

## Assembly Bill No. 719

### CHAPTER 616

An act to add Section 384.5 to the Public Utilities Code, relating to energy.

[Approved by Governor October 7, 2013. Filed with  
Secretary of State October 7, 2013.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 719, Roger Hernández. Energy: energy efficiency: street light pole.

Under the Public Utilities Act, or the act, the Public Utilities Commission, or the PUC, has regulatory authority over public utilities, including electrical corporations. The act requires the commission to review and adopt a procurement plan for each electrical corporation in accordance with specified elements, incentive mechanisms, and objectives. The act requires that an electrical corporation's proposed procurement plan include certain elements, including a showing that the electrical corporation will first meet its unmet needs through all available energy efficiency and demand-reduction resources that are cost effective, reliable, and feasible. Existing law requires the PUC, in consultation with the State Energy Resources Conservation and Development Commission, to identify all potentially achievable cost-effective electricity efficiency savings and establish efficiency targets.

This bill would require the PUC, on or before March 1, 2014, to order electrical corporations to submit, on or before July 1, 2015, a tariff to be used, at the discretion of local governments, to fund energy efficiency improvements in street light poles owned by the electrical corporations. The bill would state the intent of the Legislature that utility-owned street light poles, whose electricity use is paid by local governments, be converted to use cost-effective technology that reduces electricity consumption and may achieve lower utility bills.

Under existing law, a violation of the act or any order, decision, rule, direction, demand, or requirement of the PUC is a crime.

Because this bill would require electrical corporations, pursuant to an order of the PUC, to submit the specified tariff and a violation of this requirement is a crime, this bill would impose a state-mandated local program by creating a new crime.

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.

*The people of the State of California do enact as follows:*

SECTION 1. It is the intent of the Legislature that electrical-corporation-owned street light poles, whose electricity use is paid by local governments, be converted to use cost-effective technology that reduces electricity consumption so that a city, county, or city and county may achieve lower utility bills for the electricity used by these street light poles.

SEC. 2. Section 384.5 is added to the Public Utilities Code, to read:

384.5. (a) On or before March 1, 2014, the commission shall order electrical corporations to submit, on or before July 1, 2015, a tariff to be used, at the discretion of local governments, to fund energy efficiency improvements in street light poles owned by the electrical corporations to ensure reduced energy consumption for local governments who are streetlight customers covered by these tariffs.

(b) The tariff shall be designed to allow local governments to remit the cost of the improvement through the tariff over time, resulting in reduced energy consumption, without shifting costs to nonparticipating ratepayers. The cost of the improvement shall be identified separately rather than included within the charge for electrical service.

(c) Notwithstanding subdivision (b), the improvement performed pursuant to the tariff submitted under subdivision (a) shall be eligible for any rebate or incentives available through ratepayer-funded programs intended to increase energy efficiency.

(d) The electrical corporation that owns the street light poles shall install or otherwise make the energy efficiency improvements selected by the local government with an appropriately trained workforce in accordance with all applicable safety orders of the commission.

(e) For the purposes of this section, the following terms have the following meanings:

(1) "Electrical corporation" means an electrical corporation, as defined in Section 218, with at least 100,000 service connections in California.

(2) "Street light pole" means a pole, arm, or fixture used primarily for street, pedestrian, or security lighting.

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.