Sheet No.	Title of Sheet	Cancelling Cal. P.U.C. Sheet No.
Original 36269-E*	Form 14-756	
Revised 36270-E Revised 36271-E*	Table of Contents Table of Contents	Revised 36254-E Revised 36258-E



Southern California Edison
Rosemead, California (U 338-E)

Original
Cancelling

Cal. PUC Sheet No. 36269-E*
Cal. PUC Sheet No.

Sheet 1

DIRECT ACCESS CUSTOMER RELOCATION /
REPLACEMENT DECLARATION

Form 14-756

(Continued)

(To be inserted by utility)

Advice 1781-E-A
Decision 04-02-024

Issued by
John R. Fielder
Senior Vice President

(To be inserted by Cal. PUC)

Date Filed Nov 29, 2004
Effective Nov 19, 2004
Resolution E-3872



Direct Access Customer Relocation/
Replacement Declaration

A. Electric Service Provider (ESP) Declaration

I, _____, state as follows:

1. I am an officer of _____ (*Name of ESP*) (“ESP”) authorized to make this declaration. I have personal knowledge of the matters set forth herein and if called upon as a witness could and would testify competently thereto.

2. Under the provisions of the Agreement, the Customer has the right to receive direct access service from ESP for electric service loads located at the Current Location service address under the service accounts identified below and at the New Location. “Current Location” means one or more existing customer sites where the electric load of one or more customer accounts is currently being served under direct access, or is eligible for direct access service. “New Location” means either (1) the Current Location site or sites after the facilities have been refurbished, reconstructed or remodeled or (2) a different site or sites from the Current Location(s) which has been newly acquired or constructed by customer, at which the customer intends to accommodate all or part of the relocated business and operations from the Current Location(s). A New Location may not include bundled service accounts which have been in the customer’s name for more than ninety (90) days; provided, however, that for affidavits submitted during the sixty (60) day transition period beginning January 18, 2005, after the effective date of Resolution E-3872, a customer may include bundled accounts acquired or constructed by the customer after September 20, 2001.

3. All conditions of the Agreement necessary for a transfer of electric service from Customer’s Current Location to New Location have been satisfied, including any necessary approvals by ESP.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this ___ day of _____, _____ at _____, _____.
(City, State)

Signature

Title

Date

B. Customer Declaration

I, _____, state as follows:

1. I am an authorized representative of _____ (“Customer”) and I am authorized to make this declaration.
2. I have personal knowledge of the matters set forth herein and if called upon as a witness could and would testify competently thereto.
3. On or before September 20, 2001, Customer entered into an agreement for direct access service (Agreement) with 1) the ESP as identified above, or 2) the following ESP, _____.
4. Customer seeks to transfer its electric service from Current Location, as noted on the attached form, to New Location. This replacement or relocation is in the normal course of business. “Current Location” means one or more existing customer sites where the electric load of one or more customer accounts is currently being served under direct access, or is eligible for direct access service. “New Location” means either (1) the Current Location site or sites after the facilities have been refurbished, reconstructed or remodeled or (2) a different site or sites from the Current Location(s) which has been newly acquired or constructed by customer, at which the customer intends to accommodate all or part of the relocated business and operations from the Current Location(s). A New Location may not include bundled service accounts which have been in the customer’s name for more than ninety (90) days; provided, however, that for affidavits submitted during the sixty (60) day transition period beginning January 18, 2005, after the effective date of Resolution E-3872, a customer may include bundled accounts acquired or constructed by the customer after September 20, 2001.
5. Customer warrants its total direct access load as a result of the replacement or relocation does not exceed the load limitations provided in its contract for direct access service in place on September 20, 2001 and executed consistent with the Commission’s direct access suspension rules.
6. Customer agrees to maintain, and make available to the California Public Utilities Commission (CPUC) upon request, all records since at least September 20, 2001, associated with its electricity service and consumption at Current Location and New Location, including, but not limited to, the applicable meter and account numbers, and the associated direct access load.

7. If the New Location is at a different site from the Current Location, Customer agrees to:

(Check one)

_____ Close its account(s) at Current Location on _____
(Expected date).

_____ Return its account(s) at Current Location(s) to bundled service
on _____ (Expected date).

_____ Split the load on the account(s) at Current Location as follows.
(Identify service account number(s) in the space below):

8. Customer understands that continuous direct access status pursuant to Ordering Paragraph 4 of CPUC Decision 02-11-022 (exemption from paying the DWR components of the DA Cost Responsibility Surcharge) will transfer to a relocation/replacement account only if each account at the Current Location(s) being combined for the relocation/replacement account qualifies as continuous direct access. If the customer elects to combine a number of accounts that do not qualify as continuous direct access, then the relocation/replacement account will not qualify as continuous direct access.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this ____ day of _____, ____ at _____, _____.
(City, State)

Signature

Title

Date

Name on Account:

Current Location Information

Service Account Number _____
Service Address _____
City, State, Zip _____
Meter Number _____

Service Account Number _____
Service Address _____
City, State, Zip _____
Meter Number _____

Service Account Number _____
Service Address _____
City, State, Zip _____
Meter Number _____

New Location Information

(The direct access service will occur at the New Location)

Service Account Number _____
Service Address _____
City, State, Zip _____
Meter Number _____
Start Date for Relocation or Replacement _____

Service Account Number _____
Service Address _____
City, State, Zip _____
Meter Number _____
Start Date for Relocation or Replacement: _____

Service Account Number _____
Service Address _____
City, State, Zip _____
Meter Number _____
Start Date for Relocation or Replacement: _____

(For more accounts, please list the additional information on a separate sheet and attach it to this form)

Upon receipt by SCE of the customer relocation/replacement notification, SCE shall review the information and notify ESP within five business days either that (a) the New Location has been added to the ESP Listing; or (b) SCE has reasonable cause not to process the customer relocation/replacement notification. Upon receiving notification under subsection (a) above, ESP may submit a DASR to allow SCE to process the transaction. Upon receiving notification under subsection (b) above, SCE and ESP shall confer as soon as possible to determine what further information needs to be provided in order for ESP to submit a DASR as provided above. This document may be executed in counterparts and submitted by fax, provided the originals are delivered to SCE within 10 calendar days thereafter.



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(To be inserted by utility)
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Senior Vice President

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(To be inserted by utility)

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