

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE

SAN FRANCISCO, CA 94102-3298



May 19, 2010

Advice Letter 2128-E

Ronald van der Leeden, Director
Rates, Revenues and Tariffs
San Diego Gas and Electric
8330 Century Park Court, CP32C
San Diego, CA 92123-1548

**Subject: Establishment of Rule 41—Demand Response Multiple
Program Participation in Compliance with D.09-08-027**

Dear Mr. van der Leeden:

Advice Letter 2128-E is effective May 1, 2010.

Sincerely,

A handwritten signature in blue ink that reads "Julie A. Fitch".

Julie A. Fitch, Director
Energy Division



Ron van der Leeden
Rates, Revenues & Tariffs
8330 Century Park Court
San Diego, CA 92123-1548

Tel: 213-244-2009
Fax: 858.654.1788
RvanderLeeden@semprautilities.com

November 23, 2009

ADVICE LETTER 2128-E
(U902-E)

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

**SUBJECT: Establishment of Rule 41 – Demand Response Multiple Program
Participation in Compliance with D.09-08-027**

San Diego Gas & Electric Company (SDG&E) hereby submits for approval with the California Public Utilities Commission (Commission) revisions to its electric tariffs as shown in the enclosed attachment.

PURPOSE

In accordance with Ordering Paragraph (OP) 30 of California Public Utilities Commission (Commission) Decision (D.) 09-08-027, SDG&E establishes Rule 41 – Demand Response Multiple Program Participation (MPP) applicable to SDG&E's Demand Response Programs.

BACKGROUND

On August 20, 2009, the Commission issued D.09-08-027 adopting, among other things, demand response activities and budgets for 2009 through 2011 for the investor-owned utilities¹ (IOUs). As part of this decision, the Commission advocated the possibility of concurrent customer participation in multiple demand response programs. This in turn, will provide flexibility to customers for more options to expand their ability to respond to the varying conditions that trigger demand response, in an effort to capture more peak load reduction when it is needed. IOUs are tasked with developing MPP guidelines to prevent duplicative incentive payments for a single load drop when that load drop is made by a customer enrolled in two programs with simultaneously called events.

¹ IOUs consist of SDG&E, Pacific Gas and Electric Company (PG&E), and Southern California Edison Company (SCE).

DISCUSSION

Currently, demand response guidelines allow customers to participate in only one demand response program or dynamic pricing tariff at one time. In D.09-08-027, the Commission encourages MPP in cost effective demand response activities as long as duplicative payments for a single instance of load drop can be avoided. With the establishment of Rule 41, SDG&E provides guidance and processes to prevent customers participating in multiple demand response programs from receiving duplicative incentives for the same load reduction. Furthermore these guidelines provide transparency for crediting the appropriate resource adequacy program.

Therefore, in compliance with OP 30 in D.09-08-027, SDG&E submits for Commission approval Rule 41 designed to provide customers guidance and procedures for MPP as long as 1) one of the programs provides capacity payments and one provides energy payments; 2) prohibits participation in two programs that are both either day-head or day-of; and 3) applies to customers either enrolled in a utility-administered program or those administered by a third-party contractor.

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

EFFECTIVE DATE

SDG&E believes that this filing is subject to Energy Division disposition and should be classified as Tier 2 (effective after staff approval) pursuant to GO 96-B. This filing is pursuant to D.09-08-027 and therefore SDG&E requests the tariff sheets filed herein be effective on December 23, 2009, 30 days from the date filed.

PROTEST

Anyone may protest this Advice Letter to the California Public Utilities Commission. The protest must state the grounds upon which it is based, including such items as financial and service impact, and should be submitted expeditiously. The protest must be made in writing and must be received within 20 days of the date this Advice Letter was filed with the Commission. There is no restriction on who may file a protest. The address for mailing or delivering a protest to the Commission is:

CPUC Energy Division
Attention: Tariff Unit
505 Van Ness Avenue
San Francisco, CA 94102

Copies of the protest should also be sent via e-mail to the attention of both Honesto Gatchalian (inj@cpuc.ca.gov) and Maria Salinas (mas@cpuc.ca.gov) of the Energy Division. A copy of the protest should also be sent via both e-mail and facsimile to the address shown below on the same date it is mailed or delivered to the Commission.

Attn: Megan Caulson
Regulatory Tariff Manager
8330 Century Park Court, Room 32C
San Diego, CA 92123-1548
Facsimile No. (858) 654-1788
E-mail: MCaulson@semprautilities.com

NOTICE

A copy of this filing has been served on the utilities and interested parties shown on the attached list, and parties to A.08-06-002 by either providing them a copy electronically or by mailing them a copy hereof, properly stamped and addressed.

Address changes should be directed to SDG&E Tariffs by facsimile at (858) 654-1788 or by e-mail at SDG&ETariffs@semprautilities.com.

RON VAN DER LEEDEN
Director – Rates, Revenues & Tariffs

Attachments

CALIFORNIA PUBLIC UTILITIES COMMISSION

ADVICE LETTER FILING SUMMARY ENERGY UTILITY

MUST BE COMPLETED BY UTILITY (Attach additional pages as needed)

Company name/CPUC Utility No. **SAN DIEGO GAS & ELECTRIC (U 902)**

Utility type:

ELC

GAS

PLC

HEAT

WATER

Contact Person: Aurora Carrillo

Phone #: (858) 654-1542

E-mail: acarrillo@semprautilities.com

EXPLANATION OF UTILITY TYPE

ELC = Electric

GAS = Gas

PLC = Pipeline

HEAT = Heat

WATER = Water

(Date Filed/ Received Stamp by CPUC)

Advice Letter (AL) #: 2128-E

Subject of AL: Establishment of Rule 41 – Demand Response Multiple Program Participation in Compliance with D.09-08-027

Keywords (choose from CPUC listing): Compliance, Demand Response

AL filing type: Monthly Quarterly Annual One-Time Other

If AL filed in compliance with a Commission order, indicate relevant Decision/Resolution #:

D.09-08-027

Does AL replace a withdrawn or rejected AL? If so, identify the prior AL N/A

Summarize differences between the AL and the prior withdrawn or rejected AL¹: N/A

Does AL request confidential treatment? If so, provide explanation:

Resolution Required? Yes No

Tier Designation: 1 2 3

Requested effective date: 12/23/09

No. of tariff sheets: 8

Estimated system annual revenue effect (%): _____

Estimated system average rate effect (%): _____

When rates are affected by AL, include attachment in AL showing average rate effects on customer classes (residential, small commercial, large C/I, agricultural, lighting).

Tariff schedules affected: See Table of Contents

Service affected and changes proposed¹: N/A

Pending advice letters that revise the same tariff sheets: N/A

Protests and all other correspondence regarding this AL are due no later than 20 days after the date of this filing, unless otherwise authorized by the Commission, and shall be sent to:

CPUC, Energy Division

Attention: Tariff Unit

505 Van Ness Ave.,

San Francisco, CA 94102

mas@cpuc.ca.gov and jnj@cpuc.ca.gov

San Diego Gas & Electric

Attention: Megan Caulson

8330 Century Park Ct, Room 32C

San Diego, CA 92123

mcaulson@semprautilities.com

¹ Discuss in AL if more space is needed.

General Order No. 96-B
ADVICE LETTER FILING MAILING LIST

cc: (w/enclosures)

Public Utilities Commission

DRA

D. Appling
S. Cauchois
J. Greig
R. Pocta
W. Scott

Energy Division

P. Clanon
S. Gallagher
H. Gatchalian
D. Lafrenz
M. Salinas

CA. Energy Commission

F. DeLeon
R. Tavares

Alcantar & Kahl LLP

K. Harteloo

American Energy Institute

C. King

APS Energy Services

J. Schenk

BP Energy Company

J. Zaiontz

Barkovich & Yap, Inc.

B. Barkovich

Bartle Wells Associates

R. Schmidt

Braun & Blaising, P.C.

S. Blaising

California Energy Markets

S. O'Donnell
C. Sweet

California Farm Bureau Federation

K. Mills

California Wind Energy

N. Rader

CCSE

S. Freedman
J. Porter

Children's Hospital & Health Center

T. Jacoby

City of Chula Vista

M. Meacham
E. Hull

City of Poway

R. Willcox

City of San Diego

J. Cervantes
G. Lonergan
M. Valerio

Commerce Energy Group

V. Gan

Constellation New Energy

W. Chen

CP Kelco

A. Friedl

Davis Wright Tremaine, LLP

E. O'Neill
J. Pau

Dept. of General Services

H. Nanjo
M. Clark

Douglass & Liddell

D. Douglass
D. Liddell
G. Klatt

Duke Energy North America

M. Gillette

Dynegy, Inc.

J. Paul

Ellison Schneider & Harris LLP

E. Janssen

Energy Policy Initiatives Center (USD)

S. Anders

Energy Price Solutions

A. Scott

Energy Strategies, Inc.

K. Campbell
M. Scanlan

Goodin, MacBride, Squeri, Ritchie & Day

B. Cragg
J. Heather Patrick
J. Squeri

Goodrich Aerostructures Group

M. Harrington

Hanna and Morton LLP

N. Pedersen

Itsa-North America

L. Belew

J.B.S. Energy

J. Nahigian

Luce, Forward, Hamilton & Scripps LLP

J. Leslie

Manatt, Phelps & Phillips LLP

D. Huard
R. Keen

Matthew V. Brady & Associates

M. Brady

Modesto Irrigation District

C. Mayer

Morrison & Foerster LLP

P. Hanschen

MRW & Associates

D. Richardson

OnGrid Solar

Andy Black

Pacific Gas & Electric Co.

J. Clark
M. Huffman
S. Lawrie
E. Lucha

Pacific Utility Audit, Inc.

E. Kelly

R. W. Beck, Inc.

C. Elder

School Project for Utility Rate
Reduction

M. Rochman
Shute, Mihaly & Weinberger LLP

O. Armi

Solar Turbines

F. Chiang

Sutherland Asbill & Brennan LLP

K. McCrea

Southern California Edison Co.

M. Alexander
K. Cini
K. Gansecki
H. Romero

TransCanada

R. Hunter

D. White

TURN

M. Florio
M. Hawiger

UCAN

M. Shames

U.S. Dept. of the Navy

K. Davoodi
N. Furuta
L. DeLaacruz

Utility Specialists, Southwest, Inc.

D. Koser

Western Manufactured Housing

Communities Association

S. Dey

White & Case LLP

L. Cottle

Interested Parties In:

A.08-06-002

ATTACHMENT
ADVICE LETTER 2128-E

Cal. P.U.C. Sheet No.	Title of Sheet	Canceling Cal. P.U.C. Sheet No.
Original 21501-E	RULE 41, DEMAND RESPONSE MULTIPLE PROGRAM PARTICIPATION, Sheet 1	
Original 21502-E	RULE 41, DEMAND RESPONSE MULTIPLE PROGRAM PARTICIPATION, Sheet 2	
Original 21503-E	RULE 41, DEMAND RESPONSE MULTIPLE PROGRAM PARTICIPATION, Sheet 3	
Original 21504-E	RULE 41, DEMAND RESPONSE MULTIPLE PROGRAM PARTICIPATION, Sheet 4	
Original 21505-E	RULE 41, DEMAND RESPONSE MULTIPLE PROGRAM PARTICIPATION, Sheet 5	
Original 21506-E	RULE 41, DEMAND RESPONSE MULTIPLE PROGRAM PARTICIPATION, Sheet 6	
Revised 21507-E	TABLE OF CONTENTS, Sheet 1	Revised 21488-E
Revised 21508-E	TABLE OF CONTENTS, RULES, Sheet 7	Revised 21474-E



RULE 41

DEMAND RESPONSE MULTIPLE PROGRAM PARTICIPATION

This Rule shall apply to all Utility demand response programs, rates designated to solicit demand response measures, and other Utility contracts designed to implement and administer programs to solicit demand response measures.

This rule will be an attachment to all Utility demand response program tariffs, rates designed to solicit demand response measures, and other Utility contracts designed to implement and administer programs to solicit demand response measures. The rule will also stand alone as a reference guide to govern customer participation in multiple Utility demand response tariffs, rates, and contract-based programs.

A. **GENERAL**

1. Eligibility and Application for Multiple Program Participation

- a. Customers and third-party contractors are required to comply with this rule when they participate in more than one Utility demand response tariff, rate, or contract during the same time periods.
- b. Participation in Utility demand response program, tariff rate or contract shall at all times be governed by the applicable provisions, terms and conditions of such program, tariff, rate or contract.
- c. Regardless of the provisions of this rule, customers and third-party contractors are precluded from receiving compensation from multiple programs for the same demand response reduction.
 - (i) Tests of these provisions must be reasonably satisfactory to the Utility allowing the Utility to test load control and meters and to audit meter data;
 - (ii) an acknowledgement to the Utility by the customer party thereto that (A) the Utility shall not be liable under any circumstances for the failure by their Aggregator, or by any other party, to adhere to Rule 41, and (B) in accordance with Rule 41, such customer may be liable for penalties or loss of incentives for failure to comply.

2. Requirements for Multiple Program Participation

Commission Decision 09-08-027 concluded that it is reasonable and consistent with the Commission's policy of encouraging cost effective demand response activities to allow customers to participate concurrently in two demand response activities and programs, as long as duplicative payments for a single instance of load drop can be avoided. This Rule implements multiple program participation by allowing customers to participate concurrently in one program that provides an energy payment and one that provides a capacity payment.

- Customers may participate in two programs, one providing capacity payments and one providing energy payments.

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RULE 41

DEMAND RESPONSE MULTIPLE PROGRAM PARTICIPATION

2. Requirements for Multiple Program Participation (Continued)

- Customers may not participate in two programs that are both either day-ahead or day-of notification programs; a participant may only participate in one day-ahead and one day-of program.
- In the case of simultaneous or overlapping demand response program events, a single customer enrolled in two programs will receive payment only under the capacity program, not for the simultaneous event for the energy program, with the load reduction amount being credited to the capacity program.

This requirement is consistent with the principle of a capacity program, under which participating customers are compensated for their capability and availability to reduce load. In addition, the customer's settlement baseline for both programs will be calculated based on prior similar non-event-days in which no programs are dispatched in which the customer participates.

This Rule will also apply regardless of whether the customer is enrolled in a utility-administered program or one administered by a third-party contractor. Combinations of programs, with critical peak pricing programs, are generally compatible with programs offering capacity payments.

This Rule is subject to revision from time to time by the Commission or as may be proposed by the Utility as demand response programs develop and experience with new programs, program interactions and multiple program participation results are evaluated.

3. Programs, Rates, and Contracts

Capacity Program – a Demand Response Program that pays incentives to participants who reserve power reduction capacity with the availability and capability to meet requested load reductions during an emergency or abnormally high demands for power.

Energy Program – a Demand Response Program that pays incentives to participants who reduce energy consumption upon notification from the Utility.

Day-Ahead Program – a Demand Response Program that provides notification of a program event activation to participants the day prior to the event occurrence.

Day-Of Program – a Demand Response Program that provides notification of a program event activation to participants on the day the event is to occur

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RULE 41

DEMAND RESPONSE MULTIPLE PROGRAM PARTICIPATION

3. Programs, Rates, and Contracts (Continued)

Name	Category	Day-Ahead or Day-Of	Incentive Type: Energy and/or Capacity	Incompatible with others that are or pay	Exceptions [2]
Critical Peak Pricing - Default	Rate	Day-Ahead	Energy	Day-Ahead Energy Incentives	CBP-Day-Of [1]; OBMC; SLRP; Summer Saver
Critical Peak Pricing - Emergency	Rate	Day-Of	Energy	Day-Of Energy Incentives	OBMC; SLRP; Summer Saver
Base Interruptible Program	Program	Day-Of	Capacity	Capacity Incentives	OBMC; SLRP; Summer Saver
Capacity Bidding Program (Day-Ahead)	Program	Day-Ahead	Energy and Capacity	Day-Ahead Energy or Capacity Incentives	OBMC; SLRP; Summer Saver
Capacity Bidding Program (Day-Of)	Program	Day-Of	Energy and Capacity	Day-Of Energy or Capacity Incentives	CPP-D; OBMC; SLRP; Summer Saver
Peak Generation	Program	Day-Of	Energy	Day-Of Energy Incentives	OBMC; SLRP; Summer Saver
Summer Saver	3 rd Party Contract	Day-Of	Neither	None	None
OBMC	Program	Day-Of	Neither	None	None
SLRP	Program	Day-Of	Energy	None	All Others
PLS	Pilot	Day-Of	Energy	None	None
Aggregator Managed Program	3 rd Party Contract	Day-Of	Energy and Capacity	Energy or Capacity Incentives	CPP-D

[1] Accounts on CPP-D are compatible with the CBP Day-Of

[2] All programs are compatible with OBMC, SLRP, and Summer Saver

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RULE 41

DEMAND RESPONSE MULTIPLE PROGRAM PARTICIPATION

SDG&E DEMAND RESPONSE PROGRAM COMPATIBILITY TABLE

	CPP-D	CPP-E	CBP (Day-Ahead)	CBP (Day-Of)	Base Interruptible (BIP)	PEAK GEN	AGGREGATOR MANAGED PROGRAM
CPP-D	NA	NO	NO	YES	YES	NO	YES
CPP-E	NO	NA	YES	NO	NO	NO	NO
CBP (Day-Ahead)	NO	YES	NA	NA	NO	NO	NO
CBP (Day-Of)	YES	NO	NA	NA	NO	NO	NO
Base Interruptible (BIP)	YES	NO	NO	NO	NA	NO	NO
PEAK GEN	NO	NO	NO	NO	NO	NA	NO
PLS	NA	NA	NA	NA	NA	NA	NA
AGGREGATOR MANAGED PROGRAM	YES	NO	NO	NO	NO	NO	NA

KEYS	INCENTIVE TYPE
	ENERGY INCENTIVE ONLY
	BOTH ENERGY + CAPACITY INCENTIVE
	CAPACITY INCENTIVE ONLY
COMPATIBLE WITH ALL PROGRAMS	Summer AC Saver
	OBMC
	SLRP

COMPATIBILITY		
ENERGY INCENTIVE	CAPACITY INCENTIVE	YES
CAPACITY INCENTIVE	ENERGY + CAPACITY INCENTIVE	NO
ENERGY + CAPACITY INCENTIVE	ENERGY INCENTIVE	LIMITED

(Continued)



RULE 41

DEMAND RESPONSE MULTIPLE PROGRAM PARTICIPATION

4. Program Descriptions

The Base Interruptible Program (BIP) offers a monthly **capacity payment** to non-residential customers who can commit to curtail at least 15% of Monthly Average Peak Demand, with a minimum load drop of 100 kW. – **Schedule BIP**

Critical Peak Pricing Default (CPP-D) is a commodity tariff that provides customers with an opportunity to manage their electric costs by either reducing **energy** load during high cost pricing periods or shifting load from high cost pricing periods to lower cost pricing periods. – **Schedule EECC-CPP-D**

The Critical Peak Pricing-Emergency (CPP-E) schedule is an optional commodity tariff that offers customers the opportunity to respond to local Utility emergency situations and to manage their electric costs by either reducing **energy** load during high cost pricing periods or shifting load from high cost pricing periods to lower cost pricing periods. – **Schedule EECC-CPP-E**

The Peak Generation Program provides utility customers with **energy** incentives to reduce the severity of rotating outages by using their Backup Emergency Generator when a Firm Load Curtailment Event or Transmission Emergency is called. – **Schedule RBRP**

The Participating Load Pilot (“Pilot”) is a voluntary demand response pilot that offers customers the ability to earn **capacity** incentive payments in exchange for reducing energy consumption when requested by the Utility.- **Schedule PLP**

The Capacity Bidding Program (“Program”) is a voluntary demand response program that offers customers various product options by which participants can earn **capacity and energy** incentive payments in exchange for reducing energy consumption when requested by the Utility. – **Schedule CBP**

The Optional Binding Mandatory Curtailment Program (OBMC) provides exemption from rotating outages for certain eligible customers who can reduce electric load on their entire electric circuit by as much as 15% for each and every CAISO notice for “firm load curtailment”. It is a critical program that should not be constrained by any other programs and pays neither capacity nor energy incentives. – **Schedule OBMC**

(Continued)

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Advice Ltr. No. 2128-E

Decision No. 09-08-027

Issued by
Lee Schavrien
Senior Vice President
Regulatory Affairs

Date Filed Nov 23, 2009

Effective May 1, 2010

Resolution No. _____

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RULE 41

DEMAND RESPONSE MULTIPLE PROGRAM PARTICIPATION

4. Program Descriptions (Continued)

The Scheduled Load Reduction Program (SLRP) offers bill credits to business that commit to reducing their power by a set amount on pre-determined days from June 1 through September 30 regardless of whether there is an electricity shortage. – **Schedule SLRP**

Summer Saver reduces regional electricity demand by cycling customers central A/C unit “on and off” for a few hours during critical hot summer days.

Permanent Load Shifting (PLS) offers incentives to customers who shift energy (kW) usage from peak periods to non-peak on weekdays (M-F, excluding holidays) from May 1 through October 31. A basic requirement for participating PLS customers is that they be served on SDG&E’s Schedule AL-TOU, thereby foreclosing their participation in PLS.

Aggregator Managed Program (AMP) – Aggregators or third parties who have agreed with SDG&E to supply demand reduction as required per contract in return for both Capacity and Energy Incentives.

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Sheet 1

The following sheets contain all the effective rates and rules affecting rates, service and information relating thereto, in effect on the date indicated herein.

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Advice Ltr. No. 2128-E

Decision No. 09-08-027

Issued by
Lee Schavrien
Senior Vice President
Regulatory Affairs

Date Filed Nov 23, 2009

Effective _____

Resolution No. _____



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