C A L I F O R N I A L E G I S L A T U R E

SENATE SELECT COMMITTEE

ON

MOBILE AND MANUFACTURED HOMES

SENATOR JOSEPH L. DUNN
CHAIR

TRANSCRIPT AND REPORT OF HEARINGS ON

MOBILEHOME PARK UTILITY AND BILLING PROBLEMS

APRIL 12, 2001

GARDEN GROVE, CALIFORNIA

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TRANSCRIPT OF HEARING ON

MOBILEHOME PARK UTILITY AND BILLING PROBLEMS

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TABLE OF CONTENTS

Pages

LIST OF WITNESSES.....i

BACKGROUND PAPER.....ii - ix

TRANSCRIPT OF TESTIMONY.....1 - 75

SUMMARY AND CONCLUSION.....76 - 79

APPENDIX.....80 - end

LIST OF WITNESSES, APRIL 12, 2001

Pages

MARY ANN STEIN, VP, CMRAA.....6-9, 15

MILT BURDICK, Brea.....10-12

DAVID MARTIN, Escondido.....13-16

DONNA MATTHEWS, Calimesa.....17-19

ED EWIN, Westminster.....19-23

MIKE CIRILLO, Star Management.....24-30, 34-37

ALLAN ALT, Synergized Properties.....30-33, 38

PAT ALDRIDGE, Southern California Edison.....39-42, 47

GORDON DOUGHTY, PG&E.....42-43, 46-47

SUSAN LASLAM, SEMPRA.....44-45, 47

CARMEN RUDSHAGEN, Southern California Gas Company.....45-46

STEVE GULLAGE, President, GSMOL.....49-51

VIRGINIA HARRIS, Huntington Beach.....51-55

JAMES ENGLISH, Garden Grove.....55-58

RICH MCCANN, WMA consultant.....58-63, 66

KEVIN COUGHLIN, Public Utilities Commission.....63-67

JIM DELPERDANG, Ventura County Weights and Measures.....67-68, 70-73

RICK LE FEUVRE, Orange County Weights and Measures.....68-70, 72

BACKGROUND PAPER

JOSEPH L. DUNN
CHAIRMAN
WESLEY CHESBRO
MAURICE JOHANNESSEN
BILL MORROW
JACK O'CONNELL
BYRON SHER

California Legislature

COMMITTEE ADDRESS
1020 N STREET
ROOM 520
SACRAMENTO, CA 95814
PHONE (916) 324-4282
FAX (916) 327-4480

JOHN G. TENNYSON
PRINCIPAL CONSULTANT

MELANIE SCHAUER
COMMITTEE ASSISTANT

Senate Select Committee on Mobile and Manufactured Homes

SENATOR JOSEPH L. DUNN
CHAIRMAN

Mobilehome Park Master-Meter Utility & Billing Problems

April 12, 2001 Hearing
Garden Grove, CA

BRIEFING PAPER

PURPOSE

The purpose of the hearing is to provide a forum for testimony and comment from mobilehome owners, park operators, governmental agencies, and others on mobilehome park utility and billing problems. Select committees of the Legislature, unlike standing committees, do not hear or vote on legislation. Rather, they research specialized issues and hold informational hearings which may result in recommendations for future legislation. Among other duties, the Senate Select Committee on Mobile and Manufactured Homes fields numerous complaints from mobilehome owners, either directly or through referrals from legislators' offices, HCD's Mobilehome Ombudsman and local government agencies, concerning mobilehome-related issues. The Committee has had some complaints about mobilehome park utility issues for years but since last summer has experienced a large increase in complaints, mostly from park residents, about the failure of parks to pass through PUC-mandated refunds, failure to post rates, overcharges, surcharges, and accessibility to low-income utility assistance programs, among other concerns.

PROCEDURE

The proceeding is relatively informal. Witnesses will be called upon to give statements or make presentations in the order in which they appear on the agenda. Witnesses are not sworn in and cross-examination by opposing parties is not permitted. However, witnesses are asked to identify themselves and their place of residence and may be asked questions by legislators and staff on the committee panel. Individual presentations should be no more than 7-8 minutes, exclusive of any questions and answers from the panel. The proceeding will be tape recorded for later transcription in a hearing report and transcript published by the committee.

BACKGROUND

There are almost 5,000 mobilehome parks in California providing spaces for the accommodation of manufactured homes and mobilehomes housing approximately 675,000 people. The Mobilehome Residency Law (MRL) defines a mobilehome park as an area of land where two or more mobilehome lots or spaces are rented out to accommodate mobilehomes used for human habitation (Civil Code Sec. 798.4). Mobilehome parks are divided into lots or spaces along the streets of the park, like a small subdivision. The mobilehome owner usually owns the home but rents the space on which the home is installed from the park under a rental agreement. Each space usually consists of a utility pedestal for electric and gas as well as hookups for sewer and water.

In most parks utility service is provided by the park owner to individual mobilehome spaces through a so-called 'master meter' system, with the public utility providing gas, electricity or water to the master meter but not to individual park spaces. The park operates and controls the utility system within the park, distributing the water or power to individual spaces in the park that is normally submetered. Many parks in rural, desert or mountain communities operate on propane, rather than natural gas, for heating and cooking. Some older parks are not submetered, and the park operator divides the park utility bill by the number of spaces and adds it to the monthly rent. The park operator maintains the park utility system, reads the submeters where applicable, and bills the residents. Many parks hire billing companies to perform these functions. Public utilities regulated by the California Public Utilities Commission (PUC) do not have a direct customer relationship with park residents.

THE ROLE OF PUBLIC AGENCIES

There are several governmental agencies that may be involved directly or indirectly with various aspects of master-meter utility service in mobilehome parks.

The California Public Utilities Commission (PUC)
The PUC, consisting of five members appointed by the Governor, is a constitutionally created body with broad powers to regulate privately owned gas, electric, telephone and water utilities, as well as transportation operators. (Article XII, California Constitution). The PUC regulates rates and fares, supervises services and safety, controls financing of utility companies and grants franchises to utility and transportation companies. Master meter mobilehome parks providing electric and gas are not directly regulated by the PUC, and parks providing water are specifically exempt. Moreover, representatives of the Public Utilities Commission (PUC) have indicated to committee staff on numerous occasions involving constituent complaints that, other than gas pipeline safety, the PUC does not enforce provisions of the PUC Code relating to mobilehome master-meter parks.

Publicly Owned or Municipal Utilities:
In California, most water and sewer services are provided by public agencies, including municipalities, county agencies or special districts. There are also some municipal or special districts that, instead of a regulated utility, supply electricity to customers in their

areas, such as the Sacramento Municipal Utility District (SMUD). Public agencies providing water and electric utility service have elected governing boards that adopt their own regulations and are not subject to PUC regulation. However, state laws requiring master-meter parks to post rates, adopt the utility billing forms, and use the same rates as the serving utility also apply to master-meter parks within the service areas of municipal utility districts that provide light, heat, or power.

Measurement Standards
The state Department of Food and Agriculture is empowered by state law to adopt regulations governing the inspection of commercial weighing and measuring devices, including utility service meters. The department's Division of Measurement Standards oversees enforcement of these requirements, but actual inspections are carried out locally by county sealers (county weights and measures). According to a Food and Agriculture representative with whom committee staff spoke, the Division of Measurement Standards used to examine master-meter billings, in cases where sufficient complaints or irregularities justified it, but discontinued the policy some years ago.

Department of Housing and Community Development (HCD):
HCD annually licenses mobilehome parks in California, issues certificates of occupancy for mobilehome installations in those parks, and periodically inspects both parks and mobilehomes in accordance with the Mobilehome Parks Act. HCD also issues permits for utility system devices, such as gas meters, and inspects utility devices periodically or upon complaint to assure they are installed and operated in accordance with health and safety regulations (Health & Safety Code Sec. 18300 et. seq., and Calif. Code of Regulations, Title 25, Part 1, Chapter 2). HCD does not have authority to regulate utility rates, billing practices, or the accuracy of utility meters.

LAWS RELATING TO MASTER-METER UTILITIES

There are a number of specific laws, detailed below, relating to master-meter utility systems in mobilehome parks, most of them in the Public Utilities Code and the Civil Code (Mobilehome Residency Law). Implementation of these laws is not always as clear cut, as master meter mobilehome parks providing electric and gas are not directly regulated by the PUC, which claims no enforcement authority. The Mobilehome Residency Law is basically the landlord-tenant law for mobilehome parks, the provisions of which, like other civil laws, are enforced by the courts.

Rates & Refunds: The Public Utilities Code provides that the PUC shall require master-meter customers, including mobilehome parks, to charge residential users at the same rate applicable if the user were receiving electric, gas or water service directly from a regulated utility (PUC Code Sec 739.5 & Sec. 2705.5). A master-meter customer who receives a rebate from a public utility for electric or gas service shall distribute or credit to residents their pro-rata portion of the rebate (PUC Sec. 739.5).

Itemized Billing: Master-meter mobilehome parks shall provide an itemized billing of charges for electric and gas in accordance with the form and content of bills the regulated

utility provides to residential customers, including opening and closing readings for the meter and identification of all rates and quantities attributable to each block in the applicable rate structure (PUC 739.5). The MRL also requires that, for each billing period, parks must provide the homeowner with separately stated utility charges, along with opening and closing readings for each meter (Civil Code Sec 798.38).

Separate utility billings: The MRL provides that a park may separate utility service fees from the space rent and bill a homeowner separately for utility fees, provided that, upon the initial separate billing, the rent is simultaneously reduced by the amount of the utility fees separately billed. The reduction shall be the average amount charged for utility fees for that space during the preceding year (Civil Code Sec. 798.41).

Posting of Rates: The master-meter park shall post, in a conspicuous place, the residential electric or gas rate schedule of the local utility (PUC Sec. 739.5). The MRL requires the park to post prevailing residential utility rate schedules as published by the serving utilities (Civil Code Sec. 798.38).

Differential: Master-meter customers receive a "differential" or discount on their rates in recognition of their costs of operating and maintaining the sub-meter system but must provide service to the park residents at a rate which is not greater than if the public utility served the residents directly (PUC Sec. 739.5). The differential is negotiated between the parks and the serving utility and approved by the PUC.

Transfer of master-meter system: Parks built after January 1, 1997 shall be individually metered and served directly by a regulated public utility. Utilities are authorized to take over master meter electric and gas systems in pre-1997 parks where the parks and the utilities mutually agree. The law establishes procedures for an engineering evaluation, compensation and transfer of the submeter system to the public utility (PUC Sections 2791-2799). Utilities may impose their own standards for new systems which they take over that may necessitate parks to spend money to upgrade the systems to the utilities' standards before the transfer can be take place. Procedures are complicated and require extensive negotiation between the utility and the park that are not always successful.

Notice of termination for non-payment: Where a master-meter park does not pay its electric, gas or water bill, state law requires that regulated utilities, municipal and public districts inform the actual users of the service that the account is in arrears and that service will be terminated within 10 days. The notice also informs residents that they have the right to become direct customers without being required to pay the park's past delinquent account (PUC Sections 777, 10009, 12822, 16481 & Gov. Code Sec. 60370).

Emergency and safety services: While the utilities have no direct relationship with homeowners in master meter parks, the code requires the regulated utilities to provide emergency and safety services for submetered residents, such as checking gas leaks, checking pilot lights, or shutting off the gas (PUC Sec. 739.5).

Common area utility charges: The MRL requires park management to disclose when a utility meter on a homeowner's space also measures service for common area electric or gas facilities and either mutually agree to compensate the homeowner or discontinue using the homeowner's meter to measure common area service (Civil Code Sec. 798.43).

Notice of service interruption: The MRL requires park management to post a 72-hour notice on mobilehomes affected by a planned interruption in utility service of more than 2 hours for utility maintenance, repair or replacement over which the management has control that is not due to an emergency (Civil Code Sec. 798.29.5).

Propane: Where a park does not permit homeowners to purchase propane from someone other than the park, or where laws or regulations prohibit homeowners from installing their own propane tanks, the park shall not charge homeowners more than 110% of the actual price paid by the park for propane. A park must also post the price the park pays for propane in a visible place in the park (Civil Code Sec. 798.44).

Water: The PUC has jurisdiction over any water corporation that sells or delivers water to any person or entity in the state (PUC Sec. 2701), but a mobilehome park that provides water service to residents through a submeter system is not a public utility and is not subject to PUC jurisdiction if the park charges the same water rates that would be applicable if the resident received water directly from the regulated water corporation (PUC Sec. 2705.5). A recent PUC decision, pursuant to hearings concerning billing practices and charges for water in both mobilehome parks and apartments, held that the PUC had no jurisdiction except in one case where the PUC actually licensed a park as a water utility (Decision I.98-12-012). A park that provides water to its residents from water supplies that it owns (water well) is also not regulated per se, but upon a resident complaint the PUC has jurisdiction to determine whether the rates charged are just and reasonable and whether the service provided is adequate (PUC Sec. 2705.6).

Utility meter inspection: County sealers (county weights and measures) are authorized to inspect and certify the accuracy of weighing and measuring devices, including utility service meters, upon the request of any person. Devices that are found to be correct shall be marked with the sealer's mark or seal but those found to be faulty may be "tagged" as out of order. Owners have 30 days to repair such devices. Faulty measuring devices are subject to seizure by the sealer and violations are subject to civil penalties. Each county sealer may assess an annual fee, if authorized by the Board of Supervisors, for the cost of regularly inspecting the measuring devices. In mobilehome parks the annual fee shall not exceed $60 per park and up to $2 per device per space (fees expire in 2006) (Bus. & Prof. Code Sections 12200 through 12246).

Gas pipeline inspection: The PUC enforces underground gas pipeline safety, including mobilehome park gas systems. Parks are responsible for annually filing reports on operation and maintenance plans, including leak surveys and repairs, corrosion control and cathodic protection. Parks are normally inspected by the PUC every 5 years. Those failing compliance are inspected every year. In mobilehome parks, the PUC assesses a 25-cent per space fee per month to support the program (PUC Code Sections 4351-4361).

4/12/01 Briefing Paper

RESIDENT ENERGY ASSISTANCE PROGRAMS

To assist residential utility customers, in the last 20 years the federal and state governments have enacted two programs to assist low income persons, in addition to bill averaging, payment programs, and a few programs offered by utilities or charities to ease the burden of higher energy costs.

HEAP (Home Energy Assistance Program): HEAP is a federally funded program targeted for households with seniors, the disabled or children under 6, administered by community service organizations in each county. It provides one payment per year, reducing an annual energy bill from about $100 to $350, in the form of a warrant or direct payment to the utility provider on behalf of the eligible applicant. Recipients must have incomes at or below 130% of federally established poverty guidelines.

CARE (California Alternate Rates for Energy): CARE is a reduced rate program required by state law of regulated utilities that provides a 15% discount on monthly gas and electric bills. Applications are handled by the utilities. Recipients must have incomes of or below 150% of federally established poverty guidelines.

PROBLEMS

Complaints, which the committee has received directly or have been referred by legislative offices, governmental offices, or homeowner organizations, are mainly from residents of mobilehome parks. Others are cases the committee has not handled directly but have been sent to the committee on a 'for your information' basis. Some complaints are generalized, others specific. Many of the cases have been resolved, others have not. Generally, the major complaints can be categorized as follows:

Passing through Refunds: The PUC requires regulated utilities, found to be overcharging their customers, to rebate their customers or give them a credit on future bills. Because master-meter parks, not mobilehome owners, are the utilities' customers, the parks receive these rebates and are required by the code to pass them on to residents. In the past year, two major utilities have been required to provide customer rebates, PG&E for gas overcharges (May 2000) and SDG&E as required by legislative mandate (June 2000). From what the committee can determine, most parks have complied, including members of park owner organizations that have notified their members about the requirements to pass through the utility rebates. However, some parks have been dilatory or have still not complied. Ten parks in the San Jose area were challenged by a homeowners' group for not passing through the PG&E refund, and all but one park has now complied. Another homeowners' group has provided the committee a list of eighteen parks that, as of February, had not passed through the refund or have delayed passing it through. The Committee has also received individual complaints about this problem in the PG&E and SDG&E service areas for recent as well as past refunds, including two complaints that some parks have not passed on the 10% electric discount, effective January 1, 1998, mandated by 1996 legislation that partially deregulated the electric utilities in California. PUC representatives contacted about these problems by the committee contend that,

despite code requirements, they can only require the serving utility to request the parks to comply with the code. They say the PUC has no authority to actually require parks to pass through the rebates to end users, but that is a matter for the courts.

Meter Costs & Meter Reading Fees: There have been complaints for a number of years that park owners bill residents for the cost of installing submeters or replacement submeters when an old meter is found to be faulty. The cost of the meter can be several hundred dollars. Others allege that parks or their billing services bill homeowners for the cost of reading the meters, charges that range from a low of $2 to $6 or even $10 a month in some cases. Those opposed to these costs argue that meter replacement and meter reading are operating costs that would be considered in the rate setting process, as approved by PUC tariffs, if they were served by a regulated utility. That is, park residents could not be charged meter reading or meter replacement costs in addition to the volumetric rate if they were served by the utility. Thus the residents argue, since the Public Utilities Code requires parks to charge master-meter customers no more than the serving utility could charge them if the utility served those customers directly and parks receive a rate discount or "differential" in recognition of their operating costs, that meter reading or replacement surcharges are illegal. But park operators have argued for years that the "differential" in many service areas is inadequate to cover their costs of operating master-meter utility systems. In the mid-1990's, the PUC turned down a park owner proposal that master-meter parks be permitted to charge park residents an operational surcharge in addition to the utility rate for maintaining the master-meter submeter systems. The proposal, characterized as "double-dipping" by park resident groups, was ultimately rejected by the PUC. PUC representatives have not been able to clarify for the committee whether parks that are charging meter reading or replacement costs are violating the code, implying the Commission has no authority over the issue.

Posting of Rates: The committee has received several allegations that some parks do not post the applicable or current utility rate schedules for electric, gas, or water, post one but not the others, or do not post any rate schedules at all. One resident asserts she complained to the park manager, who said the park did not have to post the rates. When the resident pointed out Civil and PUC Code requirements, the manager finally posted the rates but they were the wrong pre-1998 electric rates. Several complainants have contended that their parks post the rates in the manager's office behind a desk or counter, where they are not allowed, or in some less than conspicuous location not easily seen or read by the homeowners.

CARE Assistance Program: The Legislature has mandated the PUC to implement the CARE program, requiring utilities to offer a 15% discount to qualifying low-income residential customers on gas and electric bills. The utilities provide information and phone numbers in their utility bills to customers on how to contact them for CARE applications. Although many mobilehome owners in submetered parks qualify, the utilities furnish CARE notices to the park operator/management, not directly to the residents. Many parks pass this information on to their residents in one of their monthly billings or through notices posted in the clubhouse. Mobilehome owners may obtain applications directly from the utility but usually must obtain account information for the

park from the park management before sending the application back to the utility. The park management often collects the applications, fills in the needed information, and sends them to the utility. Once homeowners are qualified by the utility, the park's utility bill is reduced by 15% pro rata for the qualifying residents, and the park then passes on the discount in subsequent billings to qualifying homeowners. Complaints have arisen where homeowners don't receive notice of the program, the management won't deal with the paperwork and won't provide the homeowner with account numbers necessary for the CARE application, or the management does not pass through the 15% discount to those who are CARE qualified. One homeowner who contacted the committee said that, because he and the manager did not get along, the manager took the application but, according to utility records, never turned it in. The manager was asked again and said he would take care of it, but nothing has happened after some months. In another CARE case, the committee was ultimately successful, after 6 months of trying, in persuading the local utility to pressure an uncooperative park manager to provide the information necessary to qualify an 80-year old senior in the park. One other homeowner claims that his park manager and the local utility both told him he was not entitled to the "balanced payment" or other payment plans offered by the utility to their other customers strapped by high energy bills. Mobilehome owners who have contacted the committee believe they are not treated fairly or equally with other homeowners in trying to apply for energy assistance programs available to low-income residents. For example, they want to be able to apply directly for CARE without having to go through a park "middleman."

Billing & Other Irregularities: Many homeowners complain that they have a hard time documenting the accuracy of the park manager's readings. Meters are subject to reading errors, rates have been changing frequently in recent months, there is a two-tiered rate structure, and there is often a lag time between the utility's billing of the park and the park's billing of residents for the same period of usage. Despite difficulties for the untrained in reading meters, committee staff has suggested to complainants that they learn how to read their own meters, keep a diary of readings, and where they suspect a faulty meter call county weights and measures or the gas utility for suspected leaks. But at least a few have said their bills reflect billing periods that vary from month to month by as much as a week. The billing period for one month may be 4 weeks, another month 3 weeks. In one case meters had not been read for 2 months. This makes it difficult for residents who read their meters to crosscheck the meter reading. A few residents have complained that their parks have billed them additional charges for 'mistakes' by the management in past utility bill readings 6 months earlier- charges for which they have no way of checking the accuracy. Still others claim that from month to month their bills are consistently high but do not seem to change even when they have been on vacation for a month and have shut everything down. One lady claimed the utility checked and found no leaks, but there was no explanation for a large bill on 100 therms of use for a one month billing period during which she was gone for over 3 weeks and shut everything off but the pilot lights. In another park, a resident complained the gas company checked for leaks and found that propane meters were being used to measure natural gas. The utility says it's illegal. The committee is working with county weights and measures to try to resolve this problem.

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TRANSCRIPT OF TESTIMONY

SENATE SELECT COMMITTEE ON MOBILE & MANUFACTURED HOMES

"Mobilehome Park Utility & Billing Problems"

April 12, 2001
Garden Grove, CA

Senator Joseph Dunn, Chair

SENATOR JOSEPH DUNN, CHAIR: Good morning, probably most of you in the room know me. I know many of you have been to our hearings before. I'm Senator Joe Dunn, and I want to welcome you to the Senate Select Committee on Mobile and Manufactured Homes. There are other individuals on the dais that I'll introduce in just a moment. But at this point, I'm going to turn it over to Councilmember Van Tran, from the City of Garden Grove here, and please join us as Van leads us in the Pledge of Allegiance.

COUNCILMEMBER VAN TRAN: Please rise. Face the flag and follow my lead.

ALL: The Pledge of Allegiance.

SENATOR DUNN: Thank you, Van.

I want to welcome, again, everybody, to our hearing today. I'll get to the topic, although, I think everybody in the room is well aware of it. But a few procedural things that we need to do first and foremost. I want to extend a very heartfelt thank you to the City of Garden Grove and Kathy Standiford, who is standing in the back of the corner back there, from the City of Garden Grove, for all her efforts and hospitality in allowing us to hold this hearing here in the community center, and of course, for the coffee as well. That will,

extend, also, of course, to Van. Thank you very, very much. They've done this so often for us, I think they're getting sick of us over and over again. We're just here for the free coffee, is what we're here for.

I'm going to hold off on introducing my other colleagues who are on the dais because I'm going to give them a few moments to say a few words in just a second. But let me make a few other introductions. I want to introduce and extend a thank you to my staff, who is here. Starting on the outside there is Bernie and Chuyen and Dayana is out there. Carina, who many of you know, is standing right there by the door. And sitting to my right is, as I always say and he always keeps trying to shy away from this introduction, perhaps the most knowledgeable expert on mobile and manufactured homes issues here in the state of California, and that's the chief consultant of the Senate Select Committee on Mobile and Manufactured Homes, John Tennyson. John, did you want to share any words?

I want to extend a thank you to Shawn and Michael who are our sergeant-at-arms. Shawn is here. Where is Michael? There he is in the back. I missed you back there. They're here to keep order, so please keep them in mind if you decide you feel like you need to get out of order. They are here.

There is a briefing paper for our hearing today that was available at the desk outside. Please make sure you have one. John prepared it. It goes into great detail on the issue that brings us here today. And of course, a very difficult one, given the fact that we already have the energy crisis overlay.

I'm not going to go into a lot of detail about the issue other than to say, since last summer when the energy crisis first surfaced in the San Diego area, we began to receive many complaints throughout the state of California about how utility charges are handled in our state's mobilehome parks. And

I'm going to be the first to say, the vast majority of the park owners do it the way it should be done, passing on rate increases where they unfortunately have to, to residents, but also passing on savings once savings do come along the line and various programs allow for discounts and so forth. But we have received complaints where there are parks that are master metered, which means that the park owner is the one that receives the bill, who then turn around and subdivides it to the particular resident. But in a master metered situation oftentimes the park owners may receive certain discounts that do not get passed on to the resident, so they may not make accessible to the residents certain programs from Edison, for example, their CARE Program, that allows for an automatic 15 percent discount. And the gas company has a similar program as well. And we receive many complaints about that, and so we decided to bring everybody together to examine this issue to determine whether it really is severe enough to warrant some corrective action, and if so, what sort of corrective action will be necessary that, as I always say, leaves the parks that are doing the right thing alone, and addresses just those parks that may not be doing the right thing with respect to the utility rates.

So that's really what brings us here today.

There are a couple of other things. I'm going through the notes quickly because I want us to get to the core here. The hearing is being recorded so that there will be a transcript later on, which means for those of you that are testifying, you need to make sure you speak right into the microphone. I will interrupt you if we don't think you're speaking loud enough, and encourage you to speak louder because we want everyone in the room to also hear and we want the recording to come out accurately, as well, too.

We already have a long list of witnesses. For those witnesses who are going to be testifying, I ask you stay right on point today. Most of you are aware -- we've had many hearings addressing many issues in mobilehome parks around the state, whether it's health and safety issues or other types of issues. That's not before us today, so if you start to stray away from the utility issue, we're going to bring you right back to the point so that we keep everybody focused. We'd ask that you keep your comments as short as possible and try as best as possible to not repeat what other witnesses may have, in fact, already testified about. But, we'll be patient, don't worry.

You can be assured that at noon we're going to have to conclude. If we end up a little bit short of that with our regularly scheduled witnesses, we're going to open it up to folks who just want to make public comment that did not reserve time before hand. We do have a list for sign-up. I know we have a few already. We're going to try our doggone best to have a little bit of extra time before we end so we can have those witnesses. And of course, that that really depends upon how soon the politicians stop talking, then we'll probably have more time at that point.

We will take a break around 10:30 for more coffee so that we will bleed Garden Grove dry of all the coffee that they have been so gracious to offer to us.

I don't know if I introduced Sal from GSMOL, who is always here videotaping our programs, as well. Thank you again, Sal, for being here.

One more reminder, if you didn't get the briefing paper, please make sure that you do so either quietly now, or during our break.

Now, before I go onto the next panel, I'd like to invite my two colleagues, who are to my left -- it's not politically. Don't worry about that. It's not a political comment -- to make a few comments themselves. Let me

start at the far end and introduce to you Councilmember and former mayor of the great city of Stanton, Mr. Harry Dotson. Harry, any comments you'd like to share?

MR. HARRY DOTSON: Yes, Joe. Thank you. I accepted the offer to meet here with you folks because our city is a small city, but we have ten parks. And we, too, hear of problems with some of our parks, and so we're here to find out what you're concerns are and what I can do as a city official in the city of Stanton to rectify some --

SENATOR DUNN: A little louder, Harry.

COUNCILMEMBER DOTSON: I'm here to listen. And because we have ten parks in the city of Stanton, and we, on occasion, will hear some concerns, and I want to find out what we can do at city hall to help our residents.

Thank you, Joe.

SENATOR DUNN: And also to my left, I want to introduce a new councilmember to the city of Garden Grove, but an individual that all of us expect will have a very long and very distinguished political career, and it's only at the start, and that's Councilmember Van Tran from the city of Garden Grove. Van.

COUNCILMEMBER VAN TRAN: Good morning everybody and welcome to this great city of Garden Grove. And there is plenty of coffee in this city. Once again, I thank Senator Joe Dunn, the chairman of the committee, for having this public hearing. And I believe that it is very important. We have the opportunity as elected officials, and not necessarily politicians, but people who represent the best interests of the district or the city, to hear their concerns and to best serve those concerns.

In the city of Garden Grove there are a number of mobilehome parks and I am here this morning to listen to those residents, especially in the city of Garden Grove, and to also do what I can in my capacity, along with my fellow colleagues on the city council here in Garden Grove, to best serve the residents of the mobilehome parks, as well as working with state and federal legislators as far as various other aspects of issues or problems and agendas that affect, and that relate, to mobilehome parks.

And once again, welcome and thank you for the opportunity to be here.

SENATOR DUNN: Van, thank you very much. Harry, thank you very much. And with no further ado, let us begin. Let me call up our first panel of witnesses. We have three chairs up here so I'll just do it in groups of three as much as possible. And that's Mary Ann Stein, Vice President of CMRAA. Robert Murray from Escondido. Do we have Robert here?

UNIDENTIFIED: No.

SENATOR DUNN: Not here yet. Okay. We'll put him down for a little later. Milt Burdick, from Brea. We also have David Martin, from Escondido. David you're it. Come on up. Why don't we bring you up now since we're missing Robert at this point in time.

Mary Ann, I take it that you know the drill. Make sure that you speak right into the mike so that everybody can hear.

MS. MARY ANN STEIN: Yes. Good morning, Senator, Mr. Tennyson. Good morning Honorable Councilman from Garden Grove. My name is Mary Ann Stein, and I'm the vice president of California Mobilehome Resource and Action Association.

We're not going to take up a lot of time today to tell you what a crisis this utility problem is, not just to mobilehome owners, but to the state, to the economy, to everybody. It's been well publicized. And one of our biggest

problems is that we think that it's overly politicized. So we're hoping that coming before you today we can bring to you the effect that this is having on mobilehome owners.

In this envelope, I have over 30 bills, some graphs. I spoke to Mr. Tennyson on the phone about this. But the people wanted me to make sure that I delivered it here, so that's why I didn't send it to you in the mail, okay? These are bills from people that work; people that have been out of town; people that --

SENATOR DUNN: We'll take them.

MS. STEIN: People that see no reason why they're having gas bills of $160, $200, when they're not even home using the gas, okay? The electric bills have also escalated unbelievably, okay? Now, of course, it's always the question of whether it's consumption, or whether it's rates. Well, we are going through the channels and Mr. Tennyson suggested to me, having them check it on a daily basis -- the meters, and we will get with the Weights and Measures people. I will be very interested in hearing what they have to say today. So, we're in the process of doing that. But, we just think with these bills, the way they are, there is something drastically wrong here. It just doesn't seem right, okay?

Now, the biggest issue that we have with people in mobilehomes is that in conventional homes you have a recourse. If you have a problem and you can't pay your electric bill or your gas bill, you can go to your city, or you can go to your utility-- and you can ask for some time, some extensions. We don't have that in mobilehomes. Our utilities are incorporated in our rent bill. And if you don't pay the rent bill, you can be evicted, all right? So it is part of our rent bill. We don't have utility companies to negotiate with. We have the park owner to negotiate with. And this is a very drastic problem for us, okay?

Now, I have to say that CMRAA has gone before the PUC many different times. In fact, as late as last Thursday, we were taking up an issue about water. But, they were told, CMRAA was told at the meeting that this should be a legislative problem, okay? And, we're wondering why the PUC and the legislators can't get together and solve this problem, because we feel like this is something that is very important.

Now, on the rate issue, I have to show you, and I'll give this to you, too. Also I have another letter here that has a graph on this. This is a copy of what we had to go through. This is from 10 different parks -- to get their money back on the rebates, okay?

Now, I think it's ludicrous when this is their money, they're entitled to it and we have to go to this extent to get these people's refunds back. This shouldn't have to happen. We're entitled to this money. So we think this is a problem, that CMRAA and the other organizations have to go to this extent to get the money back for these people, okay?

Also, we would like to bring up what you talked about, the CARE Program, Senator, and we're very thankful to have the CARE Program. But we think that in these devastating times with the escalation of the rates, the escalation of the problem, that the income level is too low. We have many widows living in these parks and a lot of them don't even qualify. We think that the one thing that could be done is that the level could be raised, and we think that's something you could take into consideration, okay?

I'd like to say that people are devastated; they're angry; and they're very, very upset about this situation. There's no question about it.

Now, we know that you're working hard on this problem. But the question that I get asked all the time is, aren't the legislators, the Assembly and the Senate, aren't they getting together, aren't they working hard on this

problem? In other words, what are they doing for us? This is what we really want to know -- what is -- we read in the paper everyday about the situation, but we don't know what is really being done for us, okay?

I'm going to make this very brief because we really don't have a lot to say about this. You know the problem is there. We just want you to know what this is doing to the mobilehome community, and particularly, the difference in the fact that people are, in fact, losing their homes, having to put them up for sale because a lot of them are retired, they're on fixed incomes, many people that live in mobilehome parks. And the big issue there is that we don't have recourse. We have the CARE Program, which we don't think is enough, but we can't go and say, "Well, I can't pay my bill this month. Can I pay it two months or three months? Or, can I level it out?" We can't do that. It's in our rent, and it does mean eviction, and it is happening. And basically, those are the things that we want you to be aware of.

And again, I thank you very much for your time.

SENATOR DUNN: Mary Ann, thank you. Before we go onto Milt Burdick, let me ask you one question. I don't want you to speculate. If you don't know, that's fine.

Ms. Stein handed me a faxed copy of a proceeding that's going on before the PUC that was filed by the utility reform network called TURN and CMRAA vs. a certain mobilehome park, etc. Do you know what gave rise to this, Mary Ann, or do you have any knowledge of the facts of it? I'm just curious.

MS. STEIN: Dave Hennessy just faxed it to me, so you probably know as much as I do.

SENATOR DUNN: John, if you could comment on it.

MR. JOHN TENNYSON: Basically, the action that you're referring to, the complaint you're referring to, was a complaint against 10 mobilehome parks in Santa Clara County that did not pass back the PG&E refund. Last May, the Public Utilities Commission required the Pacific Gas and Electric Company to refund over charges on previous gas bills, that was in May of 2000. Some parks received that in the subsequent month, but in their subsequent billings through the summer of July, August, what have you, did not pass those back through to the individual residents. This action, as I understand it, was taken by TURN and CMRAA with regard to these parks and from Mr. Hennesey's information that I received the other day, similar to your fax, all but one of those parks has now -- I should say, all except for one, have complied, even before they had to have a hearing on the issue. Individual cases, however, I understand have been less successful. The Public Utilities Commission has not been willing, at least the ones that we brought to their attention, to take individual complaints. So apparently, these complaints have to be collectivized, and perhaps we'll get more information on that later.

SENATOR DUNN: Okay. John, thank you very much. Milt, why don't we go to you.

MR. MILT BURDICK: My name is Milt Burdick. I live in the Hollydale Mobilehome Park in Brea, California. I'm vice president of the Homeowners Association and also temporary president of the GSMOL Chapter 955. And for those present who don't know what GSMOL stands for. It's Golden State Mobilehome Owners League. And we're honored to have the president of the league here today, and I believe he's going to testify later on. That's Steve Gullage. Steve, would you stand up?

If you're not a member of GSMOL, see Steve or myself.

SENATOR DUNN: Milt. Milt, we're not here for that. Let's go.

MR. BURDICK: The first part I'd like to talk about is what the previous speaker talked about, and that's the overcharging of gas and water and electricity. I've gotten a lot of verbal complaints on water, electricity, but I don't have anything to substantiate it. So, the only thing I have to substantiate is on the gas bills.

And, at the Hollydale Mobilehome Park, they're overcharging us on a monthly basis of one to three units. I have a document here and it shows the copy of the rental agreement, or the rental statement, and it shows that for the month of March they overcharged me three units on the gas bill based on the meter readings that are on the bill. They can't even add and subtract. So I'd like to submit this as evidence. And that pretty much talks about the gas bill because they are overcharging us.

And the second part is in your briefing paper, I'd like to compliment you on, on a job well done. And I'd like to submit that as part of my testimony.

But John is getting some misinformation from somebody, and I don't know who he's getting it from. But for Orange County, I phoned the Orange County Weights and Measures and requested that my gas meter be checked for flow and accuracy. I talked to a guy name Steve Hahn. He said he would send me a complaint form to fill out. He said I must go through park management. But hell, that's like going through the Gestapo. He said I must go through park management if I live in a mobilehome park. He said they do not, and I repeat, do not, come out and check meters. They only check the master meters. He said park management would review the meter and send it out for recalibration if necessary and they'll install a temporary meter while my original one is gone.

Steve said they don't come out and check the individual meter and then I asked the question, well who is going to pay for this? You know, they're going to take my meter out and put another meter in, I'm on a retirement income, like the previous speaker spoke of, who's going to pay this? And do I have to go through the hassle of having my meter checked? That I have to pull it out of my lot and send it somewhere, wherever the park owners decide to send it. Orange County does not do it.

I also have another one where this may be a problem in other parks. They recently did some electrical work at our park, but I went around and checked into several sites that had the electrical wiring for the streetlights connected to the space site pedestals. Who's paying for the streetlights? The owners or the homeowners? And I got a copy -- I also sent this to the city council of Brea, and I received a reply from Councilman Steve Vargas, who said that they would look into it and that's all I got. And here's a copy of the e-mail that I sent to Steve Vargas.

Also, the wires aren't buried in three feet of dirt like Title 25 states, that when you put electrical wire into the park, it's supposed to be buried three feet underground.

SENATOR DUNN: Milt, I want you to stay on the topic here because those relate more to Health and Safety Code violations. Just stay on the billing issue.

MR. BURDICK: Well, that concludes my testimony. Thank you very much, and I thank the committee for their time and effort they put forth on this here. Please come back.

SENATOR DUNN: Milt, thank you very much. John, do you have a comment?

MR. TENNYSON: Real quickly. With regard to Weights and Measures, we're going to be hearing from them later. There is some variation from county to county sometimes. We'll let them comment on that. But in many counties, they do take complaints from individual mobilehome owners. With regard to the issue of the use of common area utilities that's attached to an individual's space, or homeowner's space, on their utility bill there is a procedure you can go through under the Civil Code that deals with that to have that separated out. And also, back to Mary Ann Stein's comment with regard to CARE. There was an article in this morning's paper that some of you may have read in the *Orange County Register* that indicates that the CARE Program income guidelines are being increased at this time. I don't have the specifics, however.

SENATOR DUNN: Okay. Go ahead, David.

MR. DAVID MARTIN: Good morning, Senator Dunn and members of the Senate Committee. Thank you for having us here. My name is David Martin, and I live in the Eastwood Meadows Mobilehome Park in Escondido, California. I would like to provide you with a brief history of our park.

The Eastwood Meadows and the adjoining park, Mobile Park West, are owned by the same management firm. Both parks are master metered. Each home has a utility meter. Our management receives a discount from San Diego Gas and Electric for purchasing utilities in bulk. I have been told that he also has a contract that allows him to purchase utilities for the fraction of the cost. These reduced rates are not passed along to the residents. Management has received a rebate check of $98,900 from San Diego Gas and Electric for June of last year. Residents were given limited credits on their space rents. At our rent review hearing January 3, 2001, Keith Casenheiser, the regional property manager for both of our parks, stated that the

management kept 14 percent of the rebate. At a later meeting, Mr. Casenheiser did state that the management only kept 11 percent of the rebate and that they have kept rebates from other utilities. And what I'm concerned about, is they've kept the rebates for the common areas, which the common areas are on the clubhouse, and everything, that are included in our space rent – the operating costs of the park.

In addition, as I stated earlier, that our management buys the utilities at a reduced rate. Residents are then billed the going rate or more. This provides management with an additional income. This income has been used to make any and all necessary repairs to the utility systems.

I have been provided with the information from city staff that the management is not allowed to make a profit from the utility rates, yet, our management kept 11 to 14 percent of our June 2000 rebate. Management claims the utilities as an operating expense, yet, our rental income generated from the homeowners pays for the operation of the park. Yet, in our 1996 rent hearing, repair bills were then submitted for repairing the lighting system for repairs that were required by the code enforcement in our city. Installation of a gas regulator, and later on, an adjustment of a gas regulator. These bills were included as operating expenses and an increase in our rent was granted to aid management with the cost of these repairs. Talk about getting the most bang for your buck. These rebates and charges upon charges that residents are required to pay are just the tip of an iceberg. Residents in mobilehome parks are treated as second-class citizens and their only recourse is to move out or to sue the management in civil court, even if the management is breaking the law. We are not second-class citizens and it's time that our abuse by our park management be stopped.

Thank you for giving me this opportunity to speak and I would appreciate any further assistance that you or your committee can provide for us mobilehome residents. If you need any assistance by myself, please feel free to contact me. And I have information here documenting everything I said. We went to our city council in June for help. And I went a year ago, and I'm still waiting.

SENATOR DUNN: Okay.

MS. STEIN: Can I just add one thing.

SENATOR DUNN: Go ahead, MaryAnn.

MS. STEIN: Because we're supposed to have the rates posted -- the rates for the gas and electric and all of the utilities are supposed to, by law, be posted. They are not doing it. In fact, you could check that out yourself right here in Garden Grove. Go to three or four parks. They are not doing it.

SENATOR DUNN: David, let me ask you one question if I may. Have the residents had any direct communication with management about the rebate issue? And I'm curious what their position has been directly with the residents on this issue.

MR. MARTIN: Well, in our last rent hearing, the city council asked Mr. Keith Casenheiser, our regional park manager, would he please have a meeting with the residents and inform them of the cost of the utility bills and how everything is supposed to be figured out, and he did have a lady from the billing company come who did have a meeting there. He picked the meeting time between 10 and 11 in the morning. Our park is about 90 percent people that work for a living. Most of us are very low income in that park, so therefore, most of the tenants could not even go to that meeting. And I did take time from work to go to the meeting. I had to work a Saturday because of it.

SENATOR DUNN: And if I may. David, do you recall from that meeting, what the position of the manager was as to why the residents were not receiving the rebates? Well, I'm just curious what --

MR. MARTIN: Well, on 11 percent of the rebate he said that he felt that the park should keep that rebate because actually they paid the utilities for it and it belonged to them. And I said, well, when you figure out the operating costs of the park and how much to charge for your space rent, all these costs of the clubhouse, the electricity, the gas for the clubhouse, all this should be figured in, unless there is a big substantial increase in the utilities, which there has been now, but there wasn't before. That's understandable. You know, they didn't do that and he said, "We're just keeping the rebate." And some of the parks have a letter from the city staff that I just gave you, that the city is rebating the money back and what they're doing is the homeowners association is making improvements to the park with their 11 percent or 12 percent of the money they got for the rebate for the common areas.

SENATOR DUNN: Okay. David, Harry or Van, any questions. No.

MR. MARTIN: Our park owner does live up in northern California somewhere. We don't even have his address. And when we have to call long-distance, it's all we have is long-distance, because our local managers do not always turn everything in. So that's one reason why we've been going to the city.

SENATOR DUNN: Okay. David, thank you very much. Thanks, all three of you. Let us excuse the three of you, and bring up our next three panelists. And they are, Donna Matthews, Ed Ewin, from Westminster, and did Robert Murray, from Escondido sneak in the back door yet? Not as of yet.

So, why don't we just do those two. Okay, Donna, let's start with you. And as you know, right up to the mike please.

MS. DONNA MATTHEWS: My name is Donna Matthews. I am not from a sub-metered park, but as GSMOL Region 9 assistant manager, I've had many complaints and my members have asked me to come and present their problems to you today.

As you know, state law requires utility installations to be divided and installed before a permit to operate, or a mobilehome installation permit, is issued. These standards and requirements of construction are the terms and conditions of our member's tenancies, agreed to when our members had their mobilehomes installed according to mobilehome law, 798.8. Their tenancy under the rental agreement is for the use of the lot, the park facilities, and the utility services – MRL 798.12. It does not state until a utility service needs upgrading or replacement. Webster's definition of tenancy is a period of the tenants occupancy or possession.

Members complaints have been: the park owners are charging these utility expenses in violation of mobilehome residency law 798.15(f), which calls for the utility fees for tenancy be established in a written rental agreement. If a park owner did not present a written rental agreement at the time of rental, it does not relieve the park owner of his contractual duty to provide the requirements of his permit to operate. Or, can these utility costs he is imposing on top of rent also be written off as tax-free income? For the park owner to justify any additional utility charges after the rental agreement is made, there should be a special provision in this written rental agreement, 798.15(h), that both parties agree that they can change the utility fees after the rental agreement is made.

Another complaint of our members is that park owners have started to charge a customer service charge in addition to the rate of the commodity they're using. There is no provision in the laws that state that the park owner can charge these customer charges. Our members are paying for the use of the utility service in their rent payment.

Each year, the park owners receive an annual rent increase over and above the 46 percent governmental standard of inflation for the cost of providing these utility services, and that's calculated in the CPI. When members have complained about the charge, they have been ignored. If they try to stand up for their rights under the laws, they have been issued pay or quit notices with 60 days to remove their mobilehome. This has caused emotional distress. Physical upset of seniors, some to the point I've had them almost in hysteria.

Seeking legal advice is not feasible because even though it is senior abuse emotionally and financially, it would be a civil case and the cost and time involved would not warrant the compensation for the lawyers, so they're reluctant to take the case.

So these large conglomerates, with money and political influence, are just ignoring these California laws for public utilities, along with the many out of state park owners they know there is no enforcement of these laws.

It is my belief that we need to find some simple way to enforce California state laws with a stiff penalty for a breach of these laws.

Another solution would be that if we would have some state financing to open new parks, then the park tenants would have a choice. They would not be stuck. They could move to another place if the competition -- if we had some competition. The park owners would then try to keep their tenants and

would treat them better by reducing rents, and treating them like they had an investment in the park.

I believe that if something isn't done soon, it will no longer be senior low cost housing, but become empty slums. Seniors are losing their investments. Thank you.

SENATOR DUNN: John, do you have a question?

MR. TENNYSON: A quick question. The customer service charges that you alluded to, are those for water or are they for gas and electric? What are they for?

MS. MATTHEWS: Electric and water. I've seen bills with all three.

MR. TENNYSON: And the customer service charges are for specifically meter reading, for what?

MS. MATTHEWS: It says customer service charge.

MR. TENNYSON: Have you inquired?

MS. MATTHEWS: Well, I've had these complaints. I do not --

MR. TENNYSON: Of the management, I mean. As to what those service charges are for.

MS. MATTHEWS: Oh, yes.

MR. TENNYSON: And what do they say?

MS. MATTHEWS: They just ignore it.

MR. TENNYSON: They don't tell you what it's for?

MS. MATTHEWS: No, they say we didn't do it.

SENATOR DUNN: Okay. Any other questions? Okay, we'll go to you.

MR. ED EWIN: Senator Dunn and committee, thank you very much for letting me speak this morning. My name is Ed Ewin, and I live at Westgrove Mobilehome Park in Westminster, and we've lived there for 16

years. My wife has had polio, as well as post polio syndrome. And for 50 years she walked on crutches and braces. And back in '89, the doctors told her that she was wearing her arms out by walking on the crutches, so she had to go to a wheelchair.

Anyway, during this time we were told that when she got the electric wheelchair that we could get special billing from the electric and utilities company -- gas company and electric. And the special billing is called medical billing, and it is basically 16.5 kilowatts on the electricity per day times the number of billing days, which I believe is for 31 days, is about 500 kilowatts extra over and above the baseline. And if a baseline were 300 kilowatts for everybody, then she would be allowed up to 800 kilowatts at the same low rate. If you were on low-income rate, then it would be that rate until she passed 801 kilowatts. If she was on the regular rate, it would be that regular rate until she passed 801 kilowatts, then she would go up to the stair step on paying for the electricity.

With the gas, it's a little bit -- a lot less. The gas is only .822 tenths of a therm per day, times the number of billing days which is roughly 16 therms that they allow you to stay on the low side.

Anyway, we went to a doctor, to Lois' post-polio doctor, Dr. Jacqueline Perry, in Downey, California, at Rancho Las Amigas Medical Center, and she got the papers signed. Turned them in May of '89. That's when our problem started. They did not allow the medical billing on either gas or the electricity.

SENATOR DUNN: Let me interrupt. May of '89?

MR. EWIN: May of '89.

SENATOR DUNN: That was 12 years ago.

MR. EWIN: Yeah. 12 years ago. Then it started out that they finally refunded at the end of the year, I think it was in December, the four months; that was June, July, August and September of '89 which we had medical billing and we went over the base and went into the medical, and they didn't allow it. They refunded it. Then for two months, October and November of '89, we got the allowance. Then it was back again to one month no credit in the month of December of '89. Then it went to two months we got credit for January and February of '90. Then again, it was one month no credit, and that was March of '90. And then it was three months we got credit and that was April, May and June of '90. And then again, it was four months of no credit, and that was November '90, February '91, March '91 and February of '92. Then, again, we got credit for September, October and November of '92. And then, it was the very last until the first of this year, we got no credit allowance on the medical billing for February, April, June, July and August of '93. That was a total of five months. Now, it ceased, it seems -- there may have been one or two months that we didn't get it. I don't remember. But starting the first of the year, on our bill they put a customer service charge on our water, which we had never paid before and it was $6.88 plus whatever water you would use. Then, we got tax exempt because of low income, and they turned around and didn't allow that and then they hit us with the medical billing on both gas and electric and took it away. So, I complained to them. Well, they changed it. Well, okay, so I let it go. Come February 1st, they handed me the bill, bingo, no medical billing. I said, "This is enough." And I went down and talked to Carina, and Carina gave the manager a call and you know the correct bill was in my mailbox by the time I got home.

SENATOR DUNN: That's how influential Carina is.

MR. EWIN: And I thank Carina very much. And the people at the mobilehome park kept telling me, oh, I don't know what I'm talking about. Well, I went to the utility companies and talked to them and they kept telling me, the mobilehome park management kept telling me, "Oh, it's low billing." I said it's nothing to do with low billing -- low income. And I talked to the utilities, and they told me as much -- you could earn one million dollars a day. If you're a quadriplegic, paraplegic, or had multiple sclerosis, and there is a couple of others, that you would automatically get it no matter how much money you earned at all. So, they kept it up and they gave me such a hard time. Well, every time they would change billing companies -- they did it themselves for a long time--and I gave them so many problems because of this off and on situation throughout the 12 years, they stopped doing it and they got a billing company to do it. Well every time they changed billing companies, we'd get it again. And this one billing company was in San Diego. And it's very confusing because the manager turned around and kept telling me that it was Edison that was telling him all these things. Come to find out, the company was California Edison Utilities Billing Company in San Diego. Anyway, I finally called for information and even the telephone company got it mixed up and gave me the electric company. I called the electric company in San Diego and the guy said, "Hey, wait a minute." He said, "There's a billing company with almost our identical name." He gave me that number, and somehow or other, as luck would go, I got in touch with either the president or the vice president with the concern. I told him of my problems.

SENATOR DUNN: Ed, I want you to start winding down here because we're going to have to move on.

MR. EWIN: All right. He said that if I'd send him the papers that he would correct it. He did. The park kept telling me that I still have low

income and that was it. And anyway, about six months later after it ended for me, this guy from the billing company in San Diego called me and said, "Ed, since you know what you're doing," he says, "Would you go down and see another neighbor of yours in 53, who has claims that he has medical billing on the utilities, on the electric and he hasn't received it?"

I went down, I checked all his papers he had and they owed him for a whole year back on every month.

I thank you very much, Senator Dunn and committee.

SENATOR DUNN: Thank you very much, Ed. Any questions, Harry, Van?

COUNCILMEMBER TRAN: Very briefly. Based on your report over the 12-year period, have you made an estimate as to how much that you're short of based on this billing?

MR. EWIN: I'd say it's probably $100 to $200.

COUNCILMEMBER TRAN: Okay. Have you done anything?

MR. EWIN: Yes. After fighting it, they have given it back to me. But, it has taken a heck of a fight and a lot of hours of research. It took me a week to get this together over a 12-year period.

SENATOR DUNN: And those are copies for us, Ed?

MR. EWIN: Yes. And I have some more that I can send you on some of the months they did not allow.

SENATOR DUNN: Okay. And to follow-up, Ed, to the councilmember's question. You've been made whole, is that correct?

MR. EWIN: Yes. As of February's bill, the March bill that came through was fine.

SENATOR DUNN: Okay. All right. Any other questions? John, anything?

Okay. Thank you, Donna. Thank you, Ed.

Let's bring up our next panel. That's Mike Cirillo and, also, Allan Alt. And while they're coming up, on the on-deck circle -- sorry for the baseball analogy everybody -- are our utility representatives. You know who you are. You will be next. And, Mike, let's start with you.

MR. MIKE CIRILLO: Good morning, Senator Dunn, members of the panel. Thank you for the opportunity to spend a few minutes with you this morning. And I want to extend our thanks to Mr. Tennyson. You have a very able counsel to your committee, and it's refreshing to have a staff report as accurate and thorough as was provided here.

And this utility issue has driven everyone crazy from a business operations standpoint, from a financial aspect, from an uncertainty aspect, and everything you've heard from the residents today, we, as the operator or the person paying the master meter bill, are facing the same things. We've got utility bills increasing, fluctuating all over the place. We've got, those of us who operate in multiple jurisdictions and have different treatment from different utility companies. San Diego Gas and Electric doesn't do it exactly the way So. Cal Edison does and So. Cal Edison doesn't do it the way PG&E does. And it's a confusing and complicated area.

I'm going to primarily speak about the refund issue, the meter reading issue, and some of the billing irregularities.

To start with, on the refunds, it's very clear with the gas and electric statutes that when a serving utility company is ordered by the PUC to make a refund, be it gas or electric, and when that amount passes through to the master meter bill, the park owner is obligated to pass through that refund on a pro rata basis to the residents. Now the way that typically happens, or the way that is driven, is through the Public Utilities Code section 739.5, which

lays out more or less, a formula for the computation. And that computation is something like the credit the resident receives is based on their consumption from the prior billing period. And what happens a lot of times with these refunds is, they'll be publicized in the press either the newspaper, or the television news, if these refunds are coming. Now the way the whole thing is set up with the mobilehome parks, we're paying bills probably in the neighborhood of 45 days or so before we collect that money back from the residents because of the delay period. We don't generate a simultaneous billing every time our master meter is read. Typically, in mobilehome parks the sub-meters, which are the residents meters, are read around the middle of the month to have those utility charges be placed on the following month's rent bill which typically is due and payable on the first of the month. So, a lot of times the residents are in the park office, saying, "Where's my credit. Where's my part of this refund?" And it hasn't filtered through the master meter bill yet. And, I think the vast majority of the industry, including the statewide trade association, WMA, is very sensitive to this issue and is constantly counseling and reminding its membership that these refunds are not optional to pass through. They're mandatory and we're encouraging everyone to do so.

The method of computation sometimes gets a little difficult because sometimes the master meter, the refund -- the billing periods are rarely, if ever, synchronized between the master meter and the sub-meters. So to calculate one of these refunds, either you're talking about two master meter cycles, or two sub-meter cycles. So there are some mathematics that are involved and it's not a complicated computation, but it's not a simple

A + B = C either. There is no excuse for a park owner to not pass through a refund generated on the master meter bill. Absolutely none. If a park owner receives a refund, he's obligated to pass that through to his resident.

And in the situation that was discussed in Escondido, it's entirely possible that the scenario would occur where the park owner retains a portion of that refund. And I don't know that you could exactly -- I think it was characterized that the park owner made a determination that they're consumption was X percent of the total.

In the way this refund works out, there is the master meter bill and then there is the resident consumption. And typically, the resident consumption -- by definition, the resident consumption is less than the total. And that difference is the amount of the park owner's common area consumption for things like street lighting, heating and cooling the clubhouse, running the electricity in the laundry rooms, that type of thing. The pool equipment, and that sort of thing. So, in the big picture of things, the park owner is entitled to their pro rata share of that refund as well. I'm not sure that it was characterized exactly that way when the residents were talking, but if for that billing period the park owner's consumption was 15 percent of the total, then 85 percent of the refund would have been distributed back to the residents and 15 percent would accrue to the benefit of the park owner based on their consumption.

On the meter reading issues -- Once again, most of the operators out there are very conscientious about reading the meters correctly and accurately. The electric meters, the older ones that have the little dials on them, are somewhat complicated to read, but there's a wealth of material available to provide one with guidance on how a meter should be read. Each of the major utility's websites have that information. I think the local

Weights and Measures offices have that information. It's a little tricky, but once you get the hang of it, it's fairly easy to read those meters.

In our operation, we're gradually, as we're phasing out, or replacing electric meters, we're replacing the dial type meters with the meters that read like an odometer on a car. So, it's very easy to read those. The gas meters already read that way, and most of the water meters read that way as well.

And as with the utility company's meter readers, yes, errors occur. Nothing is 100 percent accurate. And I think that most of the people that are in the business of doing this, are conscientious about fixing an error when one does occur. These errors are not done with any malice in mind; they're simply number reading errors, and when somebody is computing a major quantity of numbers, there is a certain margin of error that is worked into that.

There has been a tremendous amount of discussion concerning the fluctuation in rates, and it's true, and it's not driven by anything that the residents or the park owners have any control over. The deregulation of both the gas and electric industry has caused this widespread rate fluctuation to occur.

With gas, which was the first utility to be deregulated, there has been monthly gas pricing for the last couple of years, at least. Which means, every first of the month the gas company sends out a rate sheet that indicates what the rate is for that month. Based on the scenario that I described earlier, where the park owner has a mid-month reading schedule with the first of the month effective date for the rate schedule provided by the gas company, it means that every billing the resident gets is the result of a combined or a

blended billing and that's just a fact of life; that's the way it occurs. And gas is that way every month.

The electric, at least for PG&E and So. Cal Edison territories, has been in a rate freeze since 1998. So, the electric rates themselves, in terms of the basic commodity rates, have not changed. There was an additional surcharge instituted in January, which is one cent per kilowatt hour surcharge, referred to as the electric energy procurement surcharge (EPS), so that's on there now. And then, based on the PUC's action last week, there is likely to be another surcharge implemented by a method of which we are not yet sure.

In San Diego territory, they have been on monthly pricing for at least a year or so, and they recently instituted some changes in their billing requirements which have something to do with the imposition of the 6.5 percent rate cap on the energy procured from the power grid. So there are now three line items where there used to be two, and they've also changed the methodology for the CARE Program where it used to be a separate rate for CARE and non-CARE. The CARE is now reflected as a discount off the bill. So there is a line item reflecting the CARE discount.

The rate structure for both gas and electric is tiered, as I think you've heard some testimony of the residents. There is this concept of baseline, where you get a certain number of units at a certain rate and then if you exceed that rate, you pay at a higher rate for the remaining consumption.

One thing to point out in terms of time, if there is a slight fluctuation in the length of the billing period, either longer or shorter, it seems to generate questions and concerns from the residents.

It's necessary to point out here that both the gas and electric rate schedules which are tariffed rates through the PUC, all of that is based on daily rates, so that the baseline allowances are expressed in terms of daily

allowances; any customer charges are expressed in terms of daily allowances; and what we charge, what the park owner charges at their master meter, is, by law, Public Utility Code section 739.5, the single family tariffed rate. That's it. There is no variation. So, it's relatively simple to find the tariff, and that's the rate that the park owner should be charging, and those schedules should be posted in the park office.

Another thing that raises some issues, and this is on gas -- there's a bit of a quirk in the way gas is handled. Gas meters are volumetric reading meters, meaning the dials on the gas meter are read in cubic feet. But gas is not billed in cubic feet. Gas is billed by a term called therms. And the easiest way to explain therms is, a therm is a unit that will provide a certain amount of heat regardless of the volume of gas necessary to produce that amount of heat. And due to factors like altitude, impurities in the gas, etc., the therm factor may be slightly greater than one, or slightly less than one. So that therm factor, or therm multiplier, as it is called, is applied to the cubic feet reading on the meter to determine what the therms are. So, it's conceivable that the gentleman who was speaking earlier about a two or three unit discrepancy on his gas bill, that could very easily, and most likely be the difference between the cubic feet and the therm factor that's applied to come up with amount of therms that he's actually going to be charged for.

SENATOR DUNN: Mike, if I could get you to start winding down.

MR. CIRILLO: Okay. The medical allowances, the gentleman did a very adequate job of explaining that. That is an additional allowance that is added to the allowable baseline. And the way that's driven is, the application -- the resident goes to the utility company and makes the application. The utility grants the allowance and notifies the park owner of that it is granting the allowance, and from that point forward the park owner

is obligated to pass through, or grant, that extra baseline allowance. And those things are typically reflected on the master meter bill as well. So, the park owner will know how many CARE units he has and how many medical baseline allowances there are.

And I think that will do it. And I'll be happy to entertain any questions.

SENATOR DUNN: Mike, why don't we hold on the questions. Allan, we'll hear your testimony and then we will open it up to questions for the panel. Allan.

MR. ALLAN ALT: That's a tough act to follow. I'm Allan Alt, and I'm here today to speak to you as a community owner and as a member of WMA. I'd like to talk about the CARE Program, which is one of the myriad acronyms that we live with in our world today. It stands for California Alternative Rates for Energy, and I'd like to discuss how it's administered at manufactured housing communities.

This program was instituted by the California Legislature and is implemented by the PUC, and it requires utilities to offer a 15 percent discount on gas and electric bills to low income residential customers who qualify under specific income guidelines. And that pertains to all residential customers, not just residents who live in communities.

The utility companies provide information directly to their customers when they are the serving utility company. So if you live in a single family home, you would get this information from the utility company. In the case of communities, the residents, they can receive the information from the utility company by requesting it, but most often it's given to them by the owner or the manager of the property. There are a variety of ways that the CARE Program information is made available to residents and communities.

Most frequently, this information and the applications are posted in a permanent location adjacent to where the current utility rates are posted. Some owners include notification about the program via a periodic insert included with the resident's monthly bill for rent or other charges. It may also be discussed in a monthly or periodic newsletter, which is distributed to all the residents. Other owners or managers who utilize billing services, broadcast information on the CARE Program as a message on the monthly invoice. This announcement would be similar to offers that we receive on our monthly credit card bills from VISA, or MasterCard, or department stores, which offers their greatest and latest deals. Some owners utilize a message channel on the community master antenna or cable system to inform residents about the CARE Program. So, there are many different vehicles for informing residents of this opportunity.

The actual CARE applications differ somewhat from one utility to another. I have samples with me today of the applications from PG&E, Edison and Southern California Gas Company.

SENATOR DUNN: Allan, are those copies that we can have? I know we have some up here, but if we could?

MR. ALT: Yeah, sure. All of these applications require the name of the property and the master meter name, customer name, the master meter account number. Others require more information such as the property address and phone number. Each of these application forms requests the resident to provide information about income level, source of income, and number of persons in the household. Once the resident provides the requested personal financial information, the resident mails the application to the serving utility in a preaddressed envelope which is included with the forms that I just gave to you.

These income levels were recently raised, as was mentioned earlier this morning, by about $3,000 over the prior levels from about $18,000 to $21,000, and it's stepped upward from that depending on the number of members in the family.

If a resident, when they've completed the application, happens to misplace the envelope, or if we're out of them -- we seem to go through them more quickly this year than ever before -- the address is stated on the application, so that's another source for that information.

We've heard of some community owners who either don't have the CARE applications, or refuse to provide the forms to residents. If this allegation is true, we cannot condone this behavior. Considering that the CARE Program is at no cost to the community, and it helps the resident monetarily, I don't know why applications would be withheld from residents.

I think the key here is to get the information out. Talk to residents about many other ways that we provide this information. Perhaps, HCD, which has a list of all manufactured housing spaces in the entire state of California, could also send out information on the CARE Program. They already have a mailing list.

There are other programs beside the CARE Program, such as a low energy assistance program and a direct assistance program. These programs and applicable phone numbers are listed on most of the CARE applications.

The significantly higher gas bills in most areas in California this past winter placed a tremendous burden on low-income families. The assistance programs we are discussing today soften that impact but don't reach far enough in some cases. At one of our 55 plus communities in Sacramento, three of our residents who are already on, or have applied for the CARE Program, recently approached our resident manager. Each of these residents

inquired, although the new higher gas bills were caused by weather or economic factors, it had nothing to do with the community, if we would extend a portion of their gas bill exceeding costs for the same period last year, which was January and February, over a period of three or four months to help them out. These are proud, older people who pay their bills in a timely manner, and I'm certain it's difficult for each of them to ask for help. Upon receiving a call from our onsite manager and reviewing their gas bills for the past two years, we offered to extend payment of the increased amount over a period of three or four months to help ease their burden.

I can tell you that these people were so grateful that we would extend a hand and help them that it was really gratifying for us to be able to do that.

Unfortunately, this committee, and the Legislature, and the media rarely hear about the positive stories such as this one, however, that does not mean there are not many other owners who are either helping now, or wouldn't help their residents.

In conclusion, I appreciate the opportunity to speak to you today on behalf of community owners and WMA, and I look forward to working with you on issues that affect our industry. Thank you.

SENATOR DUNN: Okay. Allan, let me make one editorial comment and then I have a question for Mike. The editorial comment is, we actually do hear about the good stories, Allan, and that's why you heard in my introductory comments, I'm of the belief, and I've said it at every one of our hearings, I think the vast majority of park owners are doing the right thing in trying to benefit the residents, and unfortunately, as in any profession, we've got a few that don't do the right thing.

Mike, my question for you is, on the rebate issue, are there parks that pass on the entire master meter bill onto the residents, and if so, wouldn't

those residents, then, be entitled to 100 percent of any rebate that may have come to that park?

MR. CIRILLO: I think I understand your question. In theory, in application, I'm not sure that such a situation exists because, typically, in a master meter setting, there's only one master meter at the front of the park, or wherever, and everything downstream of that runs through that meter. So for your scenario to be true, you would have to have a master meter and then either no common areas whatsoever, or the common areas served on a direct bill basis from the serving utility. If the latter were true, then I think your theory would be true, that the entire -- if the park has no common area consumption, or if the residents make up 100 percent of the master meter bill, then, yes, 100 percent of the refund would be distributed amongst the residents. But, I can't think of a practical case where that condition would exist.

SENATOR DUNN: And again, correct me if my perception may be wrong, are there situations where even the cost of electricity to the common area is distributed to the residents by the particular park owner?

MR. CIRILLO: Through their meter?

SENATOR DUNN: Through their billing, basically. No matter how -- whether we have a fully sub-metered, or whether we have master metered, whatever the meter situation is.

MR. CIRILLO: It's my understanding, based on the 739.5 of the Public Utilities code, that we can only charge them for electric that's run through a meter and not add on any surcharges and put them in that bill. And, obviously, the rest of it as common areas, as well as other costs, are somehow in the rent number, but I don't think they're quantified or added in electric billing as a surcharge. I don't think that's legal.

SENATOR DUNN: Okay. Therein lies my question, Mike. If part of the rent is to cover the cost of utilities from the common area to the park owner, shouldn't -- again, I'm not trying to prejudge the answer -- the resident then also receive a rebate that applies to the common area if the rent that that resident pays includes coverage, so to speak, for the common area utility costs?

MR. CIRILLO: I think the Public Utilities code tells us how to do it, and the computation is based upon the consumption through the residents meter as a percentage of the total that ran through the master meter. That's how the statute tells us how to do it.

SENATOR DUNN: I get it, Mike. I understand what the statute says. What I'm really asking though is, if it's built into the rent, therefore outside of that utility code that we're referring to, my question simply is, because the resident is paying for it by a rent, shouldn't the 100 percent -- in that scenario, shouldn't 100 percent of that rebate go back to the resident? Again, I'm not trying to be argumentative, sorry if it's interpreted that way.

MR. CIRILLO: I don't think so.

SENATOR DUNN: Okay. John.

MR. TENNYSON: Do you still have parks that do not have sub-meters -- older parks? And if so, how does the billing take place in a park where you have, say, one master meter but no sub-meters?

MR. CIRILLO: I'm assuming you're talking about gas and electric.

MR. TENNYSON: Yes.

MR. CIRILLO: We do not operate any community that is not separately metered for gas and electric.

MR. TENNYSON: We've been led to believe there are still some older parks in California out of the 5,000, that may not have sub-meters, that's

what gave rise to the question. And the question is, how would the billing in that case be handled?

MR. CIRILLO: Well, it's -- I haven't researched this issue because we don't have any, but my first response would be, I don't think you can separately charge for those utilities if they're not metered. So I think they would be a part of the rent. In the old, old days, like pre 1978, when this -- I think it was 1976 -- when this whole billing scenario came about, it was very common to have gas as a separate line item for six bucks, or eight bucks, or whatever. I don't think we can do that in a post 739.5 environment.

SENATOR DUNN: Okay. Van.

COUNCILMEMBER TRAN: I have a question. I want to follow-up on the Senator's question. I want to understand the logic here as far as the rebates are concerned in terms of the 100 percent. As far as the common area charges, that's built in on the billing correct? For the residents. For the rent.

MR. CIRILLO: It's part of the rent.

COUNCILMEMBER TRAN: Correct. So when the rebates come back to the residents, wouldn't the residents be entitled to the entire rebate instead of, say, 80 to 85 percent?

MR. CIRILLO: Well I think based upon the methodology laid out by the statute, they're receiving 100 percent of the credit that is due them based upon their percentage of their consumption as to the master meter.

COUNCILMEMBER TRAN: Right. But how do the park owners justify, say, the 10 or 15 percent?

MR. CIRILLO: It's a mathematical derivative. It represents the difference between the master meter consumption less the sum total of the resident consumption.

COUNCILMEMBER TRAN: Very well. Also, one more question, if I may, Senator. In terms of the rebates, what's the turnaround time? Because you said that there's a different billing cycle in terms of the rebates, and how does that calculate?

MR. CIRILLO: Our practice is generally to compute and apply those credits the month following the receipt of that master meter bill by us. So it's usually a relatively short turnaround. And the one caveat is, that sometimes the master meters are read very late in the month. We've got three or four projects that are that way, and because of the timing necessary for us to get the bills out on time, a master meter that's read, say, on the 25th of the month, we may not have that bill from the utility company until after our bills for the residents have already been prepared and distributed. So in that case, it would be the following month.

SENATOR DUNN: Okay. Harry.

COUNCILMEMBER DOTSON: I have an observation on this meter reading. I was with the Department of Energy and it was a very great concern to consumers, the exactness of that meter reading. And I've seen it happen in my residential bill, where the reader takes it by a spy scope on the other side of the fence. It seems to me with the concerns of the energy issue that we have in the state of California now, that it would be incumbent upon the owners of the parks to make sure of the accuracy of their meter reading for their own dollar value, and at the same time, that would give reassurance to the residents that it is exact, so that there would be no possibility of fudging. And I understand your billing periods can make some difficulties there. But, here again, if there was an understanding that the park ownerships were representing the bills accurately to their residents, there

would be a better mix of an association between the residents and the ownership. It is a very serious issue in my mind. Thank you, Senator.

SENATOR DUNN: Thank you, Harry. John, one follow-up.

MR. TENNYSON: Real quickly, on CARE, on the mechanics. I understand the majority of parks cooperate, particularly, the WMA parks. Some of them even collect the applications and turn them in, I understand. What is your policy, or what are your member's policies with regard to those parks that don't want to handle the application? Are you willing to give the account number information to the individual applicant so the individual applicant can then turn around and send that application to the utility? The utility, of course, will not accept the application without that information.

MR. ALT: If you look at these three samples, one of them actually has the account number already placed on it, so the manager kind of anticipates what the resident will need in order to send it in. It's just a matter of filling out a couple of lines. In 99 percent of the cases, it is the resident that sends in the application because a lot of times they don't want to give us all of their financial information because it's very personal.

MR. TENNYSON: Thank you.

SENATOR DUNN: Allan, Mike, thank you very much. Let's bring up the last panel before the coffee break. We're a few minutes behind schedule. We'll try to pick it up. I know the utilities comments, I understand, are relatively short. Pat Aldridge, from Edison. Gordon Doughty, from PG&E. Susan La Slam, from SDG&E. And Carmen Rudshagen, from Southern California Gas.

We'll just start in the order that I've got them. Pat, why don't we start with you.

MS. PAT ALDRIDGE: Thank you very much for having the opportunity -- I want to thank you for the opportunity to come and address some of these points. I thought what I would do is I would try to run through some of the questions that came up; issues that were brought up on CARE.

SENATOR DUNN: And, Pat, would you just introduce yourself so everybody can hear you.

MS. ALDRIDGE: Yes. I'm Pat Aldridge, from Southern California Edison. And I think you're also going to have another question and answer period later on.

SENATOR DUNN: Yes. And we hope you hang around.

MS. ALDRIDGE: Yes, we will. There were questions about the issues of the qualification level or the income level for CARE. And it's true for the electric portion, that it has been increased from 150 percent to 175 percent. The applications that are laying on the table don't reflect the new income guidelines.

SENATOR DUNN: Let me stop you, Pat, just for a second. One, we need you to do it louder, sorry. Number two, can you explain to the audience what you mean by the 150 percent, 175 percent; translate that into practical terms?

MS. ALDRIDGE: Okay. It's been increased to 175 percent of the federal poverty level which comes to be around $21,000 of a family of one or two, and then it goes up a certain amount from $3 to $5,000 for each individual family member over that. The income guidelines were just increased last week, so the new applications haven't been printed yet, but they are in the process of being created right now, so they will be available. So, anybody who picks one up today, just keep in mind that the income level is lower on that application than what will actually qualify for the CARE

discount. So they can just go ahead and send it in and indicate their income level and send it in to us. There was also a question about some -- for the Edison Company the CARE rate is its own special rate for domestic customers.

SENATOR DUNN: What do you mean by that?

MS. ALDRIDGE: We have a regular domestic rate for regular domestic customers. If someone qualifies for the CARE rate, then they go on the D-CARE rate if they are receiving their bill directly from Edison. And if they are being billed by a mobilehome park, a sub-metered tenant, then they should be billed on the D-CARE rate by that mobilehome park and that should be a posted rate along with the regular domestic rate that is posted. For DMS-2 customers, for the master metered mobilehome park, there should be a separate bill that goes out for each sub-meter to each tenant. There should be, when there are sub-meters involved, the meters should be read; the usage should be indicated; and the rate schedule that the customer is being billed on should be indicated; the amount of their usage and the bill should be calculated completely for them. And it sounds like, from the information that came from the two gentlemen from the billing services, that they do a good job of showing that kind of information, and it should be displayed that way for all sub-metered tenants.

Customers that are not sub-metered, it came up just a little bit at the end, their monthly rental would include their utilities and that should not vary -- the amount for the utilities should not vary from month to month if there is no sub-metering situation involved.

I mentioned a minute ago, that the rates are to be posted for the tenants and that would most likely be the domestic rates, the D-Schedule and then their D-CARE Schedule.

A point that I want to bring up too is that new parks that have been built after January 1, 1997, would be individually metered by the utilities, so those situations should not be occurring from that date forward because they should be billed by the utility directly.

Medical base-line -- The gentleman did a very good job of explaining that. It's correct. It is a 16.5 additional kilowatt-hour of allowance that's given per day. So if it's a 30-day bill it would be an additional 400 and some kilowatt-hours. I guess maybe it is 500.

One point that I wanted to address, those are kilowatt-hours that are billed at the base-line rate which is the lower rate. They are in addition to the regular baseline allocation. If a sub-metered tenant does not exceed his basic baseline allocation, then there would be no kilowatt hours that would be billed at the Medical Baseline rate, and that's why, some months, possibly, they didn't have any Medical Baseline allocation or discount. They may not have exceeded, say, the 250-kilowatt hours that they normally would get at a baseline rate.

And lastly, I wanted to address too, that there is -- the gentleman was correct -- there are no income guidelines to qualify for a Medical Baseline. It is strictly a medical situation, where you get an application and you have it filled out by the physician providing services to the particular person and you turn it back to the utility and then they are granted this additional baseline allocation, based on that information that was given by the doctor. So those should not -- they should be given that regardless of what their income level is. If they qualify that way.

SENATOR DUNN: Okay. Pat, before we go on. And, John, I'm going to ask you to jump in on this one real quickly as well. Pat, you mentioned where there are parks, and I know that usually we're dealing with the very

old parks where there is a master meter but no sub-meters, and I think you mentioned that in those circumstances, there is no utility bill, it's simply built into the rent. I want to make sure I understand here, that we've got obviously very rapidly escalating utility costs to everybody. Under those circumstances then, the park owner basically, until they have the right to increase the rent under the terms of the rental agreement, have to absorb those increased costs, even if they are dramatic. Is that correct?

MS. ALDRIDGE: Basically, yes, that is the situation. And whether they could -- if they got lease agreements with their tenants, then I guess they're held to those lease agreements unless there is some sort of clause in the lease agreement that says that they can renegotiate if circumstances exist.

SENATOR DUNN: It's all part of the lease at that point in time. Okay. John, any comment on that issue? Okay, but you had something else? Gordon, you're next.

MR. GORDON DOUGHTY: Thank you, Senator Dunn and Councilmembers. I'm Gordon Doughty, from Pacific Gas and Electric Company. And we currently have approximately 1,305 master metered and sub-metered mobilehome parks on the electric side in our service territory and 1,768 gas master meter, sub-metered mobilehome parks. The significant difference is, between some of these we have electric municipalities to where we serve gas service and not the electric.

To keep from repeating a lot of what Pat said, I'm here primarily to answer questions. And, also, I thought I would take a minute from the utility perspective to clarify this PU code 739.5(b), and what happens when there is a refund or rebate that comes back to the park from the utility.

How the statute is worded is that the refund that comes back is the total refund back to the master meter. The master meter mobilehome park owner, manager, billing company, or whoever then is required to apply that refund back to the tenants based upon their portion of the usage as it totaled up. A real simple example, if you had ten tenants that used 100 kilowatt hours in a month, you would have a total of 1,000 kilowatt hours, although maybe the master meter had used 1,200 kilowatt hours, that difference being, common use. But the refund would go back as their portion of that total 1,200 based upon their meter registration. So there will be a gap. Now, beyond that, what the park does for charging for common use is up to the park. But, as far as what's covered by Public Utility code and the refund from the utility, that is the procedure.

SENATOR DUNN: Yeah, I think going from the questions earlier, we got to the conclusion based on some of Councilmember Tran's questions and my own, that it's really a lease issue that we were dealing with, not a utility issue if I can frame it in that context. Any other comments?

MR. DOUGHTY: One last one, Senator Dunn, your question about the master metering and where we have the parks, is to add on to what Pat said. Quite often, when I was in our Consumer Affairs group, I would get calls from either homeowners associations or parks asking what possible rate increases were coming down the road. And what they would do then is plan out and maybe it's six month intervals, or on an annual basis, to find out what was happening, so as they renegotiated leases, did the rent structure, they were able to then go ahead and factor in what these possible utility increases would be so they could be stable for a period and not violate the section of the rule from the utilities that said it may not vary from month to month dependent upon energy consumption.

SENATOR DUNN: Understood. And Susan, Carmen, did you have any comments? Okay. Please, go ahead.

MS. SUSAN LA SLAM: Okay. Thank you very much, Senator and panel and other utility representatives. I wanted to make a couple of comments. First, about a point that Pat touched on and that is, unmetered master metered parks. In other words, there are no sub-meters inside the park. Tenants in those parks cannot qualify for the CARE discount according to the rules of CARE Program. They, however, can qualify for the Medical Baseline. So, that's a difference between the two programs.

And the second point that I wanted to bring up is that we have not got the large number that PG&E has by any means, but we have a substantial number of mobilehome parks that cover about 41,000 households, of over more than 41,000 households in San Diego County. In those parks the situation is quite different between them. We have parks that are master metered for electricity and then the gas meters might be individual, so that a customer might get a gas bill from SDG&E and an electric bill from their park. And there are some where it's switched the other way around, the gas is master metered and the electricity is not. So, those kind of issues make the situation even more complex when you're looking at remedies and situations like that.

And, I do want to apologize, you don't have a CARE application from SDG&E. I didn't realize you needed one, but I'll be glad to send one for your record.

SENATOR DUNN: That would be great. John, let me, based on Susan's comments, let me ask you for the information right at hand. Of our approximate 5,000 mobilehome parks in the state of California, do you have

any estimate on the number that are master metered without being sub-metered?

MR. TENNYSON: No, we do not. That's why I asked the question of Mr. Cirillo. I have not been able to get that information from the PUC, or from HCD, or any agency.

SENATOR DUNN: Okay. All right. Carmen, any comments?

MS. CARMEN RUDSHAGEN: Yes. Good morning. Thank you for having me here. I'm Carmen Rudshagen, from the Southern California Gas Company and I do want to provide some clarification with regard to the way residential and sub-metered customers can receive a CARE application. We have the method where the resident can go to the owner, as well as calling our 800 number for an application. We do not require the resident of the mobilehome park to go through the owner. At that time, that application is mailed directly to the resident for them to complete. It has preprinted information about them so that we can process the application very quickly. Then, we put them on the rate. We send a letter -- if they are eligible, we send a letter to that resident, as well as the owner of the mobilehome park notifying them of the eligibility and that they are eligible to receive the benefits of the CARE Program immediately. That's an 800 number: 427-2200, our regular call center number. We also send direct information to the resident when we are asking them to re-certify or renew their eligibility to the program. So we do have direct contact. We do have some information on the residents. We have about 19,000 customers on the CARE Program. And on the applications we do make referrals to other programs or direct assistance programs the customers may be eligible for. We do also accept applications if, in fact, the customer is submitting an application and they do not have the information from the owner regarding the account number -- I

just wanted to clarify -- we will help that customer get the account number to make sure that they are on the program as quickly as possible.

SENATOR DUNN: Okay. John, you had a follow-up question?

MR. TENNYSON: Yeah, I had a follow-up question on that very point, on the account number. One of the concerns that has been brought to our attention, or allegation, is, that in a few cases at least, the residents are not able to get that account number because the park -- although the majority of parks are cooperative -- there are some where the manager feels that it is confidential or doesn't want to deal with the paperwork, or whatever. How do you do that?

MS. RUDSHAGEN: Well, what we'll ask is that the resident call the gas company directly and we will provide information. That resident will have their own number. The facility has its number, which we call master metered. It is not their direct account number. We identify it a little bit differently. So if you'll see on our application, it says facility number and it will say for gas company use only; that's our own method of identifying that premise. So, the resident would feel free to call us and get the information that they need so that we can send them an application. They do not need that account number. It's easier for us to process, but it's not a requirement.

MR. TENNYSON: Now, I understand the PG&E area doesn't work this way; that you can't provide the customer with the account number. This is the information that was provided to us by your PG&E representative, Mr. Kauss.

MS. RUDSHAGEN: That is correct.

MR. TENNYSON: Why is there a difference?

MR. DOUGHTY: The initial premise here is that we treat that customer account number as confidential information between us and our

customer. Beyond that, it sounds like we have a process that's different than the gas company's.

MR. TENNYSON: What about Edison and SDG&E on that?

MS. ALDRIDGE: We also would look at that mobilehome parks account number as confidential if the customer of record does not want us to give it out. And again, we have a little bit different process billing and customer process than what the gas company has. Although, I think that is a good issue that we may want to look into.

SENATOR DUNN: Okay.

MS. LA SLAM: The application from SDG&E does have a space for the master metered account number. We do not refuse an application if it's not there. The only issue that I would like to bring up is, that many times there are parks with different addresses inside the park, maybe the street addresses, something, something Highway 68. And inside the park they have beautiful little Calle Avenida, wonderful little addresses that are good post office addresses. We don't have any of those addresses in our master file. So, the more information a sub-metered customer can give us about their park, give us the actual street address of the park and then give us your internal address, we can make sure that you get the CARE discount. But mostly, the account number is used for, kind of, finding where they are, because a lot of times there won't be one master meter in these parks. There will be three or four or five; two gas and three electric. So finding where that particular resident is, when CARE began for sub-metered tenants, we had to go out and field check every master metered park, draw ourselves a map of the addresses, what spaces were connected with which meter so that we could connect them to the right billing account. So, the whole process is really quite extensive.

MR. TENNYSON: Okay, thank you.

SENATOR DUNN: Van, Harry, anything? No. Okay. I want to say thank you to each of our utility representatives. We're a little, as I said, over time on our coffee break, so instead of the 15 minutes, we're going to make it 5. So, run to the restroom. Run to get coffee, and we'll see you in five minutes. Thank you.

(Break)

SENATOR DUNN: The next three individuals: Steve Gullage, GSMOL President. Virginia Harris, from Huntington Beach. James English, from Garden Grove. If we can get those three up here while everybody else is settling in.

Okay, is everybody ready? Need I remind the panelists that I need you to speak right into that microphone. I'm also going to ask, again, because we are behind and we are committed to finishing right at noon, that we keep our remarks as short as possible and try not to repeat some of our earlier witnesses. We have lost one or two of those who are listed on our agenda, so hold your breath, we might have opportunity for one or two to add on, but we just don't know yet.

Steve, why don't we go right ahead with you.

COUNCILMEMBER DOTSON: You asked them to identify themselves.

SENATOR DUNN: Oh, yes. Thank you very much, Harry, for reminding me of that. We have had a request that each of the witnesses, as you begin your testimony, clearly identify who you are, and if you're

representing an organization, who that organization is, and your city of residence.

MR. STEVE GULLAGE: Good morning, Senator Dunn. My name is Steve Gullage. I'm the State President of the Golden State Manufactured Home Owners Association, or League. I want to thank you, Senator Dunn, for conducting these hearings. They have allowed all of us to air our concerns about mobilehome living, and have had a positive effect on our lifestyle. And also many thanks to John Tennyson, whose expertise and assistance has been invaluable to all of us in the mobilehome industry.

Many parks were required to pass on the utility rebates to the homeowners and did not do so until homeowners made enough inquiries to initiate a response from management. And even then, we received complaints from our members of non-compliance by their park management even though homeowners had made inquiries as high as the park owner level. Some compliance took place only after GSMOL zone officers had to send letters to park management on behalf of the residents. We're still receiving complaints about park managers who profess to know absolutely nothing about any rebates, and have made it clear that they do not want homeowners pursuing the matter. And as far as they are concerned, it's a dead issue. Residents in these parks will not pursue it because of the fear of retaliation from the management. Homeowners who are not getting any cooperation from management have been contacting utilities requesting information as to whether the park has received the rebate or credit and have been denied the information because the resident is not the customer in a master metered park.

Our members feel that because they are the ultimate consumer of the utility's product, and even though they cannot deal directly with the utility

information relating to the product, it's cost and delivery should be revealed to the consumer as well as the customer.

Because of the recent increases on gas cost on top of rent increases and the current energy crisis, many of our senior and low income homeowners are seriously feeling the pinch, and some are only just recently finding out about the state utility programs, such as the CARE Program. Because, unfortunately, the utilities send the CARE notices out to their customers, the parks, and not to the residents, and it seems the notices are not posted or not copied to the homeowners.

The utility discounts the park's utility bill then expects the park to pass on the discount to the CARE residents. Our members feel that the resident should be receiving the CARE information and discounts directly from the utility, not from the park.

We have had major complaints of much difficulty in getting management in some parks to cooperate with information needed to assist the resident to get on with the program -- and may I interject, that for the most part parks who are members of WMA have been cooperative with their residents, and we do appreciate that. And I do want that on the record.

I think a lot of improvements can be made in the program so the resident can deal directly with the utility if he wants to enter the CARE Program. And also, because of the unique situation the residents in master metered parks are in, many of the programs by utilities whereby payments for utilities can be adjusted to meet the income of the consumer in peak periods, they're not available to them because they do not deal directly with the utility. And many can face eviction and loss of their homes if they cannot meet the high utility payments during a peak period, and this can be avoided if they can adjust the utility payments.

I firmly believe that legislation is sorely needed so that resident consumers in master metered parks can deal directly with the utilities to take advantage of the adjustment programs currently being denied them.

We must, ladies and gentlemen, make it possible for the consumer to be able to communicate directly with the utility when questions regarding rates, charges, billing and service, and so forth need to be answered. Under the present method of operation, the consumer is referred back to the customer, which is the park owner, and whose billing or service practice may be in question. It's obvious that a customer who is using questionable charges on his billing is not going to reveal this to the consumer, nor is he going to stop the practice as long as the utility will not cooperate with the consumer.

I believe the only way to stop over billing and make the consumer aware of all utility benefits is legislation that will allow the consumer to deal directly with the utility, and for the utility to communicate with the consumer, as well as the customer, when programs such as CARE are available.

Thank you very much.

SENATOR DUNN: Okay. What we'll do is have each of the panelists testify and then open up for Q and A. And Virginia, before you start, I want to bring up Brenda Beard, if she is here. We'll just add the fourth panelist to here. Brenda, are you here? We don't have Brenda. Okay. Let's move on. Virginia Harris. And again, state your name and your place of residence.

MS. VIRGINIA HARRIS: My name is Virginia Harris, and I'm from a master metered park in Huntington Beach, Huntington Mobile Estates.

I have a family -- three children. I have a special needs five year-old, a seven year-old and a fifteen year-old child in the home with me, and my husband just recently had a stroke in November. In March, our electric bill

was $233 and our gas bill was $100, billed separately on our rent bill. It comes all in one paper. After communicating with the landowner, whose office is in Los Angeles, our electric bill in April was $182 and our gas bill was $96.

SENATOR DUNN: The bill you're referring, Virginia, is last year?

MS. HARRIS: No, I'm referring to April --

SENATOR DUNN: The bill you just got, which would probably reflect March usage, but it's the April bill.

MS. HARRIS: Right. Exactly.

SENATOR DUNN: Okay.

MS. HARRIS: This was our rebate and our discount from many previous months and years of overcharging. And I would like to say right now, this really has nothing to do with deregulation, and I heard the word deregulation is responsible for some of these overcharges, but the overcharges that have lasted months, and previous to this day, have nothing to do with deregulation.

I asked the landowner for reduced CARE rates a year ago in May of 2000, and I am still not receiving reduced CARE rates. I just received an application in December for the CARE Program even though, in writing, I had asked the landowner a year ago for the reduced rates. And I filled it out immediately and sent it out the same day I received it, which was around December 16th. In communicating with the electric company CARE Program with Edison, they tell me that my landowner is responsible for passing that reduced rate on to me, but they can't communicate to me anything about my situation. And the landowner says that they're responsible. That's all back and forth between them.

I sent another CARE application a month ago, and I sent a gas application for reduced rates. The gas company responded immediately and sent me an acceptance, so I thought they did real well. I was real happy with that.

I called the Los Angeles City Attorney's Office because my landowner does not communicate with his residents. And when I attempted communication, it was practically impossible, and the small communication that I had was not acceptable. He refused mediation through the L.A. City Attorney's Office. I had requested mediation so that we could resolve our difficulties in our park.

As of today, our park has no active homeowners association, people have too much fear to even form one and communicate their needs to the manager, and that's the reason we're in a bind. We don't have anyone in our park that represents us. There's no one on the local level to help us out, even though there are state laws that protect us.

Weights and Measures came out to our house last week and they showed up with nothing to measure the meters with. They just looked at them and told me that if they replaced the meters on my house, which were very old, that they probably would read higher. But, I stood my ground and they did allow the manager of the park to replace the meters.

Now, one problem with meters is that Edison doesn't actually own those, the park owns the meters. The owner owns the meters. They're private. And, therefore, the electric company doesn't make sure that they're calibrated correctly. Those meters can be calibrated any way the park wants as far as I know. I don't know that there's anything to control the calibration of those meters in parks that are on individual homes. In our park, everyone has their own meter.

I've had several people in the park, senior citizens, tell me that they're having a real hard time getting the application for CARE. And a lot of fear is communicated to me.

On April 10th, I had a licensed electrician -- that's this month -- come and check my house and he had a $500 meter that he uses to check balances on homes. And he unplugged our house from the meters, from the electric meter, and plugged in his and he said that our house is almost in perfect balance; that there is absolutely no way that our bill should go over $100 a month, even if we use everything in the home all day and all night long. We turned everything on in the house when we were plugged into his meter and that's how he could check it.

I have documentation here of my past bills. I have a statement from the electrician with his phone number backing me up on this.

SENATOR DUNN: Those are for us, Virginia?

MS. HARRIS: Yes.

SENATOR DUNN: All right.

MS. HARRIS: And I also have all my CARE applications and gas applications here, filled out, which I sent certified mail to both the electric company, the gas company, to the owner, who just accepted it yesterday. I just got a card back, although it was sent two weeks ago.

People in mobilehome parks are at the mercy of their landowner when utilities are needed, when meters are installed, and how they are calibrated. My particular landowner has no ethics in the way he treats his residents with their problems and his attitude is very cavalier. When a lack of ethics is combined with greed by a landowner, the homeowners face possible loss of their homes, and they certainly suffer to fulfill their basic food and medicine needs. My family has suffered immensely. Therefore, we need strong laws

controlling rates allowed in master metered parks, on how they're read, how they're calibrated, and we need enforcement on a local level, because even if these laws are passed, who is going to enforce them in the parks? The laws just sit there. The only recourse residents have is to hire an attorney to represent them. Most residents are on low and fixed incomes. They're all senior citizens, disabled, low income, fixed income residents, basically, in the parks.

So, thank you, Senator Dunn, for allowing me to speak. And I know I speak for quite a few people, not just for my own family. And I hope that some laws can be passed to help people in my situation and the future people coming into mobilehome parks, so they aren't stuck in a no win situation.

SENATOR DUNN: Okay. Virginia, thank you very much. James, why don't you grab the mike.

MR. JAMES ENGLISH: My name is James English. I'm from Garden Grove. I live in a small park. It's only 49 spaces, but it's all senior citizens, and the majority of them are on social security. They can't move around too well.

Our meters are kept in a locked room -- the electric meters. The gas meters are at the site of the coaches. And I've checked, the meter at our coach you can't get to. The lady next door has a little jungle out there. There's no way to get to it. One of the other ladies who lives there, she got her gas bill, it's $106. We went out there to look at her gas meter, we had to scrape it off, it was so dirty you couldn't read the numbers on it. And we have had problems with the manager for a long time.

The owner lives in San Diego. We pay real low rent because it's in trust so she doesn't care. We're a pain in the butt to her.

One of the ladies who lives next door went to Oklahoma for two months. I went over there and shut the breakers off in her trailer. When she came back two months later, her bills were $90 and $80 for the electricity for the two months she was gone, and there was no electricity going to her trailer.

Now, we go to the manager. He doesn't care. "Oh, well, I'll have to talk with the accountants," and that's it.

When they were talking about the rebates, I went to talk to him. I said, "What are we going to do about the rebates?"

"Well, the accountants will take care of it."

That was the last I heard of it. Well, he's supposed to be an on-site manager. He's not there half the time. He also got a job teaching. Now we find him late at night or during the day. If we have a problem with any of this stuff, he doesn't care. The owner doesn't care. She'd like to get rid of the park so she could sell it and make money. But everybody in the park is afraid of the manager, they're afraid to bring anything up to him because you've got to be 55 or older. Some of the people have lived there for 45, 50 years; that's how old the trailer park is. They don't want to cause any problems because they're afraid that he's going to retaliate. Just last year we got GSMOL in there and we had to brow beat these people that we need this in here. We need somebody to talk for us and help us, and they resisted and we just went around and we finally got them in. But we had problems with the manager. When we go down there, "Hey, everything is the accountant." The utility bills are on the rent bill. We have to pay that. Now, I asked a month ago, the utility companies to send the applications out. I told them they were coming if he would pass them out. We still haven't got them. About six or eight months ago, I called them the first time and I sent them

out and I told him they were coming could he pass them out. Two weeks later I went down there, he said, "I must have misplaced them. I don't know where they're at. I'll get some more." I had to call and get it done. That was 49 spaces and when you call the utilities, there's only seven or eight of them that are listed. I don't know what that means. Ours was not listed. It took me two weeks of talking with the gas company to get our name on that space number. We finally got the 15 percent discount. But the people there, they're afraid of the manager. He runs it like -- he's an ex CPO of the navy, and that's how he runs it. Like, you know, you people are beneath me. I'm the boss here. And that's exactly what he does. I'm still waiting for him to go pass out the applications to the people. A lot of the people there have walkers. By the time they get from their trailer over to the office, they forgot what they're going over there for, that's how old they are, and he knows that. And he just doesn't do anything. The owners don't do anything. And since I've moved there about four or five years ago, me and Shirley, we won't let him push these people around. Like I said, we go down there and yell at him, "You've got to do this. These people don't know this is their right. You're not telling them anything because it's too much of a hassle to you." I'm big enough to where I'll go down there and tell him what it's going to be like, and it's going to get done. He doesn't care.

The meters, I've never seen anybody out there reading them. Like I said, she was gone for two months and her bill was $90 and $80 for the electricity. I took the breakers off the day she left. $170 for electricity to a trailer that's not using anything. Well, the meters are in there. They read them. They don't read them. We've gone there and watched them go around. We can't tell what they're reading. Some of them are new. Some of them are old. And these people are afraid to say anything because they are so old.

And our trailers, if we get kicked out, our trailers aren't mobilehomes. They've been there before I was born. I mean, that's how old they are, and that's why our space rent is so cheap. And there is nothing we can do and this guy doesn't care. We say -- Mike, we've got a problem here. He says -- I'll get with the accountants and get right back to you. When we've got problems with something, it's the accountants. And to get anything done, I've got to go down there with Shirley and gang up on him. And these people don't know about the utility rebates and stuff like that, and he's not going to tell them. So we still haven't heard anything about that.

SENATOR DUNN: Okay. All right. James, thank you. Van, Harry, any questions. John? No questions. I want to thank the three of you for your testimony. And while you are -- let's bring up the next panel. I see Milt's still trying, isn't he? He's still trying. But again, thank you to the three of you. Our last panel, we're just going to combine the last two that are listed there. We're going to bring up Rich McCann, Jim Delperdang and Kevin Coughlin.

Okay, Rich, we're going to start with you.

MR. RICH MCCANN: Good morning, Senator, Councilmembers. I'm Richard McCann from Davis, California. I'm a consultant with WMA on utilities issues. My company consults on utility and natural gas issues to a range of clients, business groups, agricultural customers, energy co-ops, state agencies, such as the CEC and the Public Utilities Commission, and other groups.

I wanted to talk a little bit today about the complexities of the issues at the PUC and also address a little bit on the refund question. As you're well aware, there is a proposed three-cent surcharge at the PUC, a rate increase that's supposed to be imposed across all ratepayers. This is on an accelerated

schedule. We're doing a rate design in about a week in a process that typically takes about 18 months. And in that entire process one of the key questions is, how are the bills going to be presented to customers starting June 1? The utilities have basically said that they cannot implement many of the changes that many of the customer groups -- rate payer groups want to implement in that short time period and that there are certain issues that they won't be able to change in their bills. The park owners have an even more severe problem with that regard; that one of the key issues is that there is a proposal to move to a four or five-tiered residential billing system. The utilities have said they need a minimum of three weeks to do that and it will still be hard pressed for them to make it in that time period. It is their job to do billing; that is one of their primary jobs. For park owners, it is not one of their primary jobs. One of our problems is that park owners are unlikely to be able to implement a four-tiered billing system in that timeframe. And the park owners are going to need some sort of relief in that time period for over an extended time period in order to change the billing system. And that's a critical question that WMA has raised at the PUC, and a filing that we'll make tomorrow, and we would like some assistance from the Legislature on that issue as well.

SENATOR DUNN: Rich, can I interrupt you for a second. From a practical perspective, can you explain why a park owner could not implement that four-tier billing system in the short period that the PUC is looking at, at the current time.

MR. MCCANN: For the same problem that the utilities have, computer programming. It's a programming problem.

SENATOR DUNN: Okay. Go ahead. I didn't mean to interrupt.

MR. MCCANN: No, that's fine. And so, as you know, there are a lot of other issues going on at the PUC, but that one is the most critical to the parks.

The other question that I wanted to address was about the refunds and the discounts. One thing that I want to make clear is that there is a difference between the differential, which is the monthly discount that the park owners received from the utilities to compensate them for providing master metering services versus refunds that happen periodically. And the park owners are entitled to keep the entire differential or discount because that covers their cost of operating the system.

The refunds come in a variety of forms. And, in fact, one of the things that happened in San Diego last fall was that there were two types of refunds that came through and created substantial confusion for residential rate payers. In particular, for park residents. There was a refund of the trust transfer account which was a leftover amount of money from deregulation and there was an additional refund about a month later from the AB 265 rate freeze. Those came in a sequence over a series of about two or three months, and there were a number of complaints from tenants about how those refunds came through the system. It entirely had to do with the fact that the refunds were structured very differently for San Diego because they were done on a different basis, and that we had the problem of overlapping billing as they came through. And so I think that that's an important consideration when you're looking at the refund question and complaints about refunds.

The other thing is, is that San Diego rate payers are not entitled to the 10 percent discount that Edison and PG&E rate payers are entitled to. So that San Diego ratepayers should not be looking for a 10 percent discount off

their bill and they need to understand that, because their transition period has ended.

I want to turn to the issue of refunds for common area billing. Common area expenses are included in the rent, and the rent does not vary on a month to month basis in most cases. That is, that despite the fact that air conditioning load might go up in the summer or natural gas heating load may go up in the winter for these common areas, the expense is basically an annual expense. So that what happens is, when you get a refund back to common area usage, it gets folded into the annual energy costs that are used for calculating rent.

SENATOR DUNN: Rich, let me interrupt you for a second. My apologies for doing so. But let's be fair about that. Yes, the rent does not accommodate that spike because of, say, an increased cost in the summer, but it also doesn't accommodate the drop when we're in a mild month of April, for example.

MR. MCCANN: Right. And that's exactly my point, is that the energy cost gets levelized across the year for common area energy usage because it's rolled into the rent. So that if you have a common area bill of $200 in June and $50 in April, as your example, well if you average it out, it probably averages out to $100 month for the entire year. And so that refund gets rolled back into the common area expenses and into the rent. In rent control jurisdictions, when they're looking at annual expenses, they see the refund. So for rent control jurisdictions, the refund definitely comes back to the tenants through rent control and through adjustments in the rent.

SENATOR DUNN: Okay. Now, let's go outside of rent control districts.

MR. MCCANN: Outside rent control jurisdictions, to the extent that energy costs drop and that those energy costs are reflected in changes in rent, then those refunds will come back as well. And a good example of that is natural gas. Utility bills have actually dropped over the last 15 years due to natural gas deregulation. Those energy costs have caused a decrease, lessened the pressure on rent so that rent has -- that portion of the rent expense has actually fallen over time. And the refunds do the same thing. That when they're looking at their annual expenses, they look at their total energy expenses in determining the rent.

SENATOR DUNN: Okay. And again, Rich, my apologies. I haven't interrupted any other witnesses along the way, but we're just having too much fun right now. The question that I have to you though is, outside of the rent control jurisdictions, the argument that you just advanced, really is a discretionary decision solely made by the park owner. That is, if my energy cost that I've built into the rent for common areas, for example, drops dramatically, I may or may not pass that on to the resident.

MR. MCCANN: And that's true -- that's also true for any utility expense. If the garbage bill rises or falls, it's up to the discretion of the park owner to include or exclude that cost. So that any expense, that's the nature of areas that are outside of rent control, is that the park owner has discretion over what those items are that are included or excluded from the rent. And local jurisdictions have that decision over whether they want to pursue the control or not. And so that basically is a local jurisdictional issue.

SENATOR DUNN: Okay.

MR. MCCANN: And with that, I conclude my testimony.

SENATOR DUNN: Let me ask one question before we move on, Rich. One more question to you. Can you just give us an example? You made a

great distinction between the discounts that a park owner may receive as a result of the master metering service from the utility versus rebates that you talked about. Let's go to the discount side of it.

Can you give us an estimate or an example, what are the ranges, and I'm sure it would depend upon the size of the park, that a park owner would receive for doing the master metering services from the utility? What sort of discounts are we talking about?

MR. MCCANN: Well, I can talk about how much it is per month for each space. It varies quite a bit -- well, not a lot from utilities, but there is a variance. For Edison, it's around $8 to $9 per month per space. For Southern California Gas Company, which is at the high end, it's around $14 per space per month that they receive. Just to give you an idea of where that rates against the electricity bill, the customer charge for SoCal Gas customers, that is their monthly customer charge, is about $5, so it's slightly more than the customer charge in most cases in those utilities. What it covers is basically the cost from the transformer to the meter. And there are issues about what's covered and not covered by the discount, and WMA is trying to address those issues at the PUC.

SENATOR DUNN: Okay. Rich, thank you very much. Go ahead. Let's move on.

MR. KEVIN COUGHLIN: Good morning, Senator Dunn and Councilmembers Tran and Dotson. My name is Kevin Coughlin. I'm a manager at the Public Utilities Commission in San Francisco.

First of all, I'd like to thank you for the invitation to appear before this hearing today on a very important issue as it affects many of the people in this room today. It's a unique experience to get all these parties with various

inputs in a room together. It's very helpful for me, because that's what I see as my mission here today, to listen and to learn.

What I've seen, as far as it affects the tenants, are three major problems. Some mobilehome parks are charging for operating expenses. There is a problem in giving rebates back, and the implementation of the CARE Program. And as you mentioned earlier, Senator, most parks are complying with this. But the problem I see right now is, what do you do, or how do you help the people that aren't getting their problems solved immediately with the mobilehome parks?

I know, looking at the Public Utilities Code, the responsibility has been somewhat unclear as far as I can see. What I would like to, at least, recommend to you, is if I can offer my assistance to work with John Tennyson and just seeing what we can do to solve some of the problems of not so much the issue of the problems themselves, but the process for these people to remedy the situation.

That's all I have.

SENATOR DUNN: Okay. John.

MR. TENNYSON: I have a question on that. We've had a number of complaints that have been referred to us by the HCD Mobilehome Ombudsman or other legislators, as well as some complaints directly to the committee from mobilehome owners who have some of the problems that have been alluded to by the witnesses; CARE, the refunds, failure to post, it's all in the background paper. Either my assistant or myself, have contacted various staff people with the PUC Consumer Division, and invariably, the answer is as follows as from this e-mail: basically, "The Commission has no direct authority over mobilehome park operators concerning bills for service. The constituent must present his concerns to the park management or to a

court of proper jurisdiction." That is the standard, pat answer. Can't we do a little better than that? Can't we at least look into these problems? Your people have not been willing to take even the complaints that we have referred to them.

MR. COUGHLIN: Well, there are two things. One is, that the jurisdiction, and I'm not an attorney, but I think we would have to make sure that we would have jurisdiction before we could look into it. And if there is a problem with jurisdiction, that's why I make on the second point is to offer change in legislation. I think one of the prior witnesses talked about if there is a problem on process we should look for legislation. But I will definitely, if I can talk to you afterwards and pick up that e-mail, I'll definitely bring both those messages back to the commissioners.

SENATOR DUNN: Thank you. Okay. Van, Harry, anything? Van, go ahead.

COUNCILMEMBER TRAN: Actually, if I could pose a question to the Senator or Mr. Tennyson, in terms of the jurisdictional issue which one of the panelists also mentioned, there seems to be -- I've read the background paper -- there seems to be a passing of back and forth on the responsibility as far as the pass through on the refunds. Is legislation necessary at this time to, perhaps, define jurisdiction on the part of the PUC, so that the PUC will have to take on the authority to, perhaps, enforce the law in terms of the pass through for the rebates or refunds?

SENATOR DUNN: Van, great question, then I'll let John comment as well too. And Kevin, you're welcome to add on if you would like to.

The answer to the question is, that's one of the reasons we're here today, is to determine what sort of answers there could be. Now, if the problems, some of them that we've heard about today, could be addressed via

action on behalf of the commissioners that currently make up the PUC -- for those unfamiliar, that's the Public Utilities Commission -- and in fact, I suspect, I don't know yet, we'll have to do the examination after we finish today, that there maybe some of the issues that were raised today that simply need some action on behalf of the PUC. There are probably some that are outside the jurisdictional boundaries of the PUC that would require us, as a legislature, to, in fact, expand, or contract, or amend those jurisdictional boundaries of the PUC so that they could, in fact, act, or some other body. If we already have existing laws that simply are just outright being violated, are we left to the throes of trying to convince a local DA to take action, which is extraordinarily difficult to do when it comes to issues in our mobilehome parks. John, any addition?

MR. TENNYSON: Not really other than that's what we're here to determine. You have one case that Mary Ann Stein brought forth, where TURN was actually able to get the Public Utility Commissioners to take a formal complaint. It was investigated. Resulted in 9 out of 10 parks complying. But on some of these other individual complaints, we're having trouble getting any attention.

SENATOR DUNN: Okay. Rich, real quick.

MR. MCCANN: I just want to answer the councilman's question about jurisdiction on refunds. WMA submitted a joint recommendation with U-CAN and CMRAA in the San Diego rate design window last spring, in which we defined the enforcement actions that were available for refunds. And so that joint recommendation is, in fact, enforceable by the PUC in the San Diego area. And we were under discussions to do the same thing in the PG&E rate case when the rate case was suspended.

SENATOR DUNN: Right. Understood. Rich, thank you very much. Kevin, anything to add on?

MR. COUGHLIN: Yeah. I would just like to close with the point that I think that what we really need is clarity, whether it's the district attorney, the PUC, or some other agency, it needs to be clear. Right now, I think the lack of clarity is the primary problem. If it was the PUC, so be it.

SENATOR DUNN: And my only amendment to that one, Kevin, is, as you know, in any government, local, state, or federal, it oftentimes isn't clarity, it's just somebody has got to take the bull by the horns, and oftentimes we don't find anyone willing to do that.

Rick and Jim, why don't we go to you guys, and which ever one starts first, for the benefit of our attendees, could you tell us what the Weights and Measures Departments actually do, because I think it's one of those departments that rarely reaches everybody's radar screen.

MR. JIM DELPERDANG: Thank you, Senator Dunn. I'm Jim Delperdang. I'm Sealer of Weights and Measures for Ventura County. I did want to give a brief overview of what Weights and Measures does apart from the billing processes of having to do with weights and measures with sub-meters. We are responsible for checking the accuracy of all commercial weighing and measuring devices, including gas pumps at gas stations, scales in grocery stores, the accuracy of the content of packaged goods, scanners in grocery stores and other retail establishments. We have a really large mission above and beyond what we do in mobilehome parks.

I'm going to go ahead and turn it over to Rick real briefly. He's the Commissioner Sealer for Orange County, and I know a lot of the matters that have come up have to do with situations of local concern.

I have a handout for you that includes regulations and references from Weights and Measures Code and Law that will be referenced in my presentations just a moment.

MR. RICK LE FEUVRE : Thank you, Senator, for the opportunity to be able to speak today. Just because two of the residents did speak about issues covered in Orange County, I would like to address them. They're in bullet points. I'll keep them real brief. I realize we're short on time.

After Milt Burdick gave his testimony, we met with him outside for about 20 minutes and addressed each one of his concerns. And after our presentation with him, he realized it really was a misunderstanding he had about our role, and how we work, and that we have very narrow jurisdiction on what we do.

First of all, Orange County Weights and Measures doesn't investigate all complaints that are received by us on a priority. Basis we investigate between one and three days. We prefer written complaints if possible so we can compare billing, which Jim will probably get into a little bit later.

At the Hollydale Mobilehome Park that Mr. Brudick was referring to, in the year 2000 alone, two-thirds of all the electric meters were replaced by certified tested meters, certified by our laboratory, so it's one park that the electric meters are fine.

The natural gas sub-meters must be tested for accuracy in a laboratory. There is no exception. Basically, both Jim and I work for the State of California. Very strict rules. Very strict examination procedure outlines what we have to follow, so there is no field test for testing natural gas meters. It is upsetting to the resident, we know, and we can't test them in the field. But they have to be actually disengaged and sent to our laboratory. Park management in Orange County, historically, has been very cooperative in

sending us these meters. Whenever there is a complaint we ask them to send them to us. If there is any chance of there being a misreading or the meter being incorrect, so that has worked well.

Electric sub-meters however, are tested in the field wherever possible if it is safe to do so. If there is any indication that it may not be safe then we have them sent to our laboratory in Anaheim for testing.

As far as the complaints related to the charge of the streetlights, that's not a new complaint. We do investigate them very seriously. It turns out which side of the meter, where the streetlights have been coming from, if it's off the load side, then it's something the resident would be charged for. To date, in Orange County, every one of the streetlights that is near a meter is on the line side, which means the meter is not being charged. I just wanted to address that.

Going quickly to the next person; the Virginia Harris testimony. We have dealt with Ms. Harris before back in the '90s, and just recently on April 10th of this year, we sealed both her electric and gas meters, both existing meters. We did investigate her complaint. The reason we did not test her electric meter at the park was because in the opinion of the inspector, it was not safe to do so. So he had it sent to the laboratory and both the electric and the gas meter were tested and determined to be accurate, and, of course, sealed. So I just wanted to respond to that.

This is the way our program runs, and it runs very well. Basically, we have 30,000 units in Orange County. We average about 100 complaints a year and less than five percent are accurate. We're probably talking about one or two percent maybe being accurate. So, the system is working and we attribute that to both the residents and the park owners working with us on a cooperative basis. If the residents do have a concern, they think they are

not getting an accurate reading on their meter, we do want to check it to make sure.

Thank you.

SENATOR DUNN: Okay.

MR. DELPERDANG: I just wanted to briefly cover what's involved in a --

SENATOR DUNN: Identify yourself again for everybody.

MR. DELPERDANG: I'm sorry. My name is Jim Delperdang, Ventura County Sealer.

One of the references I gave you outlines the state procedure which we follow very closely in investigating a sub-meter complaint. The first thing we do is obviously check the accuracy of the reading. We have found that 80 percent, roughly, over time of the complaint where we make a finding for the tenant, results from a misread meter. And I know this kind of goes to the points made earlier. And I'll reiterate -- reading a meter, an electric meter, correctly is a very difficult thing to do. There are a lot of good resources and I think those were referenced earlier as well, where tenants who want to read their own meter can get instruction; that's one of the things we need to do, make sure the reading of the meter is correct.

A good mobilehome park will go out and do that with you when you bring it to their attention initially. If you're not satisfied with their response, you do have recourse through us.

Another thing that we'll look at is the bill to make sure that it is calculated properly and that the correct rates have been applied. We're kind of stepping into PUC territory, when we do research that determines what the correct rate is. It's not in our code, but most Weights and Measures jurisdictions will do it to be sure that the correct rate is applied. If there is a

violation in terms of the rate applied, that's not a violation of Weights and Measures law, but rather an irresponsibility to bill properly.

And then the last thing we'll do is to test the meter for accuracy. And normally to do a complete investigation you need to do all three things: determine that the meter is read properly; that the bills are prepared correctly; and that the meter is accurate in order to determine if there is a base for the complaint.

In Ventura County there are approximately 27,000 sub-meters. Our complaints attributed to sub-meters have increase 159 percent over the most recent year. Obviously the increase in rates has brought a lot of people's attention to it. Mobilehome park complaints made up 7 and a 1/2 percent of the complaints last year. This year they make up almost 17 percent of all the complaints that we look at in Weights and Measures.

In Ventura County, we have what we call a 10-year frequency of inspection. We ask that mobilehome parks submit 10 percent of the meters in service every year so that over a 10-year horizon of time we've checked every single one for accuracy. And that's on a continuous ongoing basis.

And I'm available to take any questions that you might have.

SENATOR DUNN: Jim, I have a question for you. Why the increase? Why are you at 17 percent of all complaints now arising on the mobilehome parks? Is there a theory on it? Do you have data on it? Why is that occurring?

MR. DELPERDANG: Again, my feeling is that because rates have risen so dramatically, I think people are paying more attention to it. When gasoline spikes up over $2 a gallon we get a gas station complaint every day. Right now, I get about one a week. Whatever is closest to the people's

pocketbook they pay attention to, they notice. And that's my gut as to why that is.

SENATOR DUNN: Okay.

MR. DELPERDANG: One other point I want to make, there is a tremendous amount of concern in the Weights and Measures community about this issue. There are a dozen officials from different Weights and Measures jurisdictions around the state. They're here at the meeting today, including, Ventura, San Diego, Los Angeles, Orange, and the state of California, Division of Measurement Standards are all in attendance at this hearing.

SENATOR DUNN: Thank you, everybody, for being here today by the way.

MR. DELPERDANG: I want to say thank you to GSMOL. Through their newsletter we were able to find about the hearing and attend.

SENATOR DUNN: Okay. Harry, Van, any questions?

COUNCILMEMBER TRAN: For the gentleman from Orange County, I think it would help if you can give your name, address and phone number for the residents here as well, if there are issues in which they need to contact you or the agency.

MR. LEFEVRE: I'll be happy to. Did you want me to enter that into the record?

SENATOR DUNN: Yeah. Why don't you state it right now if you would please.

MR. LEFEVRE: Orange County Weights and Measures, 1750 South Douglas Road, Building D as in dog, in Anaheim, 92806-6031. The phone number is 714-447-7100. And I have extra cards I can handout if anybody needed any.

SENATOR DUNN: That would be appreciated. Jim.

MR. DELPERDANG: On the handout that I provided to the panel, I've got extras and I'll set them on the table, and I'll leave business cards as well.

SENATOR DUNN: Great. Appreciate it. John, did you have something?

MR. TENNYSON: Very quickly, I understand there is a per space fee that Weights and Measures assesses in each park. Is that correct -- 25 cents, I believe it is per space?

MR. DELPERDANG: Our per space basis is $2 per year.

MR. TENNYSON: $2 per year.

MR. DELPERDANG: It goes to the park management.

MR. TENNYSON: Okay. And, I understand there is some variation from county to county in terms of what most counties do, as you indicate, calibrate the meters, check the meters. But in terms of getting into this area of the accuracy of the billing and whether the rates are listed, whether the tier structure is listed and so forth, some are more willing to do it than others I understand, at least in the north, where we have had several complaints. San Joaquin County, for example, we've got a couple of cases there where they are pursuing alleged billing irregularities where they're not listing the opening and closing statements -- meter readings, I should say, or the rate that's applied on the bill. Weights and Measures has done a fairly good job there. I've got some unnamed counties in the north that feel they do not have that kind of jurisdiction and will not pursue that.

MR. DELPERDANG: Well, in the handout I'll have on the table as well as provide it to the panel members, it's that very, very small several paragraphs, that's the entire sum of our regulation. Anything that we do,

we're going outside the Business and Professions code that is the body of law that we're charged with enforcing. I can speak for my own county, for myself, I know the Public Utilities Commission has given authority to other entities to enforce this law. One thing that's required is that we give the violator fair notice first, and then we're authorized to take any case that involves PUC law to a district attorney of competent jurisdiction.

Any complaint that is initiated in my county, if we're able to see it through to an end, even including enforcing PUC law, we will. And, yes, I think a number of Weights and Measures jurisdictions have a comfort level of doing that. That's also in our handout, how it's put to Weights and Measures jurisdiction advising us from the state where our authority rests. Again, it's not our body of law; it's not an area that we're charged with enforcing. However, I know a number of us feel real strongly about doing whatever is necessary to resolve these complaints that arise within our county. And I'm one of them. I feel real strongly. But, you can see from the regulations, how little there is in it beyond accuracy of the meter and cursory review of the billing. We go under authority of Section 12024 which is unlawful computation of value. The accuracy of gas pumps, for instance, the gallons times the price per gallon has to equal the total price. That's the authority that we used during our billing review.

SENATOR DUNN: Jim, thank you very much. That's going to bring us to the end, but don't go anywhere yet.

First, as you can see, it is noon, so those who had signed up to add on, unfortunately, we do not have the time to open it up to non-listed witnesses. My apologizes to those who wanted to. Thank you, by the way to this panel.

Before I make my final thank you's, I certainly extend the invitation to Councilmember Dotson or Councilmember Tran, if they have any closing comments they would like to make.

COUNCILMEMBER DOTSON: I would just like to comment, it's been very informative for me, and I'll be more understanding when folks in my community come forward in our council. Thank you.

SENATOR DUNN: Okay.

COUNCILMEMBER TRAN: Just very briefly. Thank you, Senator Dunn, for putting on this great hearing and also informing and educating the public, as well as fellow elected officials, on this very important issue, in light of the volatility in the utilities market.

SENATOR DUNN: Okay. Thank you, Van. I want to extend a thank you, of course, to the city of Garden Grove, for all of their warm hospitality today and their warm coffee, as well, too. I want to thank all of our witnesses, each and every one of you were wonderful. I really appreciate the insight. We haven't reached any conclusions today, but we certainly have taken a giant step forward. I want to thank the sergeant-at-arms, both Mike and Shawn, who are still here, keeping the peace. I appreciate their efforts as well. To my entire staff with Carina out there and Bernie and Dayana and, of course, the chief consultant, John Tennyson, who many of you know and know well. But mostly, I want to extend a thank you to all of those who took time out of their day to come and attend our hearing today. As I oftentimes refer to this as, this is politics the old fashioned way, where we bring your government to you to listen to your concerns and analyze those issues. So, thank you everyone. Enjoy your day. Our meeting is adjourned.

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SUMMARY AND CONCLUSION

SUMMARY & CONCLUSION

Summary of Oral & Written Testimony

The committee heard three hours of testimony on mobilehome park utility issues and has received numerous letters about specific billing problems. The committee heard from primarily four different groups: mobilehome owners residing in parks, mobilehome park management and their utility consultants, representatives of major utility companies, and representatives of public agencies, including the PUC and county sealers.

Mobilehome Owners: Generally, mobilehome park residents complained about increasingly higher park utility bills, attributing the problem to incorrect meter reading practices, management fudging the figures, or faulty meters. There were specific claims that some residents were charged high bills for electricity, even where the electric had been shut off to the home for weeks or months, leading to speculation that the meters were not read and that readings were concocted by the park management. Some residents complained that they were not given the full amount of the electric rebates offered by San Diego Gas & Electric (SDG&E), or that without prodding by mobilehome advocacy groups or governmental agencies, some parks would not give residents back the Pacific Gas & Electric (PG&E) gas rebates to which they were entitled. It was alleged that some parks hold back 11-15% of these rebates for common area utility usage – although residents pay for common area utilities in their rents and argue they should receive at least a rent rebate for the difference. One complained about not getting credit for medical baseline on a consistent basis. Several expressed concerns about lack of equal access to the low-income CARE program. One witness felt eligibility was not high enough. Others claimed their park would not provide them with information or forms, the manager would only reluctantly provide the information when pestered by the residents, or that the park was not passing on the CARE discount to qualified residents. Some homeowners complained that the park management should not be able to prevent residents from getting the CARE discount, and at least one witness said the utilities should provide information and access to these programs directly and not leave eligibility of homeowners in the hands of the park management. Another homeowner representative pointed out that conventional homeowners may be able to negotiate payment plans with the utility, but mobilehome park residents who can't pay their high utility bills and can't access utility programs, such as balanced payment plans to mitigate the effect of peak bills, could be evicted from the park and lose their homes.

Park Owners: Park representatives and consultants testified that parks are conscientious about the accuracy of their meter readings and billings and follow the requirements of the Civil and Public Utilities Codes but that utility billing in master-meter parks is complicated and sometimes mistakes in computing the numbers do occur, like it does with utility company meter readers. In the case of natural gas, and electric in San Diego, park representatives said that rates vary monthly. Moreover the submeter is a "blended rate" because the master meter is billed at a different time of the month than the submeter, so the submeter reading will often include two different rates. Additionally, with gas the number of cubic feet used must be multiplied by a therm factor to convert to a final number of heating units used. Park owners said that billing practices and statements vary from utility area to utility area. SDG&E requires three line items, including CARE and is not subject to the 10% electric discount applicable to the two

other large utilities. One park representative also pointed out that pursuant to a PUC order, parks would soon be required to adopt a 5-tier structure, complicating the billing process and resident understanding of their utility charges to an even greater extent. Regarding rebates, they argued that the PU Code requires them only to pass through rebates on a pro-rata basis - based on the prior billing period consumption - and that the park is entitled to keep a percentage for common area utility usage, such as common area lighting. Questioning ensued about whether residents are entitled to a rent rebate. Park owners contended that residents already get credit in the sense that the rebate is figured into the average common area utility cost, a factor in determining the next year's rent. With respect to the CARE program, park consultants said that the Western Manufactured Housing Communities Association (WMA) members have a program of CARE notification to residents, often have newsletters available to their residents with CARE information, and help residents with forms for the program.

Public Utilities: Utility representatives who testified primarily emphasized the CARE program, explaining differences in administration of the program from utility to utility and pointing out that residents in parks without submeters are not qualified for CARE. Southern California Gas (Gas Company) will accept forms from mobilehome residents without the park account number. The Gas Company does the research necessary to locate the resident with the correct master-meter account. The SDG&E representative contended that the process of requiring utilities to manage sub-meter CARE qualification would be too complicated, that some parks have more than one master meter, that there are addresses within the park with different street names than the park street address, and that some parks have a master meter for electric but are served directly by the utility for gas, or vice-versa. The PG&E representative indicated that there is a confidential relationship between the master-meter customer and the utility and that the utility will not give out the master-meter account number to a park resident and cannot field check or do the research necessary to determine under what account the resident is served. Most utility representatives agreed that the park resident must obtain the account number from the park or the utility cannot accept the CARE application.

Public Agencies: The Public Utilities Commission's (PUC) representative indicated he was present simply to monitor the problems and complaints relating to master-meter park utility issues. He was questioned about why the PUC would order a hearing on a case brought by TURN involving 10 San Jose parks that would not pass through the PG&E rebates to their residents but refused jurisdiction to accept individual complaints from the committee and other parties about rebates, billing irregularities, and CARE problems in other parks. The PUC representative said only that the PUC would review their policy with regard to accepting such complaints and notify the committee at a later date. County weights and measures representatives indicated their primary job is to verify the accuracy and seal supermarket weighing devices, gas station pumps, mobilehome park utility submeters and like measuring devices. As part of the job of assuring the accuracy of these devices, one county sealer indicated that they have some latitude in assuring that meters are being correctly read and that billing statements reflect the actual readings and correct rates. But when pressed, the representative appeared to admit the willingness of county sealers to go beyond their primary duty of verifying the accuracy of meters varies from county to county.

Conclusion

A spike of rate increases, particularly in gas, and a number of recent utility rebates, has no doubt given rise to the number of complaints to the committee. Park owners correctly state that utility billing is becoming more complicated, and complaints often result from a misunderstanding on the part of the homeowner about the tiered rate structure, the therm factor, and other idiosyncrasies in configuring utility bills. But there also appear to be legitimate complaints in some cases. From both committee research and testimony at the hearing, it is apparent that there are numerous statutes and laws relating to master-meter parks rates, rebates, posting, and billing on the books. But two major problems are evident. The first is in the enforcement of these existing laws, particularly PUC Section 739.5. The second problem is how to provide a safety net for homeowners in master-meter parks, to assure they have the same access as conventional homeowners to utility programs to help low-income persons with utility bills.

Complaints to the Public Utilities Commission (PUC) about rates, billing practices, pass through of utility rebates, and other issues related to master-meter parks, have been met with the admonition that the PUC has no jurisdiction over mobilehome park utility issues. In a few cases, where county weights and measures has been willing to take on the role of investigating billing statements and practices, and problems are found that a district attorney may be willing to look at, the case may go to court, ultimately requiring a park to adhere to the code requirements. Likewise, Civil Code provisions relating to park utilities, such as posting of rates, are enforceable only in court. But court action as a remedy can be slow and is often costly for the complaining resident.

The argument that the PUC has no direct relationship with master-meter parks or that park residents have no customer relationship with the public utilities regulated by the PUC, and therefore there is no link for PUC enforcement of master-meter park utility issues, is flawed. Although PUC Code provisions relating to submetering of water clearly exempts parks from PUC jurisdiction, there is no such specific exemption for submetering of electric and gas under PUC Section 739.5. Master-meter parks operate their own utility systems and basically act as stand-in's for the public utilities, which would otherwise have to provide the power directly, to each park resident. If the PUC has authority over utilities in setting rates to assure the public is protected from "rate gouging" – surely it cannot ignore the fact that master-meter parks are utilities as well. If PU Sec. 739.5 provides that the PUC shall require the master-meter customer, including a mobilehome park, to charge each resident at the same rate that is applicable if the resident were receiving the gas or electric directly from the regulated utility, how is this section enforced if the PUC has no jurisdiction? The PUC can tell a conventional homeowner to file a complaint but tells the mobilehome owner that the PUC has no jurisdiction and needs to find an attorney and go to court. If the PUC doesn't have jurisdiction, the law should be clarified to give the PUC express authority to enforce Section 739.5 and investigate related master-meter complaints.

With utility rates on the increase, mobilehome owners, like everyone else, are finding that utilities are taking a larger bite out of their already limited budget. From the complaints received by the committee and some of the testimony at the hearing, however,

Summary & Conclusion

mobilehome park residents don't always have the same access to programs which utilities offer their lower-income customers, such as payment plans, balanced monthly payments, or CARE. Utilities, by and large, have been unwilling to deal with master-meter park residents directly, and for various reasons from lack of notice to uncooperative park managers, some park residents have not been able to qualify for CARE. There is also no mechanism to allow residents of mobilehome parks to qualify for other programs which some utilities offer, such as payment plans that allow customers to balance their payments throughout the year to avoid summer or winter spikes, or other payment plans available to help pay off high utility costs over a period of months rather than one payment period. As one witness summed up the situation, the results of not paying a utility bill in full have more dire consequences for a mobilehome owner residing in a park than a conventional homeowner.

Utilities could be required to accept CARE applications, even without the proper account number, as is the practice with the Gas Company. But for some utilities there may be significant logistical problems in identifying the mobilehome owner with the right account that could delay eligibility. Since CARE is not a cost to the park, and may even help parks avoid problems with residents who can't pay their utility bills, the simplest solution may be to require parks to pass on CARE information they receive from the utility to their residents as well as pass through CARE discounts to those qualified for CARE. Moreover, a park should not deny a homeowner the park utility account number or other information the utility requires in order to accept the CARE application from the homeowner.

Lastly, like CARE, there should be some mechanism to allow lower-income mobilehome park residents to access utility programs that permit them to make partial payments or balanced payments over a prescribed period throughout the year on gas and electric bills. The idea would be to allow qualified residents to make partial or estimated payments to the park owner, who in turn could make the same partial or estimated payments to the serving utility, as long as the total amount owed was paid in total by the end of the year.

# # #

APPENDIX

Mobile Home Dwellers Tell of Power Play

■ Landlords control utility bills, and some take advantage, residents say.

By MATTHEW EBNET
TIMES STAFF WRITER

Nearly 100 Orange County mobile home residents on Thursday told state lawmakers their utility service and bills are at the mercy of unregulated and sometimes unscrupulous property managers.

The testimony came during a state Senate hearing held in Garden Grove as legislators consider taking action to address a flood of complaints about shoddy utility service and overcharging at mobile home parks.

In one case, Shirley Huffman of Garden Grove said she went to Oklahoma for two months and had a neighbor flip off her circuit breakers. When she returned home, she said, she still was socked

Please see MOBILE, H12

LATimes
4/13/01

MOBILE: Park Residents Say Landlords Decide Power Bills

Continued from B1

with electric and gas bills totaling $170.

Huffman paid, not knowing what else to do. "I'm helpless," Huffman said Thursday.

The problem stems from how power and natural gas are supplied in most cases. Utilities sell power and gas to the mobile home parks, leaving it to the property managers to determine how much each resident used and how much each resident owes.

The system is ripe for abuse, residents testified.

Many mobile homes are equipped with individual meters, but residents complained that some park managers rarely check them—choosing to estimate usage instead.

But property managers testified at the hearing that many of the problems are due more to complicated utility billing cycles and occasional errors, not abuse.

Allan Alt, president of Synergised Properties Inc., a Beverly Hills company that manages mobile home parks, said problems are "aberrations."

Sen. Joe Dunn (D-Santa Ana) called Thursday's hearing, in part because of the impact California's soaring energy bills could have on mobile home owners. The majority of the residents are on fixed incomes and concerned about rising rates as well as deeper problems in the mobile home industry.

Dunn and other state officials also expressed concern about the confusion mobile home owners experience when they try to file complaints or seek help.

Residents said they aren't sure where to go: the power company, the city, the county, the property manager or the California Public Utilities Commission. Each agency often refers queries elsewhere, residents testified. Even state officials acknowledge the problem.

"What we need is clarity," Kevin Coughlin, a program manager for the PUC, said at the hearing.

Dunn said he is considering filing legislation to address the complaints. Orange County has roughly 200 mobile home parks, and state officials estimate there are more than 5,000 in California.

"Somebody has got to take the bull by the horns," Dunn said.

Huffman, the Garden Grove mobile home owner, accused property managers of simply not reading the individual meters of mobile homes, often just guessing at a resident's power usage.

Others complained they've never received rebates for qualifying as low-income households or for qualifying under rebate programs for the medically needy.

Huffman's neighbor, James English, said he finally thrashed through bureaucracy to get his 15% disability discount, but he has yet to see the credit on his bill.

"I got the rebate, but I didn't. My meter is buried behind a jungle of brush, and when you get to it, it is so [corroded] you can't read it," he said. "So I think [property managers] just guess."

During the hearings, representatives of the mobile home industry acknowledged problems in the way customers are billed and treated. But they said confusion about where residents can go for help causes more problems than unethical or unregulated property management practices.

"There *is* a certain amount of error" built into a confusing and complicated process of different billing cycles for parks and for their residents, said Mike Cirillo, a spokesman for Star Management, a Pacifica-based mobile home property management company.

But that testimony did nothing to temper criticism from residents Thursday.

In conventional houses you have resources, such as payment extensions from the utility companies, said Mary Ann Stein, vice president of the San Jose-based California Mobilehome Resource and Action Assn. In mobile home parks, that's not an option, because utilities are part of the monthly bill, she said.

"If you don't pay, you get evicted."

Western
Manufactured Housing Communities
Association

Vol. 10, No. 6
June 2001

Attention WMA members: CPUC implements five-tier rate structure

As reported in the May issue of the *Newsline*, draft decisions of the California Public Utilities Commission (CPUC) recommended that a five-tiered residential electricity rate structure be implemented for all residential customers of PG&E and Edison on June 1. WMA submitted testimony and legal filings in the proceeding arguing that insufficient notice was given to master-metered manufactured housing communities that individually submeter their communities to implement this billing change. In the final decision issued by the Commission on May 15, master meter customers were given until *July 17* to change their billing programs and begin billing rates under the five-tiered rate structure adopted for all residential customers.

However, effective June 1, a rate increase will appear on community owners' master meter bills. That increase will most likely be equal to the average rate increase for the entire residential class of customers and will appear on the June master meter bill. By having the increase appear on the master meter bill, the CPUC believes that it is providing a "strong incentive" to implement the necessary billing system changes. Owners may collect this rate increase in the same manner as current rates are collected from residents.

The new rate structure applies the increase only to usage greater than 130% of the baseline allowance, as specified under the state law passed in January. As a result, the baseline rate remains unchanged, as does the rate for the usage above the baseline up to 130% of the baseline allowance. The table below shows the rates for the three new tiers added for monthly usage above 130% of the baseline allowance. The baseline allowance varies by region as specified on your utility bill and the rate information provided to you by the utility for posting rates is unchanged from current levels.

New Residential Rates Effective June 1, 2001

Tiers at Percent of Baseline	PG&E	SCE
0% to 100%	$0.12589	$0.13010
100% to 130%	$0.14321	$0.15160
130% to 200%	$0.19333	$0.19660
200% to 300%	$0.23630	$0.23660
Over 300%	$0.25826	$0.25940
Monthly Basic Charge		$1.00
10% discount is subtracted from total bill		

The second table provided shows an example of how the new tiered rate structure works in the PG&E service area for a small community. The same concept is applicable to Edison rates. Customer 1 uses 350 kilowatt-hours in a month, which is less than the baseline allowance of 400 KWH in our example region. Customer 1 is billed at the old baseline rate, and his bill does not change from the previous rate schedule. Customer 2 uses more than the baseline allowance, but less than 130% of the baseline. He is also charged at the previous rates in two tiers, and his bill does not change from the previous rate schedule. Customer 3 uses 1400 KWH per month which is 350% of the baseline allowance. He is billed for the KWH shown in each of the five tiers at the rate shown for each tier. The total bill, after taking the 10% residential customer discount, is $66.85 or 38% higher than it would have been under the previous rate schedule. The master meter bill is determined by the total usage allocations for the residential customers in the community. The allocations are determined by multiplying each of the allocations for each

tier by the number of residents in the community. The common area usage is billed at rates based on the unused allocations within each tier, as shown in the table. For example, the total baseline allowance is 1200 KWH (3 x 400 KWH for each resident), but only 1150 KWH were used, so 50 KWH of common area usage is billed at the baseline rate. The master meter bill is calculated by filling up each of the tier allocations before allocating usage to the next highest tier. The total bill at the bottom for each customer includes the 10% residential discount:

Billing Example for PG&E Customers

Tiers at % of Baseline	PG&E Rate/KWH	Cust. 1	Cust. 2	Cust. 3	Common Area	Master Meter
0% to 100%	$0.12589	350	400	400	50	1200
100% to 130%	$0.14321		100	120	140	360
130% to 200%	$0.19333			280	35	840
200% to 300%	$0.23630			400		75
Over 300%	$0.25826			200		
Total KWH		350	500	1400	225	2475
Total Bill with 10% discount		$39.66	$58.21	$241.06	$29.80	$344.47

Also, the press has stated that the rate increase is "retroactive" to March of this year. That is a misrepresentation—there will be no lump-sum charge. The CPUC's decision allows the utilities to collect what they would have collected from March 27 (the date the CPUC approved the rate increase) until June 1 (the date the rate increase can be collected) by adding that amount into the rate structure in the future. The utilities will amortize the amount of the undercollected revenues over a 12-month period beginning June 1.

CARE AND ASSISTANCE PROGRAMS

AMENDED IN SENATE MAY 8, 2001

AMENDED IN SENATE APRIL 30, 2001

AMENDED IN SENATE APRIL 17, 2001

SENATE BILL No. 920

Introduced by Senator Dunn

February 23, 2001

An act to add Section 798.43.1 to the Civil Code, relating to mobilehomes.

LEGISLATIVE COUNSEL'S DIGEST

SB 920, as amended, Dunn. Mobilehomes.

Existing law regulates mobilehome parks and limits the fees and charges the mobilehome lot park management may charge a park resident or owner of a mobilehome within the park. Existing law requires that, if the management provides both master-meter and submeter service of utilities to residents and owners, the monthly charges shall be separately stated for each resident or owner and that the management post in a conspicuous place the prevailing residential utilities rate schedule as published by the serving utility.

This bill would require the management of a master-meter mobilehome park to give annual written notice to homeowners and residents in their utility billing statements about assistance to low-income persons for utility costs available under the California Alternate Rates for Energy (CARE) program. The notices would be required to include the same information that master-meter customers receive about the program from their serving utility.

This bill would provide that the management of a master-meter mobilehome park may accept and help process CARE program

applications, and send the applications to the serving utility. This bill would also provide that ~~if the management elects not to accept and help process CARE program applications,~~ the management may not deny a homeowner or resident *who chooses to submit a CARE application to the utility himself or herself* any park information, including a utility account number, the serving utility requires to process an application.

This bill would also require the management of a master-meter mobilehome park to pass through the full amount of the resulting CARE program discount in monthly utility billings to homeowners and residents who have qualified for the CARE rate schedule, as defined in the serving utility's applicable rate schedule. *The bill would require the management to notice the discount on the billing statements of homeowners or residents who have qualified for the CARE rate schedule.*

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

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

1 SECTION 1. Section 798.43.1 is added to the Civil Code, to
2 read:
3 798.43.1. (a) The management of a master-meter park shall
4 give written notice to homeowners and residents at least once a
5 year in their utility billing statements about assistance to
6 low-income persons for utility costs available under the California
7 Alternate Rates for Energy (CARE) program, established pursuant
8 to Section 739.1 of the Public Utilities Code. The notice shall
9 include the same information that master-meter customers receive
10 about the program from their serving utility.
11 (b) The management of a master-meter park may accept and
12 help process CARE program applications from homeowners and
13 residents in the park, fill in the necessary account or other park
14 information required by the serving utility to process the
15 applications, and send the applications to the serving utility. ~~If the~~
16 ~~management elects not to accept and help process CARE program~~
17 ~~applications, the~~ *The* management shall not deny a homeowner or
18 resident *who chooses to submit a CARE application to the utility*
19 *himself or herself* any park information, including a utility account
20 number, the serving utility requires to process a homeowner or
21 resident CARE program application.

(c) The management of a master-meter park shall pass through the full amount of the CARE program discount in monthly utility billings to homeowners and residents who have qualified for the CARE rate schedule, as defined in the serving utility's applicable rate schedule. *The management shall notice the discount on the billing statements of homeowners or residents who have qualified for the CARE rate schedule.*

(d) "Master-meter park" as used in this section means "master-meter customer" as used in Section 739.5 of the Public Utilities Code.

O

SENATE RULES COMMITTEE
Office of Senate Floor Analyses
1020 N Street, Suite 524
(916) 445-6614 Fax: (916) 327-4478

THIRD READING

Bill No: SB 920
Author: Dunn (D)
Amended: 5/8/01
Vote: 21

SENATE JUDICIARY COMMITTEE: 4-2, 5/1/01
AYES: Escutia, Kuehl, O'Connell, Peace
NOES: Ackerman, Haynes

SUBJECT: Mobilehomes

SOURCE: Author

DIGEST: This bill requires the management of a mobilehome park providing utility services through a master-meter system to give annual written notice to homeowners and residents in their utility billing statements about assistance to low-income persons for utility costs under the California Alternative Rates for Energy program.

The bill allows the park management to accept and help process the California Alternative Rates for Energy program applications from homeowners and residents. This bill prohibits the park management from denying a homeowner or resident any park information, including a utility account number, necessary to independently establish eligibility for the program, as specified.

The bill requires the management of a master-metered park to pass through the full amount of the CARE program discount in monthly utility billings to homeowners and residents who have qualified for the program.

CONTINUED

ANALYSIS: Existing law allows mobilehome parks built prior to January 1, 1997 to provide utility services to homeowners under master-meter arrangements, in accordance with specified procedures. For example:

1. Monthly charges are required to be separately stated in the periodic billing statements for each resident or owner.

2. The management is required to post in a conspicuous place the prevailing rate schedule as adopted by the serving utility.

3. Parks using master-meter systems are required to charge residential users the same rate as would be applicable if the user were receiving services directly from the utility for gas and electric services.

4. Parks are required to provide an itemized billing of charges for electricity or gas to each individual user in a format similar to the bills provided by the serving utility to the park, including, but not limited to, the opening and closing meter readings and the identification of all rates and quantities attributable to each block of the applicable rate structure.

5. Parks operating master-meter systems who, on or after January 1, 1978, receive any rebate from a gas or electric utility are required to distribute, or credit the account of, each current user served by the master-meter customer in proportion to the amount of service used by the individual user.

Existing law establishes a low-income energy assistance program for electric and natural gas service customers, known as California Alternate Rates for Energy (CARE), which is funded by a surcharge on energy bills. The CARE program includes discounts of 15 percent on electric and natural gas bills, as well as a residential weatherization program.

This bill requires the management of a master-meter mobilehome park to give annual written notice to homeowners and residents in their utility billing statements about assistance to low-income persons for utility costs under the CARE program. The notice will be required to include the same information that master-meter customers receive about the program from their serving utility.

This bill allows the management of a master-meter park to accept and help process CARE program applications from homeowners and residents,

CONTINUED

provide necessary account or other information needed to establish eligibility for the program, and forward applications to the applicable serving utility. The bill prohibits the park management from denying a homeowner or resident who chooses to submit a CARE application to the utility himself/herself any park information, including a utility account number, necessary to independently establish eligibility for the program.

This bill requires the management of a master-meter park to pass through the full amount of the CARE program discount in monthly utility billings to homeowners and residents who have qualified for the CARE schedule as defined in the serving utility's applicable rate schedule. The management will be required to notice the discount on the billing statements of homeowners or residents who have qualified for the CARE rate schedule.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

SUPPORT: (Verified 5/8/01)

Golden State Mobilehome Owners League, Inc.
California Mobilehome Resource and Action Association
American Association of Retired Persons

ARGUMENTS IN SUPPORT: According to the author's office, this bill is the result of complaints from mobilehome owners who are running into roadblocks from some parks in trying to apply for the CARE program. The author's office contends that the CARE program is not always accessible to mobilehome owners, who as group need the assistance the most, because, due to the master-meter systems under which many receive utility services, the park rather than the homeowners has the customer relationship with the service utility.

According to a briefing paper prepared for a Senate Select Committee on Mobile and Manufactured Homes for a hearing on April 12, 2001, complaints from mobilehome owners have arisen where homeowners don't receive notice of the program, and where the park management either won't assist homeowners with the necessary paperwork to qualify for the program or won't provide homeowners with the account numbers necessary to file individual applications. In addition, complaints have been received by the committee that in some cases the park management does not pass through the 15 percent discount to those who become qualified for the program.

CONTINUED

The author's office also cites evidence that the CARE discount is not always itemized on the homeowner's billing statement so it is difficult for residents to know if they are getting the discount. When they query the utility, they are often referred back to the park manager/owner.

RJG:cm 5/8/01 Senate Floor Analyses

SUPPORT/OPPOSITION: SEE ABOVE

**** **END** ****

News Release

FOR IMMEDIATE RELEASE April 5, 2001
CONTACT: PG&E News Department (415) 973-5930

Pacific Gas and Electric Company Announces Changes in the Care Program New Income Limits for Payment Assistance Program to Benefit More Low-income Customers

San Francisco -- Pacific Gas and Electric Company announced today changes in its CARE (California Alternate Rates for Energy) program that will provide help for more of the utility's low-income customers. These changes come as a result of a ruling by the California Public Utilities Commission (CPUC) on March 27 and are effective immediately.

The CARE program provides a 15 percent monthly discount on gas and electric rates to income qualified households. The participants in the CARE program are also exempt from the initial 9 percent electric surcharge effective January 4 and will additionally be exempt from any electric rate increases resulting from the CPUC decision on March 27.

The new guidelines allow participants to qualify for the program if their household income levels are below 175 percent of the established federal poverty level. Before this change, the level was set at 150 percent. The gross income levels are:

1 - 2 person household: $21,250 a year
3 person household: $25,000 a year
4 person household: $30,100 a year
Each additional person: $5,000

A customer who enrolls in the CARE Program can get an average annual electric discount of at least $135.24, an average gas discount of $146.88, and a combined annual discount for gas and electricity of $282.12. With the current rate changes being proposed for non-CARE customers, the discounts will be even more significant.

In February, the utility in conjunction with community-based organizations, launched a campaign to inform customers about this payment assistance program. It included inserts in every bill, radio and television public service announcements and flyers in different languages, to inform customers about this payment assistance program.

"We have seen a substantial increase in the volume of CARE applications as a result of our outreach campaign. The support of community-based organizations and the media has been key to the dissemination of the program. We processed 46,000 applications during the month of February and 55,000 in March. Our staff is doing as many as 2,500 to 3,000 per day." said Jeff Beresini, Manager of the CARE Program for Pacific Gas and Electric Company.

Additional assistance through CARE is also available to tenants of sub-metered facilities such as mobile home parks. Separate CARE Program discounts target nonprofit group living facilities and agricultural employee housing.

For more energy saving tips, please visit our Energy Crisis web site or call the Smarter Energy Line at 1-800-933-9555.

90

California Alternate Rates for Energy (CARE)

Information and Application for **Submetered Tenant**

15%

CARE APPLICATION

***Entire** application must be completed and signed. Application effective as of June 1, 2000.*

QUALIFICATIONS

I certify:

- I do not receive my electric bill from Southern California Edison Company.
- I am applying for the California Alternate Rates for Energy for my permanent **primary residence.**
- I understand that I will receive the 15% discount from my owner or manager beginning with the first regular billing after Edison notifies my owner that my completed application has been processed.
- My owner or manager completed the Property Owner/Managers section of this application.
- I understand Edison has the right to verify my household's income. Proof required may include such items as tax returns, paycheck stubs, or copies of government records.
- I understand I must notify Edison and my owner or manager if I move or exceed the income requirements.
- I understand the owner/manager will receive renewal information in June and I will be asked to renew my application in **June** each year.
- I am not claimed on another person's income tax return.
- For **CARE**, the definition of "gross (before taxes) household income" is all money and noncash benefits, available for living expenses, from all sources, both taxable and nontaxable, before deductions, including expenses, for all people who live in my home.

TENANT — PLEASE PRINT CLEARLY

I certify: The total number of people, including myself, who live in my household full time is: _____

The total money received yearly for my household is: *(zero not accepted)* $ _____

By signing below, I certify under penalty of perjury under the laws of the state of California that I qualify for Submetered CARE for my permanent, primary residence. I understand I may be asked to verify my household's income. If I fail to provide the information requested, or Edison finds that I received the discount when I was not eligible, my account may be rebilled at the applicable rate. My signature on this application gives consent for this information to be shared with my other energy utility, if applicable.

Tenant Name _____

Tenant Mailing Address _____ Apt./Space No. _____

City _____, CA ZIP _____

Home Telephone ( ) _____ Day Time Telephone ( ) _____

Tenant Signature _____ Date _____

PROPERTY OWNERS/MANAGERS — COMPLETE THIS SECTION

This section must be completed by the property owner or manager.

Master Metered Customer Name _____ Day Time Telephone ( ) _____

Account No. _____ Meter No. _____

Property Address _____

City _____, CA ZIP _____

SOUTHERN CALIFORNIA
EDISON
An EDISON INTERNATIONAL™ Company

California Alternate Rates for Energy (CARE)

Information and Application for **Submetered Tenant**

15%

TENANTS — Read this information. If you qualify, complete application and mail. Your property owner/manager must complete the section on the back.

To qualify for the 15% discount for the California Alternate Rates for Energy (CARE), through the property owner or manager, submetered tenants must meet these qualifications:

- You do not receive an electric bill from Southern California Edison. Submetered tenants receive electric service and bill from their property owner or manager.
- Your gross income cannot exceed the CARE income requirements.

Income Requirements

Effective June 1, 2000

Total No. People Living in My Household	Maximum Gross Annual Income *(Before deductions from all sources both taxable and nontaxable)*
1–2	$18,200
3	21,500
4	25,800
5	30,100

For each additional person, add $4,300.

For CARE, the definition of "gross (before taxes) household income" is all money and noncash benefits, available for living expenses, from all sources, both taxable and nontaxable, before deductions, including expenses, for all people who live in my home. This includes, but is not limited to the following:

Please check (✓) ALL sources of your income.

- ❑ Wages, salaries, and/or unemployment benefits
- ❑ Profit from self-employment (IRS Form Schedule C, Line 29)
- ❑ Child and/or spousal support
- ❑ Interest and/or dividends from savings accounts, stocks, bonds or retirement accounts
- ❑ Income from rent, royalties, or business
- ❑ Other cash income and/ or cash gifts
- ❑ Support from family and/or friends
- ❑ Pensions
- ❑ Disability payments
- ❑ Insurance and/or legal settlements
- ❑ Workers' compensation
- ❑ School grants, scholarships, or aid used for living expenses
- ❑ Food stamps
- ❑ Social Security
- ❑ SSI and/or SSP
- ❑ TANF (AFDC)

MAIL COMPLETED APPLICATION TO: **Southern California Edison**
California Alternate Rates for Energy
P. O. Box 6400
Rancho Cucamonga, CA 91729-6400

92

The Gas Company
A Sempra Energy company

ACCOUNT NO.: ___ - ___ - ____

FACILITY ID: _____ (The Gas Company use only)

Mobile Home Park Name: _____

California Alternate Rates for Energy (CARE) Application

❶ Check the total number of persons in your household:

☐ One (1) ☐ Two (2) ☐ Three (3) ☐ Four (4) ☐ Five (5)
☐ More than Five (5+), Number:_____

Adults:_____ **Children:**_____

❷ Check the total yearly household income for all persons in your household from all sources:

a. ☐ $0 to $18,200
b. ☐ $18,201 to $21,500
c. ☐ $21,501 to $25,800
d. ☐ $25,801 to $30,100
e. ☐ More than $30,100, Total Income: $_____

❸ Check all sources of income for your household:

☐ Wages or Salaries
Interest or Dividends from:
☐ Savings Accounts,
☐ Stocks or Bonds, or
☐ Retirement Accounts
☐ Unemployment Benefits
☐ Rental or Royalty Income
☐ Disability Payments
☐ Workers Compensation
☐ Social Security, SSI, SSP
☐ Pensions
☐ Insurance Settlements
☐ Legal Settlements
☐ TANF (AFDC)
☐ Food Stamps
☐ Child Support
☐ Cash
☐ Other Income
☐ Spousal Support
☐ Scholarships, Grants, or Other Aid Used for Living Expenses
☐ Profit from Self-Employment (IRS Form 1040, Schedule C, line 29)

❹ Can anyone else claim you as a dependent on his/her Income Tax (other than your spouse)? ☐ Yes ☐ No

By signing below, I certify under penalty of perjury under the laws of the State of California that this information is true and correct. I agree to provide all documents requested if I am asked to verify my eligibility. I understand that I may receive corrected billings if I do not verify my eligibility or I am found not eligible. I agree to notify The Gas Company within 30 days of any changes that affect my eligibility. I understand that The Gas Company may share this information with other energy utilities to qualify me for their assistance programs, if applicable.

Signature:_____ Date:_____

Phone No.:(____)_____ Did you complete ❶ through ❹?

Southern California Gas Company Form 6677 (6/00)

NAME: _____

ADDRESS: _____

CITY: _____

Please return application to: THE GAS COMPANY
CARE PROGRAM M L 711A
P O BOX 3249
LOS ANGELES CA 90051-1249

How to Apply for the California Alternate Rates for Energy (CARE) program: You may be eligible for a 15% discount on your gas bill at your primary residence. To apply, please complete the application form included and return it in the envelope provided. You will receive your discount once your completed, signed application is approved by The Gas Company. You as well as your landlord or manager will be notified if your application is approved or denied.

IMPORTANT INFORMATION: You, as well as your landlord or manager, will be notified if your application is approved or denied.

VERIFICATION: You may be asked at a later date to verify your household's eligibility for CARE. If requested, you must provide proof of income for all persons living in your household. If you do not reply or are found not eligible, you may receive corrected billings.

ELIGIBILITY REQUIREMENTS (All Must Be Met):

- ☐ No one else can claim you as a dependent on his/her Income Tax (other than your spouse).
- ☐ **Your total yearly household income (the income or aid received by all persons living in your home) -- before deductions -- is no more than the income level shown below.**
- ☐ You reapply for CARE every time you move.
- ☐ You renew your application for CARE annually.
- ☐ You verify your eligibility for CARE, if requested.
- ☐ You notify The Gas Company within 30 days of any changes in your eligibility.

Number of Persons in Household:	1	2	3	4	5
Total Yearly Household Income No More Than:	$18,200	$18,200	$21,500	$25,800	$30,100
For each additional person in your household add $4,300					

What Counts as Income? Total household income is all revenues, from all household members, from whatever sources derived, including but not limited to: wages, salaries, interest, dividends, spousal and child support payments; public assistance payments, Social Security and pensions, rental income, income from self-employment, and all employment-related non-cash income.

You may also qualify for assistance from the Low Income Home Energy Assistance Program: 1-800-433-4327, and the Direct Assistance Program: 1-800-331-7593.

English: 1-800-427-2200 **Spanish: 1-800-342-4545** **Mandarin: 1-800-427-1429**
Cantonese: 1-800-427-1420 **Korean: 1-800-427-0471** **Vietnamese: 1-800-427-0478**

Southern California Gas Company Form 6677 (6/00)

Pacific Gas and Electric Company

WE DELIVER ENERGY.℠

CARE Program Application for Tenants of Sub-Metered Residential Facilities

01-9285
Rev. 6/00

CARE Program
P.O. Box 7979, San Francisco, CA 94120-7979
☎ 1-800-278-5472 Fax 415-973-6419

1 MANAGER OR LANDLORD INFORMATION (Please Type or Print):

Manager or Landlord Name _____ Contact Phone ☐☐☐-☐☐☐-☐☐☐☐

Mailing Address _____ City _____ CA Zip Code _____
If Different from Above Address

Name on your Energy Bill _____

Account Number Gas ☐☐☐-☐☐☐-☐☐☐☐☐ Electric ☐☐☐-☐☐☐-☐☐☐☐☐

Service Address _____ City _____ CA Zip Code _____

Applicant Status ☐ ADD NEW ☐ DROP ☐ RE-CERTIFY ☐ MOVE TO DIFFERENT SPACE

2 TENANT INFORMATION: (please type or print)

Name _____
As It Appears on Your Energy Bill

Home Address _____ City _____ CA Zip Code _____
Do NOT Use a P.O. Box

Mailing Address _____ City _____ CA Zip Code _____
If Different from Above Address

Daytime Telephone Number ☐☐☐-☐☐☐-☐☐☐☐
Please Include Area Code

Number of People Living in Household
Adults ☐☐ + Children ☐☐ = Total ☐☐

CARE INCOME GUIDELINES (Effective June 1, 2000)

Your household's gross income must not exceed the CARE Income Guidelines.

Size of Household	1 or 2	3	more than 3
Yearly	$18,200	$21,500	add $4,300 for each additional household member

3 HOUSEHOLD INCOME WORKSHEET (Please Check All Sources For Your Total Annual Household Income)

- ☐ TANF (AFDC)
- ☐ Food Stamps
- ☐ SSI and/or SSP
- ☐ Disability Payments
- ☐ Workers Compensation
- ☐ Social Security
- ☐ Pensions

Interest and/or Dividends from:
- ☐ Savings Accounts.
- ☐ Stocks.
- ☐ Bonds. or
- ☐ Retirement Accounts
- ☐ Insurance and/or Legal Settlements
- ☐ Income from Rent. Royalties. etc.

- ☐ Profit from Self-Employment (IRS Form Schedule C. Line 29)
- ☐ Wages. Salaries and/or Unemployment Benefits
- ☐ School Grants. Scholarships or Other Aid Used For Living Expenses
- ☐ Child and/or Spousal Support
- ☐ Cash and Other Income

Total Annual Household Income: $ _____

4 DECLARATION (Please Read Carefully and Sign Below)

By signing below. I certify under penalty of perjury that the information on this declaration is truthful and correct. Although this declaration is valid for one year. I will notify Pacific Gas and Electric Company or my manager/landlord of any changes to my household that may affect my eligibility for CARE. Pacific Gas and Electric Company reserves the right to request verification of economic need at any time and may request rebilling through my manager/landlord at the applicable rate if appropriate. I understand that this information may be shared with my other energy utility, if applicable.

X _____ ☐ check if guardian or power of attorney _____
Signature of Sub-Metered Tenant **Date**

95

Pacific Gas and Electric Company

WE DELIVER ENERGY.

CARE Program Application for

Tenants of Sub-Metered Residential Facilities

01-9285
Rev. 6/00

Mailing Address
CARE Program
P.O. Box 7979, San Francisco, CA 94120-7979
☎ 1-800-278-5472 Fax 415-973-6419

ABOUT THE CARE DISCOUNT PROGRAM

The CARE program provides a 15% discount off the utility bill of qualifying households. The discount and eligibility criteria were established by the California Public Utilities Commission. If you qualify, Pacific Gas and Electric Company will notify your manager or landlord of your eligibility after your completed application has been received and verified. Pacific Gas and Electric Company will contact you at least every year to verify your continued need for the program.

INSTRUCTIONS

1. *READ ALL information and instructions before you complete this application. If you have questions about CARE, call Pacific Gas and Electric Company's CARE Program at 1-800-278-5472.*
2. *Determine if your household meets the definition of low-income. Your household MUST meet ALL criteria to qualify for the 15% discount from the CARE program.*
3. *COMPLETE the entire application, and have the Manager fill in information at the top of the application form (please print or type).*
4. *MAIL TO:* **Pacific Gas and Electric Company**
   CARE Program
   Box 7979
   San Francisco, CA 94120-7979

CARE PROGRAM RULES

Each household MUST meet ALL of the following requirements:

- *The person applying for CARE must be metered and billed monthly for actual energy usage by your management or landlord.*
- *The person applying for CARE must live at the address where the discount would be received.*
- *Application may only be for where you live more than half of the year (not for second homes).*
- *Applicant may not be claimed as a dependent on another person's tax return.*
- *Applicant's household must meet the program definition of low-income as described in this application packet.*
- *If requested to document your income, you will be allowed sixty (60) days to return information demonstrating economic eligibility. Failing to return information within 60 days may result in removal from the program and rebilling at the applicable rate.*
- *Tenants must notify Pacific Gas and Electric Company or the facility manager/landlord if their household no longer qualifies for the CARE discount.*

OTHER PROGRAMS AND SERVICES TO HELP YOU PAY YOUR ENERGY BILL

- ***HEAP** - Home Energy Assistance Program, provides once a year assistance for income-eligible customers. Contact California Department of Community Services and Development (CSD) at 1-800-433-4327 for more information.*
- ***Medical Baseline** - Provides services at the lowest rates to customers with documented needs. Contact Pacific Gas and Electric Company for information.*
- ***Energy Partners** - Free energy education and weatherization to income-qualified customers. Contact Pacific Gas and Electric Company for information.*

Pacific Gas and Electric Company Customer Services 1-800-743-5000

華語客戶服務部	Servicio al Cliente en ESPAÑOL	Dich vụ Khách Hàng Việt Nam
1-800-893-9555	**1-800-660-6789**	**1-800-298-8438**
Customer Service in **CHINESE**	Customer Service in **SPANISH**	Customer Service in **VIETNAMESE**

HEAP *Frequently Asked Questions*

Question: What is HEAP?

Answer: HEAP is a federally funded program that helps low-income ho their energy bill. Assistance is in the form of a dual or single party warra payment to a utility company on behalf of an eligible applicant. Eligibility household's total monthly income, which cannot exceed the HEAP inco The amount of assistance is based on the number of persons in the hou household income, the cost of energy within the county where the hous and funding availability. HEAP provides one payment per program year. maximum payment is $313, the minimum payment is $87, and the aver payment is $182. Persons living in board-and-care facilities, nursing or c homes, or in jail or prison, are not eligible for HEAP.

Question: How do I apply for HEAP?

Answer: The local community services agencies are responsible for pr applications, and CSD is responsible for issuing HEAP payments. To fi your area, refer to the Providers Directory, locate your county, then cont for that county directly for information about eligibility.

Question: When will I receive the HEAP payment?

Answer: Under most circumstances, it takes approximately three week application for a payment to be received.

Question: Why are energy costs so high?

Answer: The Energy Information Administration has recently prepared which will help answer this question. Both brochures explain, in laymen' factors that influence the prices of propane and natural gas and what to the current heating season. They are Propane Prices: What Consumers and Residential Natural Gas Prices: What Consumers Should Know

Providers Directory

Home

County	Agency Name	Phone	Fax	CSBG
Alameda	Associated Community Action Program	(510) 728-7801	(510) 728-7804	Yes
Alameda	Berkeley Community Action Agency Housing Department	(510) 644-6001	(510) 644-8678	Yes
Alameda	City of Berkeley	(510) 644-8544	(510) 644-8618	No
Alameda	City of Oakland, LEA, Department of Aging, Health & Human Services	(510) 238-3165	(510) 238-6784	Yes
Alameda	Spectrum Community Services, Incorporated	(510) 881-0300	(510) 537-3340	No
Alpine	Inyo Mono Advocates for Community Action, Incorporated	(760) 873-8557	(760) 873-8182	Yes
Alpine	Amador-Tuolumne Community Action Agency	(559) 223-1485	(559) 223-4178	Yes
Alpine	El Dorado County Department of Community Services	(530) 621-6150	(530) 642-9233	No
Amador	Amador-Tuolumne Community Action Agency	(209) 223-1485	(209) 223-4178	Yes
Butte	Community Action Agency of Butte County, Incorporated	(530) 538-7559	(530) 533-7470	Yes
Calaveras	Calaveras/Mariposa Community Action Agency	(209) 966-3609	(209) 966-5048	Yes
Colusa	Colusa-Glenn-Trinity Community Action Agency	(530) 934-6510	(530) 934-6650	Yes
Contra Costa	Contra Costa County Community Services Department	(925) 646-5910	(925) 646-5904	Yes
Del Norte	Del Norte County Board of Supervisors	(707) 464-7204	(707) 465-1470	Yes
Del Norte	Del Norte Senior Center	(707) 464-3069	(707) 464-5096	Yes
El Dorado	El Dorado County Department of Community Services	(530) 621-6150	(530) 642-9233	Yes
Fresno	Fresno County Economic Opportunities Commission	(559) 263-1010	(559) 263-1009	Yes
Glenn	Colusa-Glenn-Trinity Community Action Agency	(530) 934-6510	(530) 934-6650	Yes
Humboldt	Redwood Community Action Agency	(707) 445-3831	(707) 445-0884	Yes
Imperial	Campesinos Unidos, Incorporated	(760) 344-6300	(760) 344-0322	Yes
Inyo	Inyo Mono Advocates for Community Action, Incorporated	(760) 873-8557	(760) 873-8182	Yes
Kern	Kern County Economic Opportunity Corporation	(661) 336-5236	(661) 322-2237	Yes
Kings	Kings Community Action Organization, Incorporated	(559) 582-4386	(559) 582-1536	Yes
Lake	Lake County Community Action Agency, Inc	(707) 995-2920	(707) 995-2825	Yes
Lake	North Coast Energy Services	(707) 463-0303	(707) 463-0637	No
Lassen	Lassen/Plumas/Sierra Community Action Agency	(530) 283-2466	(530) 283-2478	Yes
Lassen	Lassen Economic Development Corporation	(530) 256-3531	(530) 256-3531	No
Los Angeles	City of Los Angeles, Community Development Department, Human Services & Neighborhood Development Division	(213) 485-3424	(213) 847-4891	Yes
Los Angeles	Community Housing Services	(626) 583-1770	(626) 583-7897	Yes
Los Angeles	Long Beach Community Services Development Corporation	(562) 437-0681	(562) 591-4612	Yes
Los Angeles	Los Angeles County, Department of Community & Senior Citizens Services	(213) 738-2644	(213) 386-3995	Yes
Los Angeles	Community Enhancement Services	(323) 850-1258	(323) 857-1117	No
Los Angeles	Maravilla Foundation	(323) 838-8082	(323) 721-0356	No
Los Angeles	Pacific Asian Consortium in Employment (PACE)	(323) 353-3982	(323) 353-1227	No
Los Angeles	Veterans In Community Services, Incorporated (VICS)	(562) 695-9040	(562) 699-4667	No
Madera	Madera County Action Committee, Inc.	(559) 673-9173	(559) 673-3223	Yes

Marin	Community Action Marin	(415) 459-1480	(415) 457-9677	Yes
Marin	California Human Development Corporation	(707) 523-1155	(707) 581-8172	No
Mariposa	Calaveras/Mariposa Community Action Agency	(209) 966-3609	(209) 966-5048	Yes
Mariposa	Mariposa County Housing and Community Development Agency	(209) 966-3609	(209) 966-5048	No
Mendocino	North Coast Opportunities	(707) 462-1954	(707) 462-0191	Yes
Mendocino	North Coast Energy Services	(707) 463-0303	(707) 463-0637	No
Merced	Merced County Community Action Agency	(209) 723-4565	(209) 725-8574	Yes
Modoc	Modoc-Siskiyou Community Action Agency	(530) 233-6501	(530) 233-2136	Yes
Modoc	TEACH, Inc.	(530) 233-3111	(530) 233-4744	No
Mono	Inyo Mono Advocates For Community Action, Incorporated	(760) 873-8557	(760) 873-8182	Yes
Monterey	Monterey County Department of Social Services, Community Action Agency	(831) 755-8490	(831) 755-8477	Yes
Monterey	Energy Services, Community Action Board of Santa Cruz County, Incorporated	(831) 457-1741	(831) 457-1747	Yes
Napa	Napa County Council for Economic Opportunity	(707) 253-6100	(707) 253-6156	Yes
Napa	California Human Development Corporation	(707) 523-1155	(707) 581-8172	No
Nevada	County of Nevada Department of Housing and Community Services	(530) 265-1388	(530) 265-7272	Yes
Orange	Orange County Community Development Council, Incorporated	(714) 897-6670	(714) 894-5404	Yes
Placer	Placer County Community Services Department	(530) 889-7960	(530) 889-6826	Yes
Placer	Project Go, Incorporated	(916) 624-5705	(916) 624-4844	No
Plumas	Lassen/Plumas/Sierra Community Action Agency	(530) 283-2466	(530) 283-2478	Yes
Plumas	Plumas County Community Development Commission	(530) 283-2466	(530) 283-2478	No
Riverside	County of Riverside, Department of Community Action	(909) 358-3005	(909) 358-3036	Yes
Sacramento	Sacramento Employment and Training Agency (SETA)	(916) 263-3800	(916) 263-5427	Yes
Sacramento	Community Resource Project, Inc	(916) 567-5220	(916) 567-5208	No
San Benito	San Benito County Department of Community Services & Workforce Development	(831) 637-9293	(831) 637-0996	Yes
San Bernardino	San Bernardino County Community Services Department	(909) 891-3863	(909) 891-9080	Yes
San Diego	County of San Diego, Department of Social Services Community Action Partnership	(619) 338-2797	(619) 338-2108	Yes
San Diego	Campesinos Unidos, Inc.	(760) 344-6300	(760) 344-0322	Ye
San Diego	Metropolitan Area Advisory Committee	(619) 426-3595	(619) 426-2173	No
San Francisco	Economic Opportunity Council of San Francisco	(415) 749-5600	(415) 749-3956	Yes
San Joaquin	San Joaquin County Department of Aging, Children's and Community Services	(209) 468-2202	(209) 468-2207	Yes
San Luis Obispo	Economic Opportunity Commission of San Luis Obispo County, Inc.	(805) 544-4355	(805) 549-8388	Yes
San Mateo	Community Action Agency of San Mateo County, Incorporated	(650) 595-1342	(650) 595-5376	Yes
Santa Barbara	Community Action Commission of Santa Barbara County	(805) 964-8857	(805) 683-5872	Yes
Santa Clara	Economic and Social Opportunities, Incorporated	(408) 971-0888	(408) 971-2897	Yes
Santa Cruz	Community Action Board of Santa Cruz County, Incorporated	(831) 457-1741	(831) 426-1747	Yes
Shasta	Shasta County Community Action Agency	(530) 225-5169	(530) 225-5178	Yes
Shasta	Self-Help Home Improvement Project, Incorporated	(530) 378-6900	(530) 378-6910	No
Sierra	Lassen/Plumas/Sierra Community Action Agency	(530) 283-2466	(530) 283-2478	Yes
Siskiyou	Modoc-Siskiyou Community Action Agency	(530) 233-6501	(530) 233-2136	Yes
Siskiyou	Great Northern Corporation	(530) 938-4115	(530) 938-1040	No
Solano	Solano County Department of Health and Social Services	(707) 421-6643	(707) 421-3207	Yes
Solano	North Coast Energy Services	(707) 463-0303	(707) 463-0637	No
Sonoma	Sonoma County People for Economic Opportunity	(707) 544-6911	(707) 526-2918	Yes

Sonoma	California Human Development Corporation	(707) 523-1155	(707) 581-8172	No
Stanislaus	Central Valley Opportunity Center, Inc.	(209) 383-2415	(209) 383-2859	Yes
Sutter	Sutter County Community Action Agency	(530) 741-6385	(530) 741-6399	Yes
Sutter	Community Resource Project, Inc	(916) 567-5220	(916) 567-5208	No
Tehama	Community Action Agency of Tehama County	(530) 527-6159	(530) 529-0980	Yes
Tehama	Self-Help Home Improvement Project, Incorporated	(530) 378-6900	(530) 378-6910	No
Trinity	Colusa-Glenn-Trinity Community Action Agency	(530) 934-6510	(530) 934-6650	Yes
Tulare	Community Services and Employment Training, Inc.	(559) 732-4194	(559) 733-3971	Yes
Tuolumne	Amador-Tuolumne Community Action Agency	(209) 223-1485	(209) 223-4178	Yes
Ventura	Ventura County Commission on Human Concerns	(805) 486-4725	(805) 487-2512	Yes
Yolo	Yolo County Department of Employment and Social Services	(530) 661-2900	(530) 661-2847	Yes
Yolo	North Coast Energy Services	(707) 463-0303	(707) 463-0637	No
Yuba	Yuba County Community Services Commission	(530) 741-6390	(530) 741-6399	Yes
Yuba	Community Resource Project, Inc.	(916) 567-5220	(916) 567-5208	No

Utility-bill help may be just ahead

Some mobile-home-park residents eligible for aid

Rate assistance

The California Alternate Rates for Energy program provides a 15 percent discount on utility rates to qualified households. Applicants must have incomes lower than 150 percent of federally established guidelines and must have income verified. Applications are available from Pacific Gas and Electric Co.

By Nancy Price
Record Staff Writer

Low-income mobile-home-park residents such as William Russell of Stockton who are eligible for a 15 percent discount in their utility bills but aren't getting it may soon have help.

The Senate Select Committee on Mobile and Manufactured Homes will meet Tuesday in Garden Grove to discuss utility billing issues, including hurdles that eligible residents of mobile-home parks face in getting discounts.

Part of the problem, said John Tennyson, a consultant for the state Senate committee, is that the California Public Utilities Commission does not have jurisdiction over utility bills for residents of mobile-home parks, because they are not billed individually. Instead, a bill is calculated based on usage from a mobile-home park's master meter, and it's the responsibility of park owners to provide discounts to eligible residents.

"The major complaint we've been getting is that some of these parks are not passing through rebates or credits," Tennyson said. "About 80 percent of the parks have complied, but there is a problem in enforcing those that will not. The PUC says they have no enforcement authority, so people have to take the parks to court."

Legislators are still trying to determine how to ensure that mobile-home residents, many of whom are low-income or seniors on fixed incomes, will have the same option as other homeowners to pay utility bills off over time or choose from balanced-payment-plan options, Tennyson said.

"They should have equal access, as the legislation originally intended," he said.

Russell and his 74-year-old mother, Doris Russell, have lived in Sahara Mobile Court on Sanguinetti Lane in northeast Stockton since the late 1960s. Their income is their monthly Social Security checks, and they have qualified for California Alternate Rates for Energy, Pacific Gas and Electric Co.'s dis-

Please see HELP, Back page

Continued from B1

counted utility-rate program, since about 1978.

Until 1997, their natural-gas and electricity bills included the words "CARE allowance," but starting in May 1997, only their natural-gas bills reflected the CARE discount.

When energy costs soared this past winter, Russell attempted to learn whether he and his mother were getting their CARE discounts.

"I asked repeatedly of (Sahara manager Linda Gray) for information: who bills us, who does the billing, to straighten this matter out," he said. "She said, 'I don't have time now.' "

Gray said, however, that she was unaware of the problem until she was contacted by a county official and a Record reporter.

"He should have checked in with PG&E to make sure they had the correct billing," she said. "When somebody pays their bill, I'm not looking at the CARE thing. I'm looking at the total bill."

> ***"When somebody pays their bill, I'm not looking at the CARE thing. I'm looking at the total bill."***
>
> **— Linda Gray,**
> manager,
> Sahara Mobile Court

Ultimately, Russell said, he reported his concern to the San Joaquin County weights and measures office.

County Agricultural Commissioner Scott Hudson, who oversees the weights and measures office, said he could not discuss the allegations but confirmed that an investigation is under way.

■ To reach reporter Nancy Price, phone **546-8276** or e-mail **nprice@recordnet.com**

10

Stockton Record
April 6, 2001

SELECTED COMPLAINT LETTERS TO COMMITTEE

April 9, 2001

Senator Dunn
Committee on Park Utilities
Garden Grove, CA

As a representative of Casa Del Lago Residents Association, we have quite a story to tell

30% of the mobile home owners in Casa Del Lago have been 'overcharged', upon complaining, management has *hand* written over the original bill and corrected it . (Reducing the price) And then two-three months later added it back on the bill.

The baselines on each home - owner varies. The '*CARE Program*' has not been followed correctly; they increase the therms and then reduce it by 10%.

They add an additional 2-3 therms on each bill, when asked about it, we were told that there was rearning gas in our lines and it was part of our bill!!!!!

A few residents that have not exceeded the baseline, have been charged at a '*higher*' Rate.

As our association grows, so do the complaints. We are a 618 unit park and have barley touched the surface. With so many complaints it is impossible to put it all on one faxed piece of paper.

Anything that I can do to further the cause, do not hesitate to call me.

Thank you for listening.

Sincerely,

Donna M. Cox
Director of CDLRA

(PERSONALLY SUBMITTED BY
TIM SHEAHAN

POOL

February 7, 2001

John G. Tennyson
Senate Select Committee
1020 N Street, Room 520
Sacramento, CA 95814

Dear Mr. Tennyson;

Thank you for returning my call and for any assistance you may be able to provide to resolve the confusion and correction of the PGE electric costs billed to the residents by the park owners, John and Nathalie Panelli..

Enclosed is the copy of the notice received from the park office in 1998, per your request. Mrs. Panelli explained when I questioned her about the notice, that there may be some changes due to de-regulation of the power companies. Unfortunately, I failed to further persue this at that time with PGE, as I was not familiar with who GSMOL was at the time and muchtoo aware of WMA.

Enclosed also, are copies of the information I received upon request from PG&E last March, 2000, after again asking Mrs Panelli to post the electric rates as I was not the only resident asking questions about the amount owed for the electric bill each month. Her reply was always, "I don't have to post the rates, nor am I required to do so". When she gave me my copy of the MRL last January, 2000, I asked her to read Art.4 Section 798.38 from my copy. She read aloud then sarcasticly replied, "alright I'll post them". Enclosed is the copy she posted on which she wrote, "Current Rate Schedule 1/1/2000." I removed it, made a copy and returned it and wrote a notation onit, "not current year, no Baseline Tier Rates included". This is what prompted my request from PG&E. On Page 4 of the PG&E information, is reference to the 10% credit on customers bills, and only recently the PG&E customer rep. explained to me, a 10% credit was to be deducted and written on each bill received from January 1, 1998 to date and continue for all resident customers in the park who are sub-metered.

I cannot comprehend that there is no government agency to audit the books and methods of billing and collections by the mobilehome park owners, as so many are dishonest and greedy, but perhaps none more so than the owners of this park, which most here are aware, but many fear to complain for fear of being targetted. (I learned the hard way and my property and sanity became the target of John Panelli).

Thank you for your time and effort and again offer your assistance to help resolve yet another problem, as it never seems to end with the greedy, dishonest owners of this park.

Sincerely,
Marcella Pool
Marcella Pool

800L

1/1/1998

Dear Resident:

You may have heard or seen commercials describing potential changes in the way Californians consume and pay for electricity in their homes and businesses. These changes will hopefully provide opportunities to save money on our electric bills. However, very little will change in the near future in your mobilehome utility service.

- You will not become a customer of a utility or marketer, and you will not receive telemarketing calls.
- You will enjoy the same reliability of service that you have currently.
- You will continue to have your meter read by management and to receive your electric bill from management.
- You will continue to be billed at the applicable rate charged other residential customers of utilities in your neighborhood.
- You will receive the 10% rate reduction that other residential rate payers receive.
- The format of your electric bill may change to provide you with additional information about the cost components of your bill.
- If proposals jointly presented by GSMOL and owner representatives are adopted, you may have the opportunity to join with your neighbors and management to explore money-saving energy options as a group.

Management intends to be prudent about its involvement in the new, competitive electric markets. Managers will do nothing to jeopardize the safety and reliability of your electric service and will use their best efforts in consultation with resident representatives to save money for all residents.

If you have any questions, you may call GSMOL at 800/888-1727 or WMA at 916/448-7002.

BURDICK

Senate Select Committee on Mobile and Manufactured Homes

April 12,2001

Hearing on Park Utilities

1) **Gas**

A) Hollydale residents are being overcharged two to three units per month based on meter readings on rent statement. See rent statements.

B) I phoned Orange County Weights and Measures and requested that my Gas meter be checked for flow and accuracy. I called 714-447-7100 and talked to Steve Hahn and he said he would send me a complaint form to fill out. He said I must go through Park Management if I live in Mobilehome Park. He said they do not come out and check sub-meters, they only check master meters. He said Park Management will review the complaint and they will check meter and it appears to be in error, park management will remove the meter and send out for recalibration. Park Management will install a temporary meter. Steve said they could not come out and check individual meters. Who is going to pay for all of this labor? The homeowner?

2) **Electricity** (see E-mail to Councilmen Steve Vargas)

Streetlights have wires lying on the ground in plastic tubing and some are connected to space pedestals, which indicates that the homeowner is paying for park streetlights.

Milton Burdick Temporary President of GSMOL Chapter 955
Hollydale Estates

Milt Burdick
President Chapter 955
GSMOL

BURDLK

GAS Meter Readings March 17,2001

The Gas company reads the master meter around the 23 rd of each month and bills Sierra Management(Kort and Scott Real Estate Group Inc.).

Sierra Management has Meter readers read our individual sub-meters around the 15th of the month.

Date	Base Line Rate	Over Base Line Rate
Jan1	0.89712	1.07700
Feb.1	0.90452	1.108440
March 1	0.98549	1.16537

Summer Rate	Winter Rate
(May thru October)	**(November thru April)**
Base Line Rate 0.457	**Base Line Rate 1.624**
	(0.89172)
	(Over base line 1.07700)
EXAMPLE:	**new numbers each month**

A) Winter use for base line rate at a billing cycle of 32 days.

B)1.624 X billing cycle of 32 days = 51.97 rounded off to the next highest number which is 52

C)Customer charge to the park is sixteen cents a day per customer (number of sites)

.16 X 32 =	$5.12	($5.26)
52 X .89712 =	$46.65	($46.93)
81 X 1.07700 =	$87.24	($87.67)
	.10	.10
	.25	.25
	.21	.21
	$139.57	$140.42

$ SHOULD HAVE BEEN

(STATEMENT CHARGES)

OVERCHARGED FOR ONE MONTH JAN 16, 01 THRU FEB 17, 01

106

GURDIER

DAYS	USAGE	USAGE	DAYS	USAGE	USAGE	DAYS	USAGE	USAGE
32	133		32	317		32	8	

SERVICE	PREVIOUS DATE	CURRENT DATE	PREVIOUS READ	CURRENT READ	THERM-X	USAGE	AMOUNT
GAS	1/16	2/17	~~1056~~ 130	1186	1.0210	133	140.42
ELE	1/16	2/17	15244	15561		317	38.21
WAT	1/16	2/17	452	460		8	17.27

SERVICE	BASELINE/LIFELINE
GAS	52
CUST CHARGE	5.26
52@ .90248 (0.8117)	46.93
81@1.08236 ([illegible])	87.67
	0.00
PUC FEE	.10
LOCAL TAX	0.00
LIRA SURCHG [illegible]	.25
INSP FEE	.21
MUN. SURCHARGE	
TOTAL	140.42

SERVICE	BASELINE/LIFELINE
ELECTRIC	336
CUST CHARGE	.80
317@12009	38.07
	0.00
Sub Total	38.87
Legislated 10% Rate Reduction	(3.89)
LOCAL TAX	0.00
ST ENERGY TAX	.06
E.P.S.	
317@.010000	3.17
TOTAL	38.21

SERVICE	
WATER	
CUST CHRG	2.87
8@1.80000	14.40
	0.00
	0.00
ESA CR	
PUC FEE	0.00
LOCAL TAX	0.00
TOTAL	17.27

3/1/01 CK 1676

SUMMARY OF CHARGES	
Bal Fwd	
Utilities	195.90
Late Charge	
RENT	560.69
TRASH	14.19
SEWER	1.43
E.P.S.	1.16
PLEASE PAY THIS AMOUNT →	773.37

SP.#

DUE DATE 3/01/01

OFFICE: (714) 528-7779 PROPERTY MGMT: (800) 270-0359
Make Check Payable to HOLLYDALE MOBILE ESTATES,
Drop in Office Mail Slot if After Hours. THANK YOU

April 19, 2001

Harris

John G. Tennyson
Principal Consultant
Senate Select Committee on
Mobile + Manufactured Homes
1020 N. Street Room 520
Sacramento
Ca 95814
RE: Further testimony by Virginia Harris

Dear Mr. Tennyson,

It was a pleasure meeting you April 12 at the Senate Committee Hearing by Senator Joseph L. Dunn in Garden Grove.

I would like to add some items to my testimony.

Richard LeFeuvre testified for Weights + Measures for Orange County. Actually Steve Hahn arrived at our home April 5 to check the meters representing weight + measures. The unsafe conditions Mr. LeFeuvre referred to at our meter site was a small spider sitting on the meter. He (Steve) tried to alarm us that it was a brown recluse spider (which it showed no signs of being.) I went to our trash can, removed a piece of paper + quickly caught the spider + disposed of it in Mr. Hahn's presence.

Mr. LeFevre showed no proof that our meters were actually tested, but claimed they were fine.

At our particular lot in the park we have an antique converter plug coming from the electrical post (outside our home) + connecting to the power cord to our home.

These converter plugs have been illegal for years. We know there are at least 2 more in the park + probably more.

My husband + I tried to replace the plug 3 yrs ago at wiring stores, Home Depot + Mobile Home Supply Stores - All told us the plug has been illegal for years.

Our home's wiring is correct, standard mobile home issue - the power coming from the ground is 10 amp too high (requiring the illegal converter)

The wiring in our park is 40-50 yrs old with no updates since the beginning of the park.

Mr. Castleman is removing small single-wide homes + replacing them with large double wides with no wiring upgrades.

Also in 1999 Mr. Don Castleman offered 0% of the Edison Electric rebate he received to the homeowners. He kept it ... it was to be shared by all owners.

3- Harris

I have contacted the law office of Evdeman, Lincoln, Turch + Heater LLP 600 "B" Street, Suite 2400, San Diego Calif 92101-4508. We hope they will represent our park.

However the lawyer wants 30% of the park to participate + we're under pressure here by management to "not speak with anyone" "or else".

We are being openly watched by Jack Schlensog - our manager when we speak with anyone in the park.

I hope some laws will come about to help our parks.

They are full of vulnerable, quite helpless people.

Sincerely + Thank You!

Virginia Harris
Volunteering for Mobile Estate

Harris

COUNTY OF ORANGE
PUBLIC FACILITIES & RESOURCES DEPARTMENT
AGRICULTURAL COMMISSIONER/SEALER OF WEIGHTS & MEASURES
10852 DOUGLASS ROAD, BUILDING D
ANAHEIM, CA 92806-6050
(714) 447-7100

WEIGHTS & MEASURES CONSUMER COMPLAINT

PLEASE PRINT

NAME DAVID + Virginia Harris
Huntington Mobile Estates
ADDRESS _____
CITY Huntington Beach *ZIP* _____

I have a complaint against Mr. Don Castleman - Owner
NAME Mr. Jack Schlenaog #58
Huntington Mobile Estates
ADDRESS 7652 Garfield Ave #58
CITY Huntington Beach, Ca 92648

PHONE number where you may be reached 8 am-5pm, Monday-Friday 714 912 7477

Date of complaint _____ *Have you contacted the establishment? Yes* ✓ *No* ____

Describe complaint

Extremely large electric + gas bills. $233 - Electric — March 2001
101 - Gas
187.42 Electric
100.30 - Gas - February
169.16 Electric - January
45.60 Gas
130.02 - Electric Dec
59.92 - Gas

NOTE: PLEASE COMPLETE AND SIGN APPROPRIATE SECTION ON PAGE 2.
ATTACH COPIES OF ANY WRITTEN DOCUMENTATION OF TRANSACTION.

owner of Park
Don Castleman CPA

Move -

Harris

Weights & Measures Consumer Complaint
Page 2

GASOLINE STATION

Type of fuel: Unleaded (Include Octane)_____ Diesel_____ Other_____
Pump # _____

In the square provided draw pump layout and circle suspected pump

ELECTRIC OR NATURAL GAS METER (Circle Unit) Both

Space No. 46 Make and Model of Meter _____

Electric - Duncan Electric Co Inc Lafayette, Indiana
Texas Water + Devis Co Inc Waco, Texas
(817) 799 0261

Attach copies of bills for this meter for past 3 months and for same period last year to permit proper evaluation of complaint.

PACKAGE OR CONTAINER

Gas Meter - Rockwell International M + U Division Philadelphia, Pennsylvania 15209

Nature of complaint Please check both gas + electric meters.

Commodity _____

Brand _____

Quantity Statement _____

Container Description _____

Name of Packer _____

Lot No./Code No. _____

Thank you!

X 3-29-2001
Date

X David Harris Virgie Harris
Signature

Enclosed final
Last 4 months bills 112

Harris

December 12, 2000

Mr. Don Castleman

Dear Mr. Castleman,

Please send the application for low income electrical rates as per required by Edison International for families who qualify. According to Edison International, the owner or manager of Huntington Mobile Estates is required by law to make readily available this application to all residents.

Not only do we qualify for low income rates on our electric - we also have a special needs five year old child, and I am also legally disabled by court decision.

By law, we have been eligible for electric discount rates for the five and a half years we have lived here, and during that time period we have never been offered the chance to apply for this discount.

From November 2000 to December 2000 our electric rate was increased $100 - making our total electric bill $180. This is an extremely high electric charge in comparison with the rate our neighbors here in the park pay.

Last winter our electric bill was raised $100 and in the summer months when no heat was used and our 18 year old son moved - leaving one less resident our rate never dropped back to a reasonable rate and continued at the $100 increase for the rest of the year. Once again, you are practicing discriminatory actions in your billing procedures here in the park.

Please send the application for electric rate discount immediately and adjust our electrical rate to a reasonable and fair amount.

Sincerely,

David Harris Virginia Harris

David and Virginia Harris

cc: Manager
Huntington Mobile Estates

Harris

5/12/00

Dear Mr. Castlemen,

As the owner of trailer #46 at Huntington Beach Mobile Estates, my husband and I expect you to follow the law when computing the utilities. In the five years that we have resided here, our utility bill has varied from $30 to $300 per month.

In our family we have three disabled people, two which have been proclaimed as such by a court of law. As I understand the law, we are therefore entitled to a reduction in our utilities and due to low income and disabilities.

Over the past five years our monthly bill has averaged in the $200 to $250 range.

In checking with families in larger homes with more members in the family, I find that they are paying $40 to $60 a month.

This practice of discrimination and fraud must stop at once. We expect to receive appropriate bills in the future and a refund of five years of overpayment now.

As I understand, you receive a wholesale rate from Southern California Edison. This discount is to be passed on to the residents. Not to be used as a means of large profit for you and Pacific Mutual Bank.

As you well know, mobile home parks are resided by many elderly and low income residents, practices of usury rates is illegal as well as immoral.

Sincrely,

Virginia & David Harris

Jacobs

April 10, 2001

Senator Dunn:

My husband and I are both retired and living in a mobile home in Southern California where the winter is probably the mildest of anywhere in the country. Imagine our amazement when we received a gas bill for the month of January for $164.00. The highest gas bill we have had in the five years since moving into our mobile home. We heat, cook and heat our hot water, for two people. We have a programmable thermostat which shuts our heat down at 11:30 at night and stays off until 6:30 the next morning at which time it goes way up to 71 degrees. One would think that this is less than most people heat their homes.

Out of curiosity, we began looking through bills for the similar period in other years and came up with some astonishing information. A schedule is attached which lays out the specifics of our findings. In way of a brief recap, the following are some interesting facts:

> Although the established baseline has not changed, the baseline charge for the comparable month has escalated by 79% over the past five years. The over baseline rate has gone up by 59%. This is our winter season when usage is the highest.
>
> The same comparison for the month of April when the weather is much warmer revealed a smaller increase. Again, the baseline did not change but the baseline charge increased by 21% with the over base line increasing 14%.
>
> Into the summer month of July the baseline increased by 10% and the baseline charge increased by 33% with over base increasing 25%.
>
> Again in the fall (October) the baseline rate increased by 60% and over base by 45%.
>
> A comparison of the electric rates for the same five year period shows no appreciable change in either the established baseline or the rate being charged. As a matter of fact, with the deregulation we have been receiving a 10 percent discount making our electric rates lower than they were five years ago.

Even given the increase in the price of crude oil and inflation over the past five years, it is unbelievable that such huge increases would be justified. I applaud you for looking into this matter and feel confident that you will put every effort into corrrecting this situation.

Sincerely,

Jean Jacobs

Jean Jacobs

cc: Mary Ann Stein, CMRAA

ELECTRIC RATES

Jacobs

January - February Billed March 1997 - 2001

Year	Base Chg	Baseline	Baseline chg	Over Baseline	STR Fee
1997	0.78	285	0.12009	0.14157	0.00020
1998	0.75	276	0.12009	0.14157	0.00020
% Change	-3.85%	-3.16%	0.00%	0.00%	0.00%
1999	0.75	276	0.12009	0.14157	0.00020
% Change	0.00%	0.00%	0.00%	0.00%	0.00%
2000	0.80	294	0.12009	0.14157	0.00020
% Change	6.67%	6.52%	0.00%	0.00%	0.00%
2001	0.78	285	0.12009	0.14157	0.00020
% Change	-2.50%	-3.06%	0.00%	0.00%	0.00%
5 Yr Change	**0.00%**	**0.00%**	**0.00%**	**0.00%**	**0.00%**

April - May Billed June 1996 - 2000

Year	Base Chg	Baseline	Baseline chg	Over Baseline	STR Fee
1996	N/A	270	0.12386	0.14241	0.00020
1997	0.78	285	0.12009	0.14157	0.00020
% Change		5.56%	-3.04%	-0.59%	0.00%
1998	0.80	294	0.12009	0.14157	0.00020
% Change	2.56%	3.16%	0.00%	0.00%	0.00%
1999	0.70	258	0.12009	0.14157	0.00020
% Change	-12.50%	-12.24%	0.00%	0.00%	0.00%
2000	0.73	267	0.12009	0.14157	0.00020
% Change	4.29%	3.49%	0.00%	0.00%	0.00%
5 Yr Change	**N/A**	**-1.11%**	**-3.04%**	**-0.59%**	**0.00%**

July - August Billed September 1996- 2000

Year	Base Chg	Baseline	Baseline chg	Over Baseline	STR Fee
1996	0.73	264	0.12009	0.14157	0.00020
1997	0.78	282	0.12009	0.14157	0.00020
% Change	6.85%	6.82%	0.00%	0.00%	0.00%
1998	0.80	291	0.12009	0.14157	0.00020
% Change	2.56%	3.19%	0.00%	0.00%	0.00%
1999	0.78	282	0.12009	0.14157	0.00020
% Change	-2.50%	-3.09%	0.00%	0.00%	0.00%
2000	0.80	291	0.12009	0.14157	0.00020
% Change	2.56%	3.19%	0.00%	0.00%	0.00%
5 Yr Change	**9.59%**	**10.23%**	**0.00%**	**0.00%**	**0.00%**

October - November Billed December 1996 - 2000

Year	Base Chg	Baseline	Baseline chg	Over Baseline	STR Fee
1996	0.80	294	0.12009	0.14157	0.00020
1997	0.80	294	0.12009	0.14157	0.00020
% Change	0.00%	0.00%	0.00%	0.00%	0.00%
1998	0.78	285	0.12009	0.14157	0.00020
% Change	-2.50%	-3.06%	0.00%	0.00%	0.00%
1999	0.78	285	0.12009	0.14157	0.00020
% Change	0.00%	0.00%	0.00%	0.00%	0.00%
2000	0.68	248	0.12009	0.14157	0.00020
% Change	-12.82%	-12.98%	0.00%	0.00%	0.00%
5 Yr Change	**-15.00%**	**-15.65%**	**0.00%**	**0.00%**	**0.00%**

GAS RATES

January - February Billed March 1997 - 2001

Year	Cust Chg	Baseline	Baseline chg	Over Baseline	Surcharge
1997	5.10	51	0.50207	0.67780	0.00884
1998	4.93	50	0.58002	0.75177	0.00994
% Change	-3.33%	-1.96%	15.53%	10.91%	12.44%
1999	4.93	50	0.49559	0.65663	0.00994
% Change	0.00%	0.00%	-14.56%	-12.66%	0.00%
2000	5.26	53	0.55476	0.71965	0.00994
% Change	6.69%	6.00%	11.94%	9.60%	0.00%
2001	5.10	51.00	0.90103	1.08090	0.00994
% Change	-3.04%	-3.77%	62.42%	50.20%	0.00%
5 Yr Change	**0.00%**	**0.00%**	**79.46%**	**59.47%**	**12.44%**

April - May Billed June 1996 - 2000

Year	Cust Chg	Baseline	Baseline chg	Over Baseline	Surcharge
1996	4.77	37	0.50843	0.68638	0.00884
1997	5.10	38	0.50207	0.67780	0.00884
% Change	6.92%	2.70%	-1.25%	-1.25%	0.00%
1998	5.26	39	0.57315	0.74491	0.00994
% Change	3.14%	2.63%	14.16%	9.90%	12.44%
1999	4.60	34	0.45001	0.61105	0.00994
% Change	-12.55%	-12.82%	-21.48%	-17.97%	0.00%
2000	4.77	28	0.61640	0.78129	0.00994
% Change	3.70%	-17.65%	36.97%	27.86%	0.00%
5 Yr Change	**0.00%**	**-24.32%**	**21.24%**	**13.83%**	**12.44%**

July - August Billed September 1996- 2000

Year	Cust Chg	Baseline	Baseline chg	Over Baseline	Surcharge
1996	4.77	15	0.50839	0.68633	0.00884
1997	5.10	15	0.55665	0.73710	0.01151
% Change	6.92%	0.00%	9.49%	7.40%	30.20%
1998	5.26	16	0.55397	0.72572	0.00994
% Change	3.14%	6.67%	-0.48%	-1.54%	-13.64%
1999	5.10	15	0.51618	0.67722	0.00994
% Change	-3.04%	-6.25%	-6.82%	-6.68%	0.00%
2000	5.26	15	0.67731	0.85715	0.00994
% Change	3.14%	0.00%	31.22%	26.57%	0.00%
5 Yr Change	**10.27%**	**0.00%**	**33.23%**	**24.89%**	**12.44%**

October - November Billed December 1996 - 2000

Year	Cust Chg	Baseline	Baseline chg	Over Baseline	Surcharge
1996	5.26	30	0.50839	0.68633	0.00884
1997	5.26	30	0.66716	0.83655	0.01151
% Change	0.00%	0.00%	31.23%	21.89%	30.20%
1998	5.10	29	0.51134	0.68377	0.00994
% Change	-3.04%	-3.33%	-23.36%	-18.26%	-13.64%
1999	5.10	29	0.54161	0.70265	0.00994
% Change	0.00%	0.00%	5.92%	2.76%	0.00%
2000	4.44	28	0.81229	0.99218	0.00994
% Change	-12.94%	-3.45%	49.98%	41.21%	0.00%
5 Yr Change	**-15.59%**	**-6.67%**	**59.78%**	**44.56%**	**12.44%**

DRAFT

GOLDEN STATE MOBILHOME OWNERS LEAGUE, INC.

"A Homeowners Association"

Reply To:
Dennis L. Branham
Vice President, Zone D

March 3, 2001

Mr. John G. Tennyson
Senate Select Committee on
Mobile & Manufactured Homes
1020 N Street, Room 520
Sacramento, CA 95814

Dear Mr. Tennyson:

I am writing to relay to you the utility problems of mobilehome owners that I have been involved in over the last six to eight months as the GSMOL Zone D Vice President. GSMOL Zone D is made up of San Diego, Riverside, and Imperial Counties.

The first major problem began last summer when San Diego Gas & Electric began to refund the overcharges to consumers based on bond debt interest. The park owners (master-meter holders) received the refund credit on their electric bill and were to refund it back to the sub-meter customers, the mobilehome owners. The soonest any park owner credited the refund to the park residents was sixty days (two billing cycles.) Based on the number of phone calls I received, I had parks that had not refunded the credit to the resident four months after they (park owners) had received the electric refund credit.

The second electric issue is the retroactive rate rollback under AB-265 (Davis) as the sub-meter customer was treated differently under the rollback refund. The serving utility customer received a refund based on actual kWh use. Mobilehome owners received a percent of the refund amount paid to the park owner based on use. This rate rollback refund was based on the sub-meter customer's percent of the electric use in the park in the last billing period – not actual kWh use.

Under this percent of use refund – if you conserved, you lost!

118

11021 MAGNOLIA BOULEVARD, GARDEN GROVE, CALIFORNIA • P.O. BOX 876, GARDEN GROVE, CALIFORNIA 92842 • (714) 826-4071 • (714) 800-888-1727

Re: Mobilehome Park Utility Issues

I talked with Ms. Lynne McGhee, a staff member in the office of Commissioner Henry M. Duque, at the CPUC concerning the rebate under the AB-265 (Davis). Ms. McGhee informed me that the intention of the CPUC was not to include mobilehome owners in the benefits of the electric rate rollback the PUC implemented under AB-265. She told me she would confer with the PUC legal staff and get back to me in a couple weeks. That was about ten weeks ago!

Mr. Tennyson, for any required additional information I maybe contacted at [illegible] or electronic mail at [illegible]nome.[illegible]

Sincerely,

Dennis L Branham

BRANHAM

From The Desk of Dennis L. Branham

March 3, 2001

John G. Tennyson
Senate Select Committee
On Mobile & Manufactured Homes
1020 N Street, Room 520
Sacramento, CA 95814

Re: Mobilehome Park Sub-Metered Utilities

Dear Mr. Tennyson:

I live in Greenfield Mobile Estates located at 400 Greenfield Drive in El Cajon. My park is under the master-meter utility system and the serving utility for our electric service is San Diego Gas & Electric. I have been told, but cannot prove as yet, that our park is now obtaining our natural gas from The Gas Company (So Cal Gas). I have experienced utility billing problems over the last eight months.

Under the electric rate cap and rollback under AB-265 (Davis) my refund of the charges over 6.5 cents per kWh was calculated differently than the direct customers of the serving utility. I content that if we are billed the same rates as the direct customers of the serving utility, then we should receive rebates and/or refunds under the same rules. Please see my enclosed letter the Ms. Lynch, President, California Public Utilities Commission (CPUC). To date no reply has been received from the CPUC to this correspondence.

In addition, a park management company employee told me that the park is buying the natural gas from "The Gas Company." However, I am still being billed at the higher SDG & E gas service rates. I wrote Sierra Management's Asset Manager, Amy Miller, and requested the disclosure of the names of the park's serving utility over four months ago. To date, she has refused to answer my written request for the information. One more little park owner trick to obtain a "wind-fall" profit without any expense or investment

Thank you, and please convey my appreciation to Senator Dunn, for looking into these billing issues.

Sincerely,

Dennis L Branham

Dennis L Branham

Encl: CPUC letter of Nov. 15, 2000 w/enclosures

Cc: GSMOL, Inc.

From The Desk of Dennis L. Branham

November 15, 2000

Loretta Lynch, President
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102-3298

Re: San Diego Gas & Electric Rate Residential Roll Back

Dear President Lynch:

I regret that I must contact you, and the CPUC, once again concerning electrical rates and how they are being applied to manufactured home owners who are the sub-meter customers of the manufactured home community owners, the master meter holders.

Concerning utility charges by master meter holders to manufactured home owners, the sub-metered customer, the *California Civil Code, Chapter 2.5 Mobile Home Residency Law, Article 4 Section 798.38.* Utility meter service; billing; rate schedule states:

> *Where the management provides both master meter and sub meter service of utilities to a homeowner, for each billing period the cost of the charges for the period shall be separately stated along with the opening and closing readings for his meter. The management shall post in a conspicuous place, the prevailing residential utilities rate schedule as published by the serving utility.*

It is my lay opine that the master meter holder is required to follow, and bill, the sub-meter customer at the same schedule as the residential customer of the serving utility. In my case, San Diego Gas & Electric is the serving utility. In fact that is what my manufactured home community operator does. See the enclosed monthly statements for July, August, September, October, and November 2000.

November 15, 2000
Re: SDG & E Rate Roll Back

Therefore, I strongly believe I am entitled under the law to be treated the same as the direct residential customer of the serving utility when applying the utility roll back of the energy component of my electric bill starting on June 1, 2000, under the intent and provisions of AB 265 (Assembly Member Davis). I base my lay opine on the following:

Signed into law on September 6, 2000, by Governor Davis:

AB 265 (Assembly Member Davis): This bill would require the commission to establish a ceiling of 6.5 cents per kilowatt hour on the energy component of electric bills for residential, small commercial, and lighting customers of the San Diego Gas and Electric Company, through December 31, 2002, retroactive to June 1, 2000, as prescribed.

SEC. 2. Section 332.1(b) is *added to the Public Utilities Code, to read:*

> *(b) The commission shall establish a ceiling of six and five-tenth cents ($.065) per kilowatt hour on the energy component of electric bills for residential, small commercial, and street lighting customers of the San Diego Gas and Electric Company, through December31, 2002, retroactive to June 1, 2000.*

To date, I have received one refund of $687.77 on September 1, 2000, which was for the Bond Debt early payment – not for the rate roll back. Then on November 1, 2000, I was given an electric refund in the amount of $159.26. This November 1, 2000, refund was for the amount due the ratepayer as a credit from the balancing fund as ordered by the CPUC about August 2000. To date, I believe my neighbors and I have never received our refund due based on *AB 265* and *Section 332.1(b) of the CPUC Code*.

Now, I have discovered that in the November 2000 master meter holder bill from San Diego Gas & Electric they were provided a credit for the roll back under the intent and provisions of AB 265. In addition, San Diego Gas & Electric has advised the master meter holders by separate correspondence to use a flawed refund scheme, which has been based on, and justified in their notice on, CPUC Code 739.5 (b), which reads:

November 15, 2000
Re: SDG & E Rate Roll Back

"Every master meter customer of a gas or electric corporation ... who ...receives any rebate from the corporation shall distribute to, or credit to the account of, each current user served by the master meter customer that Portion of the rebate which the amount of gas or electricity, or both, consumed by the user during the last billing period bears to the total amount furnished by the corporation to the master meter customer during that, period "

I strongly believe the refund of the energy component to the sub-meter customer of the master meter holder accomplished as recommended by SDG & E is not only flawed, it is not in compliance with the legislative intent of AB 265 which states: *"This bill would require the commission to establish a ceiling of 6.5 cents per kilowatt hour on the energy component of electric bills for residential, small commercial, and lighting customers of the San Diego Gas and Electric Company, through December 31, 2002, retroactive to June 1, 2000, as prescribed."*

Please see the enclosed information, which shows that the electric energy component refund I am due when the intent of the California Code/s is followed should be $604.51; however, under the SDG & E refund scheme provided to master meter holders, my refund is reduced to $339.34. In my opine, this represents an underpayment of $265.17 or 43.9% less than due under the law.

As a consumer and manufactured home owner advocate, I herewith request that the CPUC take action to correct the unequal treatment of manufactured home owners by the master meter holders and SDG & E and require compliance by same under the provisions of AB 265. The CPUC should order the return of sub-meter consumer's payments paid over and above the rate set by the California Legislature, signed into law by Governor Davis, and enacted by the CPUC.

November 15, 2000
Re: SDG & E Rate Roll Back

I strongly believe when, or if, the time comes to recover the energy component cost above the 6.5 cent cap the CPUC, the serving utility, and master meter holder will not discount those charges to the manufactured home owners/ sub-meter consumer by 43.9%!

Sincerely,

Dennis L. Branham

Cc: Governor Gray Davis
Senator Steve Peace
President, GSMOL, Inc

MARTIN

Jerry Van Leeuwen, Director of CDBG Administration
(760) 839-4871 Fax (760) 739-7044

October 31, 2000

CITY OF
ESCONDIDO
201 NORTH BROADWAY
ESCONDIDO, CA 92025

David Martin

Dear Mr. Martin:

After researching questions you have regarding SDG&E charges and rebates, I have the following information:

(1) According to your statement from SDG&E dated November 1, 2000, you received an Electricity credit of $49.43. It is listed as an E-CRD and appears under the "additional charge" category. This credit represents the 6.5-cent per kilowatt-hour cap that went into effect in June of this year.

(2) According to SDG&E , on your next statement, you will receive an adjustment for the months of June, July, August and September.

(3) The kilowatt rate charged to master-meters may not be marked up to residents with sub-meters. Based on the information provided by SDG&E, it does not appear this is being done.

(4) SDG&E still contends that in the year 2003, a balloon payment may be due, from all customers, not just mobilehome parks. This issue is still unresolved.

The master-meter and sub-meter department with SDG&E has been very informative, and I would encourage you to contact them directly rather than using the City as an intermediary. Please call SDG&E at (619) 441-3972 for future questions you might have.

Sincerely,

Jerry Van Leeuwen
Director of CDBG

Lori Holt Pfeiler, Mayor
Keith E. Beier, Mayor Pro Tem
Jerry Kaufman
June Rady
Marie Waldron

MARTIN

Bessire & Tasenhiser, Inc.

January 12, 2001

Michelle Morrow
City of Escondido

Re: Eastwood Meadows – August Electric Refund

Dear Ms. Morrow:

At the January 3, 2001 rent review hearing I was asked how a large refund in August 2000 was passed through to the residents. I promised to provide the staff and Council with details of that transaction.

The actual refund check we received was $98,706.53. Eastwood Meadows and the neighboring park, Mobilepark West, share a common master meter. So, the refund covered 441 spaces.

We refunded the money to each resident by way of a credit on their September rent and utility bill. The manner in which the refund was determined was based on the formula provided to us by SDG & E. Actually the formula was dictated by the California Public Utilities Code. Attached is a sheet entitled "Lump Sum Trust Transfer Amount Credit". Our billing service company, Digit Accounting, calculated the refunds using the formula detailed on that sheet.

At the meeting I gave you estimates of the refunds based on memory. I was close on the total check, but well off on the amount that went to the residents. They actually received 88.2% of the total refund.

Total check to park owner	$ 98,706.53
Total credit refunds to residents	$<87,100.84>
Difference	$ 11,605.69 (11.8%)

Break down of credits between parks:

Eastwood Meadows	$ 25,258.93
Mobilepark West	$ 61,841.91
Total	$ 87,100.84

661 Brea Canyon Road, Suite 7, Walnut, CA 91789-3044 • 909/594-0501 • Fax: 909/594-5272

Equal Housing Opportunity

MARTIN

The $98,000 check was the only check we received from SDG & E. A resident stated we received a $3 million check, but I can assure you, we did not.

Sincerely,

Keith I. Casenhiser

Keith I. Casenhiser
Executive Vice President

KIC/ksm
kc1012ksm

cc: Cathy & Tom Gravison
Audrey Barnes, Eastwood Meadows, Space #55
Ronald Cohen, Mobilepark West, Space #243

MARTIN

Received from SDG & E 11/14/2000 – All MH Park Owner/Master Meter Holders

SDG & E
A Sempra Energy company

RETROACTIVE RATE CEILING ADJUSTMENT

As authorized by the California Public Utilities (CPUC), San Diego Gas & Electric will be applying a Retroactive Rate Ceiling Adjustment credit to qualified residential and small business customers during the month of November 2000.

The credit is for the difference billed between the electric commodity charges, established by the Cal-PX, and the 6.5-cent per kWh ceiling, established by Legislation, froze June through September 2000.

As a reminder, master meter customers must distribute any utility credit to their sub-meter tenants based on the California Public Utilities Code 739.5(b), which reads:

> *"Every master meter customer of a gas or electric corporation ... who ... receives any rebate from the corporation shall distribute to, or credit to the account of, each current user served by the master meter customer that Portion of the rebate which the amount of gas or electricity,* or both, consumed by the *user during the last billing period bears to the total amount furnished by the corporation to the master meter customer during that, period "*

The CPUC formula for the refund calculation is:

- Individual tenant consumption, divided by master meter consumption creates a percent value.
- Percent value is applied to the total master meter dollar refund, to determine the tenant refund.

Example: Tenant's (last billing period.) usage is .370 kWh, master metered (same billing period) energy use is 50,100 kWh, and RRCA credit is $6294.31,

Calculation: 370/50,100 = .00735 x $6294.31 = $ 46.48 tenant credit

---

Inquiries regarding owner or tenant concerns, for the Retroactive Rate Ceiling Adjustment, can be made through the Sub-metered Rates Coordinator at (619) 441-3972.

MARTIN

Jerry H. Van Leeuwen, Director
CDBG Administration Division
(760) 839-4871, FAX (760) 739-7044

CITY OF
ESCONDIDO
201 NORTH BROADWAY
ESCONDIDO, CA 92025

December 6, 2000

Mr. David Martin

Dear Mr. Martin:

Mayor Pfeiler asked that I forward some information on to you regarding utility rates in mobile home parks. As I mentioned in my last letter to you, the City of Escondido has no jurisdiction on utility rates. Utility matters are under the direct control of the legislature of the State of California. I also mentioned that the issue you raised was a problem for many mobile home parks. In that regard, you may have read in the newspaper that State Senator Bill Morrow has introduced legislation to resolve some of these problems. JoSan Arnold of his office would be a contact for you. She can be contacted at 760-434-7930

Best wishes for the holiday season.

Sincerely,

Jerry Van Leeuwen

cc: Lori Holt Pfeiler, Mayor
Steve Nelson, Deputy City Attorney
Michelle Morrow, Management Analyst

Lori Holt Pfeiler, Mayor
Keith E. Beier, Mayor Pro Tem
Jerry Kaufman
June Rady
Marie Waldron

Printed on Recycled Paper

MARTIN

Jerry Van Leeuwen
Director of CDBG
City of Escondido
201 North Broadway
Escondido, CA 92025

November 7, 2000

Dear Mr. Van Leeuwen

Thank you for your letter of October 31, 2000. I fully understood that I received a credit on my statement dated November 1, 2000.

It seems that City Staff are having difficulty understanding me. I am sorry that I have been unable to explain myself in a clear manner. Perhaps this will make my concerns clearer to you and to all City Staff.

Fact: 6.5 cent per kilowatt-hour cap that went into effect in June of this year.
Fact: San Diego Gas and Electric do not bill me or any of the Residents of our park. Our management bills us.
Fact: Our management pays and is charged a "bulk rate" for utilities.
Fact: Management is billing us more than 6.5 cents per kilowatt-hour.
Fact: The kilowatt rate charged to master-meters may not be marked up to Residents with sub meters (per your letter of October 31, 2000) YET the rate has been marked up.
Fact: We have been told that the mark-up of utility rates is allowed. That the excess monies from the utilities is to be used for repairs for park utilities systems.
Fact: During our rent review hearing (1996) management-submitted bills for gas valve repair and replacement street lighting. These expenses were taken into consideration, and management was given a large increase, based on these additional expenses.

Why should we, in Eastwood Meadows be held responsible for a balloon payment, when we are being billed more than the 6.5 cent per kilowatt-hour cap? See our billing statement. We have been paying between 18 - 24 cents per kilowatt -hour rate for the months of June, July, August, September, and October.
The billing rate on the November statement is .16975-. 18979 per kilowatt-hour.

I do not understand how the Rent Review Board can control the rent that we are charged, and yet they can not control the rates for utilities (Additional charges) please explain this to me.

Sincerely

David T. Martin

David T. Martin

MARTIN

CITY OF ESCONDIDO
Memorandum

RECEIVED BY
AUG - 9 2000
CITY COUNCIL OFFICE

August 9, 2000

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: JENNIFER K. McCAIN, Assistant City Attorney JKM

RE: SDG&E Rebates for Mobilehome Park Tenants

At the August 2, 2000 City Council meeting, you directed our office to research one of the issues that was raised by Mr. Dave Martin regarding whether mobilehome park tenants will receive SDG&E rebates. You also wanted an update regarding how the City planned to handle this issue with regards to its tenants in Mountain Shadows and the Views.

This issue has already been discussed internally and with the mobilehome park management at Mountain Shadows and the Views. Mr. Martin was correct in his statement that the rebate will be given first to park management by SDG&E. It is our understanding that the park owners have dealt with this issue in the past and will generally rebate the money to the tenants as quickly as they can (either in the form of cash or a credit on their utility bill). If residents of a park have problems receiving a refund, they can contact our office and we will contact the park owner directly.

With regards to Mountain Shadows and the Views, the rebate will first be given to the Homeowner's Association and then the City's share will most likely be given to the City in one lump sum. Housing staff is currently working on a spreadsheet to determine the average kilowatt usage per tenant over the past 12 months to determine the amount of the rebate to give to each tenant. SDG&E has also offered to assist with these calculations.

h:\wp\jkm\sdg&e\council-m.dot

FM-204 (Rev. 8/92)

MARTIN

August 27, 2000

June Rady
City Council Member
201 North Broadway
Escondido, CA 92025

Dear Ms June Rady

You are looking into the cost of electricity in San Diego County. I would like to bring some information to your attention. I live in a mobile home park: Eastwood Meadows. The owner/management also owns Mobile Park West. Total number of spaces, both parks: 438. Less two management spaces

Eastwood Meadows Mobile Home Park
2550 East Valley Parkway
Escondido, CA 92027
Eastwood Meadows has 129 spaces.

Mobile Park West
2700 East Valley Parkway
Escondido, CA 92027
Mobile Park West has 329 spaces.

Both of these parks are sub metered. Management pays San Diego Gas and Electric a discounted rate for utilities. Residents are billed for their utility usage along with any allowable additional charges on our monthly rental statements. I have included a copy of my current statement. On my statement you will see:

1. The amount of my electrical rebate. The rebates are not the same for all Residents. This is as it should be, because it is my understanding that rebates are based on usage. However, are the rebates based on: The discounted rate that our owner pays to San Diego Gas and Electric? Or the non-discounted rate that the Residents pay? I spoke with a Representative from S.D.G. & E, on Saturday, August 26, 2000. He told me that the residential rate for electricity is twenty cents and under, on average per kilowatt. Note #2 the amount that we are paying: is four or more cents per kilowatt, than average. Remember that management is also getting a discounted rate. Escondido City Council Members have advised us that park management is not allowed to make a profit on utility charges. That Residents are to pay the amount that the park owner pays for utilities. Council has not corrected this situation.

It has been suggested that people pay only the amount of their June, 1999, electricity bill. This sounds like a good way to protest these increases: however; if residents of our park and Mobile Park West, do not pay the full amount due on their rental statement, management can start legal action for eviction for non payment of rent.

Several other parks in Escondido are also sub metered. I would appreciate any help that you can provide.

Sincerely
David T. Martin

David T. Martin

cc Phil Stewart
Diane Jacobs
Senator Richard Alarcon
Governor Davis
Michael Morrow

132

MARTIN

CITY OF ESCONDIDO
Memorandum

September 21, 2000

TO: JUNE RADY, Councilmember

FROM: MICHELLE MORROW, Management Analyst MM

SUBJECT: David Martin – Resident at Eastwood Meadows

As you know, the City recently received a call from David Martin, a resident of Eastwood Meadows Mobilehome Park, who presented several questions regarding billing practices for electrical service in his park. He provided staff with a large packet of financial information, which was the same packet that you provided to our office, and asked for assistance in reviewing the information to determine answers to the following questions:

1. Whether it is appropriate for a park owner to charge "mark-up" on power which is purchased by the park owner from SDG&E through a master meter, and then re-sold to individual residents for their sub-metered units; and
2. Whether it is appropriate for the park owner to retain a "discount" which appears on the bill, and not pass on the discount to individual residents; and
3. Whether the park owner had properly calculated the rebate available for each individual resident under SDG&E's recent rebate program, since a single check was paid by SDG&E to the park owner, and then distributed to individual residents.

Charging a Mark-up

Without appropriate authority from the Public Utilities Commission (PUC), a park owner may not go into the business of retailing electric power to residents of the park. However, a park owner may recover a charge from each resident which is directly related to the cost of maintaining the electric distribution system in the park, if the park owns that distribution system.

Passing on a "Discount"

All SDG&E customers pay a portion of their bill to SDG&E to maintain the distribution system owned by SDG&E which is used to deliver power to its customers. On September 18, 2000, I spoke with Keith Casenhiser, the Project Manager for Eastwood Meadows Mobilehome Park. He advised me that the Park purchased their distribution system from SDG&E, and is therefore responsible for all costs associated with maintenance, repair and replacement. According to the PUC, anytime the distribution system is privately owned and maintained, a discount will appear on the Park's monthly billing statement. The formula for this discount is determined by the PUC, based on the number of homes in the Park, and calculated by SDG&E. The discount offsets the costs associated with monthly sub-meter billing, and future repair and replacement costs of the distribution system. The discount belongs to the park owner and is not passed on to the residents. The discount that David Martin has identified on the bills sent to the park owner by SDG&E is a discount given to the park owner because the park owner owns and must repair the distribution system.

Calculation of the Rebate

Mr. Casenhiser and I also had a discussion about the SDG&E rebate given to the residents of Eastwood Meadows. The calculations were done and the funds were distributed by the same company that has handled the sub-meter billing since 1985. They were calculated exactly as instructed by SDG&E. Those instructions said the refund would be based on the percentage of the total master-meter electric consumption for the resident from the previous month.

Mr. Casenhiser promised to send me a copy of the calculations used to determine the amount of the rebate for each resident in the park. I will be reviewing those shortly, and if anything appears out of the ordinary, I will take steps to let Mr. Casenhiser and David Martin know immediately.

Please let me or Steve Nelson know if we may provide any additional information.

cc: Lori Holt Pfeiler, Mayor
Keith Beier, Councilmember
Jerry Kaufman, Councilmember
Marie Waldron, Councilmember
David Martin

STATEMENT DATE	11/1/00
AMOUNT REMITTED	
PLEASE PAY	368.66

TO:

FROM:

EASTWOOD MEADOWS
2550 E. VALLEY PKWY.
ESCONDIDO, CA. 92027

MAKE CHECK PAYABLE TO: EASTWOOD MEADOWS

DATE PAID:

Please Return Upper Portion of Statement • Keep Lower Portion for Your Records

HOMEOWNER	LOCATION	NAME OF PARK	STMT. NO. 121
	SPACE	EASTWOOD MEADOWS	STMT. DATE 11/1/00

	ELECTRIC BASELINE 249.0	GAS BASELINE 17.0	WATER
SCHEDULE	DRB	GRB THERM FACTOR 1.015	
READ DATES	9-11 TO 10-11 = 30. DAYS	9-11 TO 10-11 = 30. DAYS	
READINGS/USAGE	28982.- 28590.= 392.	3307.- 3291. x 1.015= 16.	
	249.0KW @ .16975= 42.2700 143.0KW @ .18979= 27.1400	16.0 THM @ .98209= 15.7100	
ST REG FEE	392.0KW @ .00012= .0500	16. THM @ .00076= .01	
STATE TAX	392. KW @ .00020= .08	GMPHS INSPC FEE .21	
TOTALS	69.54	15.93	

SUMMARY OF CHARGES

RENT FROM 11-01-00	THROUGH 11-30-00		308.59
ELECTRIC DUE	69.54		
GAS DUE	15.93		
WATER DUE			
		TOTAL UTILITIES DUE	85.47
ADDITIONAL CHARGES	TRASH	10.25	
	R-FEE	3.81	
	STORM	.13	
	SEWER	9.84	
	E-CRD	-49.43	
		TOTAL ADDITIONAL CHARGES	-25.40
		CURRENT DUE	368.66
		PREVIOUS BALANCE	
		CREDITS	
	PLEASE PAY THIS AMOUNT	TOTAL BALANCE DUE	368.66

January 16, 2001

Public Utilities Commission
Consumer Complaint: Gas Meter
505 Van Ness Ave.
San Francisco, CA 94102-3214

RE: MALFUNCTIONING GAS METER

Dear Person:

I live in a mobile home park so the gas and electric meters are **NOT** READ BY P.G.& E, but by a company - Park Utilities ? - hired by Management.

For the period of 9/30 - 11/3/2000 my billed gas consumption was 81 energy units for $81.75. Going backward: 9/1 - 9/30 was 23 units, 8/5 - 9/1 was 23 units, 7/5 - 8/5 was 23 units.

I was out of town from 10/7 - 10/22 and the heater thermostat was set at 60 degrees . No one else was there except the person came by to feed my cats. Management claims they don't know that I wasn't home.

This can be proven by the delivery of a tank of oxygen on 10/5 to 10/23 at my daughter's home in Carson City, NA. It is further proven by my telephone bill showing the lack of long distance calls except my cat sitter with one call to Carson City. Further proof exists on my bank statement showing an ATM withdrawal in Carson City.

Management replaced the gas meter on 12/12/2000 claiming there was no error in the reading nor faulty meter.

I checked with management yesterday, 1/15/2001, to see if they had had the meter checked. Management, Gloria, said that they had sent it to Valley Meter for checking of malfunction. She wouldn't tell me where Valley Meter is located. She said she had told me that it takes a month to check it out. I reminded her that it was removed 12/12 and today was 1/15. She said her husband sent it a week or a week and a half after removing it.

I called the Sealer of Weights and Measures this morning and was told that Management could have the meter checked out here within 24 hours during the work week. They also gave me the phone number and address of Valley Meter, which is in Sacramento.

On the monthly bill there is a PUC fee for reading the meters. Do you get these monies?

The meters are so odd. The gas meter is only a few inches from the ground and must be read with a mirror!!!

Enclosed you will find copies of my bill for my mobile home from October 2000 thru January 2001, showing meter readings from August 5th thru December 1, 2ooo. There are two bills for January 2001 with meter readings from 11/3 - 12/1 2000. The first one marked was delivered first and I called because my December calls resulted in management, Gloria, telling me the Gas was 11 units for 11/3 - 12/ but here I am billed for32 units when I supposedly used 31 units. They gave me a corrected bill marked B, for 11 units. that is rediculous because I cooked Thanksgiving dinner and the 31 units is more logical

Can you help me? My phone number is .

Sincerely yours,

Janet Woodruff

Janet Woodruff

BILL FOR Apr 2001 No 159

FROM

RANCHO VERDE MHP

	METER READINGS	FROM	TO	DIFF	ENERGY UNITS	CHARGE
		2/ 2	3/ 2			
GAS	CuFtx100	309	360	51	51	83.37
ELE	KWH	5883	6105	222	222	25.42

Rent	515.55
SWT	28.75
RE CONT AS	2.80
Credit	$10.00

(1000 e)

TO

ROHNERT PARK CA 94928

ACCOUNT 590159 THERM FACTOR 1.0250 PLEASE PAY TOTAL $645.89

White copy for tenant.

BILL DUE ON FIRST - DELINQUENT AFTER 5 PM ON FIFTH.

PAID / / AMT= RECD BY ADJ TOT

52.0 Therms	@ 1.599618	83.18
CPUC Inspection chg.		0.19

Baseline 56.0 Thm

222.0 KW-hrs	@ 0.115890	25.73
10% Reduction		2.57CR ✓
222 E.P.S.	@ 0.010000	2.22
222 CERS Exp.	@ 0.000200	0.04

Baseline 322.0 KWH

BILLING DAYS=28

138

BILL FOR Mar 2001 No 159
FROM

RANCHO VERDE MHP

Woodf

584-1563

		1/ 2	2/ 2			
GAS	CuFtx100	243	309	66	68	$ 115.37
ELE	KWH	5651	5883	232	232	26.50
WAT						

Rent	501.02
SWT	28.40
RE CONT AS	3.45
HCD FEE	2.10

TO
J WOODRUFF

J # 2112
3/5/01

ACCOUNT 590159 THERM FACTOR 1.0270

PLEASE PAY TOTAL ~~$674.74~~ 676.74

White copy for tenant.
BILL DUE ON FIRST - DELINQUENT AFTER 5 PM ON FIFTH.

PAID / / AMT= RECD BY ADJ TOT

62.0 Therms	@ 1.676686	103.95
6.0 Therms	@ 1.869161	11.21
CPUC Inspection chg.		0.21

Baseline 62.0 Thm

232.0 KW-hrs	@ 0.115890	26.89
10% Reduction		2.69CR ✓
232 E.P.S.	@ 0.009677	2.25
232 CERS Exp.	@ 0.000200	0.05

Baseline 356.5 KWH

BILLING DAYS=31

REBATE ISSUES

COLEMAN C. PERSILY
VICE PRESIDENT, GSMOL

FEB. 27. 2001

MR. JOHN TENNYSON
STATE CONSULTANT
1020 "N" STREET # 520
SACRAMENTO, C 95814

SUBJECT: Gas Rebates due Residents of
mobilehome parks (1996) (1999)
per PUC ORDER DOO-02-046

Our President , Steve Gullage, asked that I forward some records of parks that : were reported to me by residents asking for the non-received gas rebate ..

Please find below a list of parks where residents requested help. To these park owners I sent
.letters for payment on behalf of the residents.. You will also find a list of the park owners that were reported to me that the rebate has been paid

NAME OF PARK	AREA	PAID?
CASA GRANDE	VACAVILLE	PAID
CODDINGTON	STA ROSA	PAID
SHADY GROVE	SAN JOSE	?
MIDTOWN	SALINAS	PAID
ORCHARD	SANTA ROSA	?
RANCHO CABEZA	ROHNERT PARK	PAID
LOS ROBLES	NOVATO	PAID 1996- NOT 1999
COTTONWOOD	OROVILLE	
SALVADOR	NAPA	
SKYLARK	VACAVILLE	
GOLDEN LANTERN	DESERT HOT SPRINGS	
SHADY LANE	MANTECA	
CARIBEA	SAN JOSE	
UPLAND	UPLAND	
WESTERN VILLAGE	VISALIA	
MARIN VALLEY	NOVATO	PAID
BUENA VENTURA	VENTURA	PAID

Newsflash!

IMPORTANT NOTICE for MASTER-METERED COMMUNITIES in SAN DIEGO GAS and ELECTRIC TERRITORY

SDG&E TO ISSUE ELECTRIC CREDIT AS OF AUGUST 11, 2000. COMMUNITY OWNERS MUST ASSURE THAT RESIDENTS RECEIVE THE CREDIT

Beginning on August 11, 2000, San Diego Gas and Electric will issue checks for a one-time electric credit. This credit is know as the Lump Sum Trust Transfer Amount Credit. This credit must be passed on to your residents pursuant to California Public Utilities Code Section 739.5(b). The California Public Utilities Commission has developed a formula for refunding the credit to your residents.

Master-metered customers with sub-metered tenants will receive the credit based on the electric consumption from the master meter. Sub-metered residents should receive a portion of the credit based on their percentage of the total electric consumption from the previous month. Many mobilehome park residents and submetered customers have called SDG&E to find out how and when they will receive their share of the credit. The most common question is whether they will receive a check or credit towards their submetered utility bill. Many have indicated they would prefer a check. We encourage you to communicate with your residents to explain how and when you will be sharing this credit with them.

The submeter reads usually span two reading cycles of the master meter. The safest method is to take the two master meter reading periods, determine the total consumption during those two periods, and then divide by the total number of days in the two billing periods. This will give you the straight line average daily use during the two billing periods. If you have the average daily use, you can then multiply it by the number of days in the master meter billing period for which the credit applies to determine the estimated master meter usage for the submeter billing period that you are applying the credit. From here, you can take the individual resident consumption, divide it by the

141

estimated master meter consumption to determine their percentage use of the total usage. This percentage is then applied to the dollar amount of the total credit to determine how much of the refund the individual resident is to receive. The formula is as follows:

Individual tenant consumption divided by master meter consumption will create a percent value. This percentage is applied to the total master meter dollar refund to determine the tenant refund.

Example: Tenant's July bill is 370 kwh. The Master Meter July energy use is 48,786 kwh and the Lump Sum Trust Transfer Amount Credit is $26,277.

370 divided by 48,786 = .0075841 x $26,227 = $198.91 resident refund.

Because of the very serious energy crisis in SDG&E's territory it is very important for community owners to refund the credit to their residents as soon as possible. If you have questions on how to go about crediting your residents or how to calculate the credit, you can call SDG&E's Submetered Rates Coordinator at (619) 441-3972, your billing company if you have one, or WMA. Residents are aware that the credit has been issued and they are waiting for their portion. If credits are not received in a very timely manner, the resident's organizations will file complaints at the PUC.

WWW: www.wma.org
E-mail: info@wma.org

455 Capitol Mall, Suite 800 · Sacramento, CA 95814 · (916) 448-7002 · E-mail: info@wma.org

455 Capitol Mall, Suite 800 · Sacramento, CA 95814 · (916) 448-7002 · E-mail: info@wma.org

142

BEFORE THE PUBLIC UTILITIES
COMMISSION OF THE STATE OF CALIFORNIA

The Utility Reform Network (TURN), the California Mobile Home Resource and Action Association (CMRAA), and Does 1-100,	)	
Complainants,	)	Case No. 00-08-035
vs.	)	
Four Seasons Mobile Home Park, The Franciscan Mobile Country Club, Rancho Santa Teresa Mobile Home Estates, Diablo Mobile Lodge, Friendly Village Mobile Home Park, Pepper Tree Estates Mobile Home Park, Spanish Ranch Mobile Home Park Number 1, Riverbend Mobilehome Park, Hilton Mobile Home Park, Hillview Mobile Home Park, and Does 1-100,	)	
Defendants.	)	

JOINT MOTION FOR COMMISSION TO ADOPT STIPULATIONS OF FACT AND CONCLUDE PROCEEDINGS

Dated: March 28, 2001.

BEFORE THE PUBLIC UTILITIES
COMMISSION OF THE STATE OF CALIFORNIA

TURN and CMRAA Complainants vs. Four Seasons Mobile Home Park et. al. Defendants	)	Case No. 00-08-035

JOINT MOTION FOR COMMISSION TO ADOPT STIPULATIONS OF FACT AND CONCLUDE PROCEEDINGS

Pursuant to Rule 51 of the Commission's Rules of Practice and Procedure, the plaintiffs and defendants in this proceeding jointly move the Commission to adopt the proposed stipulations of fact contained in this filing. The proposed stipulations resolve the complaints brought by plaintiffs against named defendants under Pub. Util. Code §739.5 and should end the need for further proceedings in this case. The parties therefore urge that the Commission cancel the prehearing conference scheduled for March 9, 2001 and issue a final order consistent with the stipulations in this filing. The proposed stipulations and request for termination of further proceedings are in the public interest because there are no outstanding violations of the Public Utilities Code by named defendants. The proposed stipulation is unopposed by any of the named parties in this case.

I. STIPULATION OF FACTS

A. Common Facts For All Named Defendants

1. Defendants purchase natural gas from PG&E at a discount designed to cover the average costs of providing sub-metered service to its tenants.

2. Pursuant to Public Utilities Code Section 739.5(a), Defendants are required to charge its sub-metered customers the same rate for natural gas service that would be applicable if PG&E were providing the service directly.

3. Pursuant to Public Utilities Code Section 739.5(b), Defendants are prohibited from retaining natural gas rate rebates it receives from PG&E. When such rebates occur, Defendants are required to distribute to, or credit the accounts of, its tenants based on the amount of usage incurred by each tenant during the previous monthly billing period.

4. On March 1, 2000, PG&E submitted Advice Letter 2218-G setting forth its plan for refunding to customers $319.6 million in overcollected revenues in the Core Fixed Cost Account (CFCA). The Refund Plan was filed in compliance with Decision (D.) 00-02-046 in PG&E's General Rate case.

5. On March 31, 2000, PG&E submitted a Second Revised Refund Plan in Advice Letter 2218-G-B. The Second Revised Refund Plan removed proposed implementation costs from the total Refund Plan amount and clarified refund eligibility for former core customers. The total amount to be refunded, including interest through April 30, 2000, was $319,617,000.

6. Pursuant to its Second Revised Refund Plan, PG&E began distributing gas rate refunds to core customers during the May 2000 billing cycle. Such refunds appeared on customers' bills as the "Gas Refund Credit."

7. Pursuant to its Second Revised Refund Plan, PG&E included a bill insert in core customers bills commencing with the start of the refund that included the following statement: "This 'Gas Refund Credit' results from surplus revenues created by high customer gas use during the last two years as a result of cooler than normal weather. The 'Gas Refund Credit' shown on this bill is your share of a refund approved by the California Public Utilities Commission." For master-metered customers with sub-metered accounts, the bill insert included the following additional statement: "In accordance with California Public Utilities Code Section 739.5(b), you are required to distribute to your users the refund received from PG&E. This refund is calculated for each user by determining the ratio of the user's usage to the total therms for your account during the last billing period, and then applying that percentage to the total refund amount. For any questions, call PG&E at 1-800-743-5000." Sub-metered customers did not receive direct notification from PG&E about the Gas Refund Credit.

8. Defendants received bills for natural gas service that included a gas refund credit from PG&E along with a notice which stated, "In accordance with California Public Utilities Code Section 739.5(b), you are required to distribute to your users the refund received from PG&E. This refund is calculated for each user by determining the ratio of the user's usage to the total therms for your account during the last billing period, and then applying that percentage to the total refund amount. For any questions, call PG&E at 1-800-743-5000."

B. Facts Specific to Each Defendant

Defendant Franciscan Mobile Home Park

1. On June 9, 2000, Franciscan received its bill for natural gas service from PG&E covering usage during the period of April 26, 2000 to May 26, 2000. The bill, dated May, 2000, included the Gas Refund Credit from PG&E. The Gas Refund Credit totaled $33,572.08.

2. After receiving the Gas Refund Credit, Franciscan took no action to return the Gas Refund Credit to its sub-metered customers. The Gas Refund Credit did not appear on Franciscan's sub-metered customers' bills for July or August.

3. On August 16, 2000, subsequent to having been contacted by TURN and CMRAA, Franciscan calculated the rebate owed to each of its sub-metered

customers and credited the accounts of its sub-metered customers. The credit appeared on the September bills mailed to Franciscan tenants.

Defendant Four Seasons Mobile Home Park

1. On May 25, 2000 Four Seasons received its bill for natural gas service from PG&E covering usage during the period of April 21, 2000 to May 22, 2000. The bill, dated May 22, 2000, included the Gas Refund Credit from PG&E. The Gas Refund Credit totaled $8,074.68.

2. The Gas Refund Credit did not appear on Four Season's sub-metered customers' bills for June, July, or August.

3. On July 28, 2000, TURN and CMRAA mailed a letter to Four Seasons demanding that Four Seasons return the gas refund credit immediately, or be named as a Defendant in a complaint filed with the Commission or an appropriate state court.

4. On July 11, 2000, the billing company hired by Four Seasons calculated the rebate owed to each of its sub-metered customers placed a credit on the September bills mailed to Four Seasons' tenants.

Defendant Rancho Santa Teresa Mobile Home Park

1. On May 31, 2000 Rancho Santa Teresa received its bill for natural gas service from PG&E covering usage during the period of April 24, 2000 to May 24, 2000. The bill, dated May 24, 2000, included the Gas Refund Credit from PG&E. The Gas Refund Credit totaled $17,094.78.

2. The Gas Refund Credit did not appear on Rancho Santa Teresa's sub-metered customers' bills for June, July, or August.

3. On August 22, 2000, Rancho Santa Teresa calculated the rebate owed to each of its sub-metered customers and credited the accounts of its sub-metered customers. The credit appeared on the September bills mailed to Rancho Santa Teresa tenants.

Defendant Diablo Motor Lodge

1. On May 3, 2000 Diablo Motor Lodge received its bills for natural gas service from PG&E covering usage during the period of April 3, 2000 to May 2, 2000. The bills included the Gas Refund Credits from PG&E totalling $3,276.16.

2. The Gas Refund Credit did not appear on Diablo's sub-metered customers' bills for June, July, or August.

3.. On July 28, 2000, TURN and CMRAA mailed a letter to Diablo Motor Lodge demanding that Diablo return the gas refund credit immediately, or be named as a Defendant in a complaint filed with the Commission or an appropriate state court.

4. On September 1, 2000, subsequent to the receipt of TURN and CMRAA's demand letter, Diablo Mobile Lodge calculated the rebate owed to each of its sub-metered customers and credited the accounts of its sub-metered customers. The credit appeared on the September bills mailed to Diablo's tenants.

Defendant Friendly Village Mobile Home Park

1. Starting in May of 2000, Friendly Village MHP received its bills for natural gas service from PG&E and Unicom containing Gas Refund Credits. PG&E gave a gas rebate to Unicom in the amount of $12,231.98. Unicom has passed that rebate on to the park in increments. As of the October 2000 Unicom bill, the park had received a total of $3,450.20 in rebates.

2. The Gas Refund Credit did not appear on Friendly Village's sub-metered customers' bills for June, July, August, September or October.

3.. On July 30, 2000, TURN and CMRAA mailed a letter to Friendly Village Mobile Home Park demanding that they return the gas refund credit

immediately, or be named as a Defendant in a complaint filed with the Commission or an appropriate state court.

4. In late October of 2000, Friendly Village calculated the rebate owed to each of its sub-metered customers and, instead of crediting just the amount that the Park had thus far received in rebates, Friendly Village decided to refund the entire amount, in an effort to make up for the past five months. Friendly Village will not receive the entire rebate amount until the middle of 2001. The credit appeared on the November bills mailed to Friendly Village's tenants.

Defendant Pepper Tree Estates Mobile Home Park

1. In May of 2000, Pepper Tree Estates received its bill for natural gas service from PG&E covering usage during the previous month. The bill included the Gas Refund Credit from PG&E. The Gas Refund Credit totaled $9,705.13.

2. The Gas Refund Credit did not appear on Pepper Tree Estates sub-metered customers' bills for June, July, or August.

3.. On August 7, 2000, TURN and CMRAA mailed a letter to Pepper Tree Estates demanding that Pepper Tree Estates return the gas refund credit immediately, or be named as a Defendant in a complaint filed with the Commission or an appropriate state court.

4. On August 17, 2000, subsequent to the receipt of TURN and CMRAA's demand letter, Pepper Tree Estates calculated the rebate owed to each of its sub-metered customers and credited the accounts of its sub-metered customers. The credit appeared on the September bills mailed to Pepper Tree Estates tenants.

Defendant Spanish Ranch No. 1 Mobile Home Park

1. On June 6 2000, Spanish Ranch No. 1 MHP received its bill for natural gas service from Enron covering usage during the previous month. The bill included a $9,999.99 Gas Refund Credit from PG&E. Subsequent bills included Gas Refund Credits of $9,999.99 on July 11 and $6,773.28 on August 7. The total Gas Refund Credits provided to Spanish Ranch No. 1 MHP over these three months was $26,773.26.

2. The Gas Refund Credit did not appear on Spanish Ranch No. 1 MHP sub-metered customers' bills for June, July, or August.

3. On August 17, 2000, subsequent to having been contacted by the homeowners board based on information provided to them by CMRAA and TURN, Spanish Ranch No. 1 MHP calculated the rebate owed to each of its sub-metered customers and credited the accounts of its sub-metered customers.

The credit appeared on the September bills mailed to Spanish Ranch No. 1 MHP tenants.

Defendant Riverbend Mobile Home Park

1. On May 18 2000, Riverbend MHP received its bill for natural gas service from PG&E covering usage during the previous month. The bill included the Gas Refund Credit from PG&E. The Gas Refund Credit totaled $5,959.82.

2. The Gas Refund Credit did not appear on Riverbend MHP sub-metered customers' bills for June, July, or August.

3. On August 8, 2000, subsequent to having been contacted by a CMRAA member residing at the park, Riverbend MHP calculated the rebate owed to each of its sub-metered customers and credited the accounts of its sub-metered customers. The credit appeared on the September bills mailed to Riverbend MHP tenants sent to residents on August 25, 2000.

Defendant Hilton Mobile Home Park

1. On May 17 2000, Hilton MHP received its bill for natural gas service from PG&E covering usage during the previous month. The bill included the Gas Refund Credit from PG&E. The Gas Refund Credit totaled $2,511.11.

2. The Gas Refund Credit did not appear on Hilton MHP sub-metered customers' bills for June, July, August, or September..

3. On August 30, 2000, subsequent to the filing of the complaint by plaintiffs at the CPUC and being contacted by representatives of the Western Manufactured Housing Communities Association, Hilton MHP calculated the rebate owed to each of its sub-metered customers and credited the accounts of its sub-metered customers. The credit appeared on the October bills mailed to Hilton MHP tenants.

Defendant Hillview Mobil Home Park

1. In mid-June of 2000, Hillview MHP received its bill for natural gas service from PG&E covering usage during the previous month. The bill included a $1,120.33 Gas Refund Credit from PG&E. A subsequent PG&E bill received in July included a $212.63 Gas Refund Credit. The total Gas Refund Credit received from PG&E was $1,332.96.

2. Through the September billing cycle, the Gas Refund Credit did not appear on Hillview MHP sub-metered customers' bills.

3. On August 30, 2000, subsequent to having been contacted by TURN and CMRAA, Hillview MHP calculated the rebate owed to each of its sub-metered customers and credited the accounts of its sub-metered customers.

As of September 26, 2000, the credit appeared on bills mailed to Hillview MHP tenants as part of their October billing statement.

II. DISPOSITION OF COMPLAINT

1. The Parties agree that the stipulation set forth in this agreement satisfies all claims raised in this complaint against named Defendants under Public Utilities Code Section 739.5.

2. The Parties urge the Commission to terminate all further proceedings in this case and issue an order consistent with the stipulation.

3. The Defendants affirm, under penalty of perjury, that any documentation provided to TURN and CMRAA demonstrating compliance with PU Code §739.5 is fully accurate and that any written representations unsupported by source documents are true.

4. The Defendants promise to comply with PU Code §739.5 in the event that additional rebates are issued in the future. Defendants further promise that such rebates will be distributed to submetered customers within two billing cycles of receipt from the utility. In the event that an outside billing company is retained to send bills to park residents, defendants promise to provide rebate

information to such billing companies within two billing cycles after receipt of the rebate.

5. The Plaintiffs agree not to seek civil or criminal penalties against named Defendants as permitted under Public Utilities Code §2111 and §2112. In addition, Plaintiffs agree not to seek attorney fees from defendants but will request compensation from the Commission's intervenor trust fund at no cost to defendants.

6. The Plaintiffs agree that named Defendants shall not calculate or pay interest charges for the period beginning June 1, 2000 until the date the payments or credits were made.

7. The Plaintiffs and Defendants urge the Commission to issue a final order consistent with the stipulations in this filing.

8. The Plantiffs and Defendants jointly request that the pre-hearing conference scheduled for March 9, 2001 be cancelled and that additional proceedings be terminated apart from the issuance of a final Commission order.

IN WITNESS THEREOF, each party has executed this stipulated agreement as of the date first shown above.

By_____

MATTHEW FREEDMAN
Staff Attorney , The Utility Reform Network

By_____

DAVE HENNESSY
President, California Mobile Home Resource and Action Association

By_____

Paul Jensen
Attorney representing Defendants Franciscan Mobile Country Club, Pepper Tree Estates Mobilehome Park, Hilton Mobilehome Park, Riverbend Mobilehome Park, Diablo Mobilehome Lodge, Spanish Ranch I Mobilehome Park, and Rancho Santa Teresa.

By_____

Larry W. Wilson
Owner, Hillview Mobile Home Park

By_____

Aimee Molsberry
Vice-President, Santiago Management Corporation, representing Defendant Friendly Village Mobilehome Estates.

By_____

Jim Squeri
Attorney representing Defendant Four Seasons Mobilehome Park.

ENFORCEMENT AGENCIES

Weights and Measures

Submeter Billing Regulations and References

Jim Delperdang, Sealer
Ventura County Weights & Measures
800 South Victoria Avenue, #1750
Ventura, CA 93009
(805)654-2444

California Code of Regulations

Title 4, Division 9

Chapter 5: Billing for Utility Service

CHAPTER 5. BILLING FOR UTILITY SERVICES

4090. Billing for Utility Service.

Application. This section applies to operators who provide utility service(s) to customers through commercial weighing or measuring devices.

Definition. Utility service, for the purpose of this section, means gas, water and electric service or any combination thereof.

Invoices. The operator of a utility service system shall provide each customer with an invoice for each billing period. The invoice shall clearly and separately show the following for each of the utility services provided:

(a) The opening and closing meter readings and the dates of those readings.

(b) The identification of all rates and quantities attributable to each block in the applicable rate structure.

(c) The total charge for the billing period.

Records. The operator of a metered utility service system shall retain records of all pertinent rate schedules, and individual customer billings for a period of at least 12 months. Such records shall be made available at reasonable times for inspection and copying by the customer and county sealer.

NOTE: Authority: Section 12027, Business and Professions Code. Reference: Sections 12024, 12024.1 and 12024.2, Business and Professions Code.

Examinations Procedures Outline

EPO Reference - T

SUBJECT: UTILITY METER BILLING COMPLAINTS

PROCEDURE

1. Read the meter. Many high bills are due to meter misreads of the beginning or ending meter readings. An exceptionally low prior month's bill followed by an exceptionally high current bill usually means a misread meter. If readings are determined to be incorrect (i.e., the closing meter reading on the invoice is greater than the present reading or the bills appear to be disproportionate), talk to the meter owner (usually the landlord or park owner/manager) regarding the proper method of meter reading. Additionally, insure that the billing invoices issued by the meter owner comply with California Code of Regulations Section 4090 "Billing for Utility Services" and that all of the pertinent records are being retained for the required time frame.

2. If no irregularities show up in your investigation of the billing procedures, check to see that the meter is installed according to the manufacturer's specifications and that there are no irregularities in the installation which might cause meter error.

   NOTE: For electric meters, refer to EPO NO. 39-5 "Electric Meter Complaints", for specifics regarding looking at the meter service voltage, meter class, proper register, etc.

3. Test the meter for accuracy according to the applicable EPO: Vapor Meters (EPO NO. 31), Water Meters (EPO NO. 33-A), and Electric Meters (EPO NO. 39).

4. If there appears to be issues other than meter accuracy, meter installation, or California Code of Regulations Section 4090 requirements, you may want to call or refer the complainant to:

Serving Utility Contacts (see REF-T pages 4 through 17)	
Housing and Community Development - Mobile Home Assistance	1-800-952-5275
Golden State Mobile Home Owners League - Mobile Home Assistance	1-800-888-1727
California Public Utilities Commission (www.cpuc.ca.gov)	1-800-649-7570

OTHER BILLING CONSIDERATIONS

If the utility meter is a sub-meter installation of a master-meter, which is regulated under the Public Utilities Code or the Civil Code, the following laws and rules may apply in addition to those under the direct jurisdiction of weights and measures.

California Public Utilities Code - Section 739.5 (April 3, 1998, selected paragraphs from code)

(a) The commission shall require that, whenever gas or electric service, or both, is provided by a master-meter customer to users who are tenants of a mobile home park, apartment building, or similar residential complex, the master-meter customer shall charge each user of the service at the same rate which would be applicable if the user were receiving gas or electricity, or both, directly from the gas or electrical corporation. The commission shall require the

corporation furnishing service to the master-meter customer to establish uniform rates for master-meter service at a level which will provide a sufficient differential to cover the reasonable average costs to master-meter customers of providing sub-meter services, except that these costs shall not exceed the average cost that the corporation would have incurred in providing comparable services directly to the users of the service.

(b) Every master-meter customer of a gas or electrical corporation subject to subdivision (a) who, on or after January 1, 1978, receives any rebate from the corporation shall distribute to, or credit to the account of, each current user served by the master-meter customer that portion of the rebate which the amount of gas or electricity, or both, consumed by the user during the last billing period bears to the local amount furnished by the corporation to the master-meter customer during that period.

(c) Every master-meter customer shall provide an itemized billing of charges for electricity or gas, or both, to each individual user generally in accordance with the form and content of bills of the corporation to its residential customers, including, but not limited to, the opening and closing readings for the meter, and the identification of all rates and quantities attributable to each block in the applicable rate structure. The master-meter customer shall also post, in a conspicuous place, the applicable prevailing residential gas or electric rate schedule, as published by the corporation. (The park must offer residents any low-income rates available to customers of the local utility company.)

PUC General Order 58-A "Standards for Gas Service in the State of California" Section 23, Complaint States:

(a) Each gas utility shall make a full and prompt investigation of all complaints made to it by its customers, either directly or through the Commission.

(b) Each gas utility shall keep a record of all complaints received which shall show in each case the name and address of the complainant, the date of receiving a complaint, its general nature, the date and method of disposal, and the name of the service person responding to the complaint. The record shall be kept for a period of at least two (2) calendar years after the complaint has been resolved.

PUC General Order 96-A, Rule 19, States:

"As a further condition of submetering, the customer shall agree that (the serving utility) may inspect and examine customer's billing procedures from time-to-time to determine that such service is made in accordance with this rule or as otherwise may be authorized by the commission."

California Civil Code - Section 798.41 (April 3, 1998)

(a) Where a rental agreement, including a rental agreement specified in Section 798.17, does not specifically provide otherwise, the park management may elect to bill a homeowner separately for utility service fees and charges assessed by the utility for services provided to or for spaces

in the park. Any separately billed utility fees and charges shall not be deemed to be included in the rent charged for those spaces under the rental agreement, and shall not be deemed to be rent or a rent increase for purposes of any ordinance, rule, regulation, or initiative measure adopted or enforced by any local governmental entity which established a maximum amount that a landlord may charge a tenant for rent, provided that at the time of the initial separate billing of any utility fees and charges the rent chargeable under the rental agreement or the base rent chargeable under the terms of a local rent control provision is simultaneously reduced by an amount equal to the fees and charges separately billed. The amount of this reduction shall be equal to the average amount charged to the park management for that utility service for that space during the 12 months immediately preceding notice of the commencement of the separate billing for that utility service. Utility services to which this section applies are natural gas or liquid propane gas, electricity, water, cable television, garbage or refuse service, and sewer service.

Utility services to which this section applies are natural gas or liquid propane gas, electricity, water, cable television, garbage or refuse service, and sewer service.

(b) This section does not apply to rental agreements entered into prior to January 1, 1991, until extended or renewed on or after that date.

(c) Nothing in this section shall require rental agreements to provide for separate billing to homeowners of fees and charges specified in subdivision (a).

(d) Those fees and charges specified in subdivision (a) shall be separately stated on any monthly or other periodic billing to the homeowner. If the fee or charge has a limited duration or is amortized for a specified period, the expiration date shall be stated on the initial notice and each subsequent billing to the homeowner while the fee or charge is billed to the homeowner.

NOTE: Nothing precludes utility charges from being included in the rent as long as they are not broken out as such.

ENFORCEMENT

Where violations are found involving Division 5 of the Business and Professions Code, it is appropriate to write a Notice of Violation (NOV) and file civil or criminal actions with the district attorneys' office referencing the applicable sections. Where we see other types of violations which do not fall under Division 5 of the Business and Professions Code (i.e., PUC Code or Civil Code violations) we can still quote those on the NOV and refer those violations to the appropriate agencies, including the district attorneys' office. The Public Utilities Commission permits other agencies to refer cases to the district attorney for prosecution under its statutes without its direct involvement provided the violator is first given a written warning and the opportunity to voluntarily comply.

NOTE: Refer to EPO REF-O "Electric Submeter Review" for clarification of most frequently asked questions pertaining to weights and measures and California Public Utilities Commission jurisdiction over electric meters.

Examinations Procedures Outline

EPO Reference - O

SUBJECT: ELECTRIC SUBMETER REVIEW (see also EPO REF-T)

This reference is intended to clarify frequently asked questions pertaining to weights and measures and California Public Utilities Commission (CPUC) jurisdiction over electric meters.

1. What are electric submeters?

   Electric submeters are landlord-owned meters typically installed in either domestic or non-domestic electrical services to meter their tenants' electrical usage. Domestic submetered services are located in mobile home parks, apartment complexes and marinas. Non-domestic submetered services are located in shopping centers and industrial/commercial buildings.

   Tenants who receive electricity through a submeter are billed by their landlord. The landlord is billed by the serving utility for all the electricity that is consumed by that business which is registered on the utility-owned master meter.

2. What authority does the CPUC have regarding electric submeters?

   The CPUC's authority over submeters is contained in Public Utilities Code Section 739.5. The utility tariff rules and CPUC decisions pertaining to electric submeters and ordered by the CPUC apply only to privately-owned corporations which are public utilities and to cooperatives (co-ops). See Attachment 1 for the list of regulated companies.

   NOTE: All submetered non-domestic services under the jurisdiction of the CPUC are illegal if installed <u>after</u> May 15, 1962. There are relatively few legal non-domestic submetered systems falling under CPUC jurisdiction.

3. How are municipally-operated utilities governed?

   Municipally-operated utilities are governed by their own Board of Directors and are not subject to CPUC or weights and measures regulations, rules and decisions. However, weights and measures officials do have jurisdiction over privately-owned submeters that are served through the municipally-owned master meter. See Attachment 2 for the list of municipally-operated utilities.

4. What rules, regulations, and decisions should county weights and measures departments follow?

   County weights and measures departments have a responsibility to test electric submeters in accordance with California Code of Regulations (CCR) Title 4, Article 2.2. In addition, CPUC rules and decisions for submeters served by privately-owned corporations and co-ops should be followed when testing electric meters and responding to billing complaints. Contact CPUC for the rules and decisions pertinent to the specific privately-owned corporations and co-ops. Meters under the jurisdiction of CPUC are exempt from weights and measures jurisdiction. [Business and Professions Code, Division 5, Section 12510(d)]

5. Which submeter billing complaints require county weights and measures response?

   Weights and measures departments are required to respond to billing inquiries only for domestic utility services to ensure compliance with CCR, Title 4, Chapter 5, "Billing for Utility Services".

Attachment 3 is a chart summarizing weights and measures electric submeter jurisdictions.

ATTACHMENT 3

WEIGHTS AND MEASURES ELECTRIC SUBMETER JURISDICTION

SERVING UTILITY	SUBMETERS	All Submetered Mobile Home Parks	Submetered Domestic Multi-Unit Structure Built Before 6/13/78	Submetered Domestic Multi-Unit Structure Built After 6/13/78	All Submetered Marinas	Permanent Resident Recreational Vehicles (See Tariff Rule 18)	Residential Hotel (CPUC Does Not Allow Submetering)	Non-Domestic Submeters Installed Before 5/15/62	Non-Domestic Submeters Installed After 5/15/62	Enforce Submeter Billing Procedure in CCR Chapter 5
Privately-Owned Corporation (See Attached List #1)	DOMESTIC	X	X	O*	X	X	–	–	–	X
	NON-DOMESTIC	–	–	–	X	–	–	X	O*	X
Municipally-Operated Utilities (See Attached List #2)	DOMESTIC	X	X	X	X	X	X	–	–	X
	NON-DOMESTIC	–	–	–	X	–	–	X	X	X

X = Jurisdiction
0 = No Jurisdiction
* = Illegal, Notify CPUC

(Rev.4/5/01)

CALIFORNIA
COUNTY SEALERS OF WEIGHTS AND MEASURES

****ATSS**

			Telephone #	Fax #
01 ALAMEDA	Earl Whitaker	224 W. Winton Ave., Rm. 184, Hayward 94544 W&M address: 333 5th St, Oakland, 94607	(510) 670-5232 (510) 268-7343	(510) 783-3928
02 ALPINE	See El Dorado			
03 AMADOR	Mike Boitano	12200 Airport Road, Jackson 95642-9527	(209) 223-6483 (209) 223-6487	(209) 223-3312
04 BUTTE	Richard Price	316 Nelson Ave., Oroville 95965 W&M number:	(530) 538-7381 (530) 891-2756	(530) 538-7594
05 CALAVERAS	Jearl Howard	County Govt. Center, 891 Mt. Ranch Road San Andreas 95249	(209) 754-6504	(209) 754-6521
06 COLUSA	Harry Krug	100 Sunrise Blvd. Suite F, Colusa 95932	(530) 458-0580	(530) 458-5000
07 CONTRA COSTA	Edward P. Meyer	2366 'A' Stanwell Circle, Concord 94520	(925) 646-5250	(925) 646-5732
08 DEL NORTE	Glenn Anderson	2650 Washington Blvd., Crescent City 95531	(707) 464-7231	(707) 465-6044
09 EL DORADO	William Snodgrass	311 Fair Lane, Placerville 95667	(530) 621-5520 8-444-5520 **	(530) 626-4756
10 FRESNO	Jerry Prieto, Jr.	1730 S. Maple Ave., Fresno 93702	(559) 456-7510	(559) 456-7379
11 GLENN	Ed Romano	720 N. Colusa St., P.O. Box 351 Willows 95988	(530) 934-6501	(530) 934-6503
12 HUMBOLDT	John Falkenstrom	5630 S. Broadway, Eureka 95503	(707) 445-7223	(707) 445-7220 8-538-7223 **
13 IMPERIAL	Stephen Birdsall	150 S. 9th St., El Centro 92243-2801	(760) 482-4314	(760) 353-9420
14 INYO	George L. Milovich	County Services Bldg., 207 W. South St. Bishop 93514-3492	(760) 873-7860	(760) 872-1610
15 KERN	Monty Hopper	1116 E. California Ave., Bakersfield 93307	(661) 861-2418	(661) 324-0668
16 KINGS	Dennis F. Bray	680 No. Campus Dr., Suite B, Hanford 93230	(559) 582-3211 Ext. 2830	(559) 582-5251
17 LAKE	Mark T. Lockhart	883 Lakeport Blvd., Lakeport 95453	(707) 263-0217	(707) 263-1052
18 LASSEN	Kenneth Smith	175 Russell Ave., Susanville 96130	(530) 251-8110	(530) 257-6515
19 LOS ANGELES	Cato Fiksdal	11012 Garfield Ave., South Gate 90280 Mailing: Commiss: 12300 Lower Azusa Road Arcadia, 91006-5872	(626) 575-5451 (626) 940-8916	(626) 350-3243
20 MADERA	Robert Rolan	332 Madera Ave., Madera 93637-5431	(559) 675-7876	(559) 674-4071
21 MARIN	Stacy K. Carlson	1682 Novato Blvd., Novato 94947	(415) 499-6700	(415) 499-7543
22 MARIPOSA	Donald O. Cripe	P.O. Box 905, Mariposa 95338	(209) 966-2075	(209) 966-2056
23 MENDOCINO	Dave Bengston	579 Low Gap Rd. Court House, Ukiah 95482	(707) 463-4208 8-553-4208 **	(707) 463-0240
24 MERCED	Michael J. Tanner	2139 W. Wardrobe Ave., Merced 95340	(209) 385-7431	(209) 725-3910
25 MODOC	Joseph Moreo	202 W. 4th St., Alturas 96101	(530) 233-6401	(530) 233-5542
26 MONO	See Inyo County			
27 MONTEREY	Eric Lauritzen	1428 Abbott St., Salinas 93901	(831) 759-7305	(831) 422-5003
28 NAPA	David Whitmer	1710 Soscol Ave. Ste. 3, Napa 94559-1315	(707) 944-8714	(707) 253-4881
29 NEVADA	Paul Boch	255 S. Auburn St., Grass Valley 95945	(530) 273-2648	(530) 273-1713
30 ORANGE	Rick Le Feuvre	1750 S. Douglass Road, Bldg. D., Anaheim 92806-6050	(714) 447-7100	(714) 567-6203

CALIFORNIA
COUNTY SEALERS OF WEIGHTS AND MEASURES

			Telephone #	Fax #
31 PLACER	Christine Turner	11477 E. Ave., Auburn 95603-2799	(530) 889-7372	(530) 823-1698
32 PLUMAS	Karl Bishop	208 Fairgrounds Rd., Quincy 95971	(530) 283-6365	(530) 283-4210
33 RIVERSIDE	John R. Snyder	P.O. Box 1480, Riverside, 92502-1480	(909) 955-3030	(909) 276-4728
34 SACRAMENTO	Frank E. Carl	4137 Branch Center Rd., Sacramento 95827	(916) 875-6603	(916) 875-6150
35 SAN BENITO	Mark Tognazzini	3224 Southside Rd. P.O. Box 699 Hollister 95023	(831) 637-5344	(831) 637-9015
36 SAN BERNARDINO	Edouard P. Layaye	777 E. Rialto Ave., San Bernardino 92415-0720	(909) 387-2140	(909) 387-2449
37 SAN DIEGO	Kathleen Thuner	5555 Overland Ave., Bldg 3 San Diego 92123-1292	(858) 694-2741 694-2739	(858) 565-7046
38 SAN FRANCISCO	David C. Frieders	501 Army St., Suite 109-A San Francisco 94124	(415) 285-5012	(415) 285-8776
39 SAN JOAQUIN	Scott Hudson	1868 E. Hazelton Ave. P.O. Box 1809 Stockton 95201	(209) 468-3331	(209) 468-3330
40 SAN LUIS OBISPO	Richard Greek	2156 Sierra Way, Suite A San Luis Obispo 93401	(805) 781-5910	(805) 781-1035
41 SAN MATEO	Gail Raabe	Agr. Bldg., 728 Heller St. P.O. Box 999, Redwood City 94064	(650) 363-4700	(650) 367-0130
42 SANTA BARBARA	William Gillette	263 Camino Del Remedio, Santa Barbara 93110	(805) 681-5600 681-5602	(805) 681-5603
43 SANTA CLARA	Greg Van Wassenhove	1553 Berger Dr., Bldg. 1, San Jose 95112	(408) 299-4701	(408) 286-2460
44 SANTA CRUZ	David W. Moeller	175 Westridge Drive, Watsonville 95076 W&M's Field Office:	(831) 763-8080 454-2383 8-525-2162 **	(831) 763-8234
45 SHASTA	Mary Pfeiffer	3179 Bechelli Lane, Suite 210, Redding 96002	(530) 224-4949	(530) 224-4951
46 SIERRA	See Plumas County			
47 SISKIYOU	William Stephans	525 S. Foothill Dr., Yreka 96097	(530) 841-4025	(530) 842-6690
48 SOLANO	Susan Cohen	501 Texas St., Fairfield 94533	(707) 421-7465	(707) 429-0827
49 SONOMA	John Westoby	2688 Ventura Ave., Room 100 Santa Rosa 95403-2893	(707) 565-2548	(707) 565-2119
50 STANISLAUS	Donald O. Cripe	3800 Cornucopia Way, Suite B Modesto 95358	(209) 525-4730	(209) 525-4790
51 SUTTER	Mark P. Quisenberry	142 Garden Hwy., Yuba City 95991	(530) 822-7500	(530) 822-7510
52 TEHAMA	Mark Black	1760 Walnut St., P.O. Box 38 Red Bluff 96080	(530) 527-4504	(530) 529-1049
53 TRINITY		Civil Defense Hall, Box 1466 Weaverville 96093	(530) 623-1356	(530) 623-1391
54 TULARE	Lenord Craft, Jr.	County Civic Center, Visalia 93291	(559) 733-6391	(559) 733-6568
55 TUOLUMNE	Gary Caseri	22365 S. Airport Rd., Columbia Mailing: 2 S. Green St., Sonora 95370	(209) 533-5691	(209) 533-5520
56 VENTURA	Jim Delperdang	800 S. Victoria Ave., Ventura 93009	(805) 654-2444	(805) 654-5177
57 YOLO		70 Cottonwood St., Woodland 95695	(530) 666-8140	(530) 662-6094
58 YUBA	Dennis Pooler	938 14th St., Marysville 95901-4192	(530) 741-6484	(530) 743-4442

Schauer, Melanie

From: Reyes, Rebecca [RNR@cpuc.ca.gov]
Sent: Wednesday, November 15, 2000 3:47 PM
To: 'melanie.schauer@sen.ca.gov'
Cc: Pedersen, Susan; Woods, Linda J.; Martinez, Yolanda R.
Subject: Mobile Home Park Issue
Importance: High

We apologize we were unable to respond sooner to your request for assistance in answering mobile home park issues posed by Mr. Conrad Wann.

To answer Mr. Wann's inquiry regarding a refund in1997, there was a gas refund issued by PG&E in June, 1997.

To answer Mr. Wann's inquiry regarding the passing of any reductions in rates to submetered tenants, in California and pursuant to Public Utilities Code Section 739.5, mobile home park operators may not charge in excess of the rates offered by the local franchise utility. His bill should reflect the appropriate rates, beginning and ending meter reads, baseline allowances, taxes and surcharges. The park must also offer residents any low-income rates available to customers of the local utility company.

As this Commission has no direct authority over mobile home park operators concerning bills for service, Mr. Wann must present his concerns to the park management or in a court of proper jurisdiction.

We hope the above is helpful.

<<...>>

171

PUC

Consumer Services Division

Informal Complaints

Here you can register your complaint(s) against the public utilities and carriers regulated by the California Public Utilities Commission.

If you are complaining about a utility or carrier, we require that you try to resolve the complaint informally by contacting the utility or carrier before registering your complaint with the Consumer Services Division. We also strongly suggest that you look at the information provided in our Frequently Asked Questions (FAQ) page. This page may answer some of your commonly asked questions.

If you are unable to resolve your dispute with the utility, you may file your complaint with the Consumer Affairs Branch (CAB) of this Commission using U.S. Mail, FAX, Phone, or E-mail as described below.

Although CAB has a complaint form that you can down load and use, you can also use your browser's E-mail form to register a complaint. Either way, please provide all the information listed below otherwise the complaint processing will get delayed.

MAILING YOUR COMPLAINT:

What you must specify in a written complaint?

- Your name
- Service address
- Mailing address and phone number
- Name of the utility or carrier you are complaining about
- Address and telephone number of the utility or carrier (if applicable)
- The name of the utility or carrier representative you contacted (if applicable)
- Your utility account number (if applicable)
- A brief description of your complaint

Please limit your complaint to two pages or less.

Where to mail your complaint?

Issues Concerning Billing and Service

172

PUC

CPUC - Consumer Affairs Branch
505 Van Ness Ave.
San Francisco, CA 94102

Issues Concerning Public Safety: such as: live wires dangling from power poles, gas leaks, etc.:

Utilities Safety Branch
505 Van Ness Ave.
San Francisco, CA 94102

Issues Concerning Household Goods Movers:

Tony Irving,
Consumer Services
Div. CPUC, 2nd floor
505 Van Ness Ave.
San Francisco, CA 94102

FAXING YOUR COMPLAINT:

To FAX a complaint, use: (415) 703-1158

CALLING IN YOUR COMPLAINT:

If you would like to speak with someone about your complaint, please call one of the phone numbers listed below. Please note our customer calling hours are 8:00 AM to 5:00PM Pacific time:

Service and billing related complaints: 1-800-649-7570 or 415-703-1170

Safety related complaints:

Gas Related: 1-800-755-1447 or 415-703-1736;

Electric, Phone, & Cable: 1-800-755-1447 or 213-897-3334;

Mobilehome Parks: 1-800-755-1447 or 415-703-1126

Household goods carriers complaints: 1-800-366-4782

E-MAILING YOUR COMPLAINT:

You can E-mail your complaint by clicking on the appropriate link listed below. Please include the same information as required for written complaints.

- Complaints regarding utility Service, Billing, or Other matters.
- Complaints regarding utility safety matters.
- Complaints regarding Household goods movers.

173

PUC

CALIFORNIA PUBLIC UTILITIES COMMISSION
CONSUMER AFFAIRS BRANCH
Complaint Form

DATE: ___/___/2000

NAME: _____

BUSINESS NAME: _____ PHONE: _____

MAILING ADDRESS: _____

_____

SERVICE LOCATION ADDRESS: _____

_____

COMPLAINING ABOUT: ELECTRIC: _____ WATER: _____ TELEPHONE: _____
GAS: _____

(if applicable)
NAME OF UTILITY YOU ARE COMPLAINING ABOUT: _____
YOUR ACCOUNT NUMBER: _____

PLEASE BRIEFLY DESCRIBE YOUR COMPLAINT:

_____

_____

_____

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_____

(if you need more space, attach extra sheet of paper)

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