



DRA

*Division of Ratepayer Advocates
California Public Utilities Commission*

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Dana S. Appling, Director

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April 14, 2009

Honorable Fiona Ma
California State Assembly
State Capitol, Room 3091
Sacramento, CA 95814

RE: AB 1316

Dear Assemblymember Ma:

As Director of the Division of Ratepayer Advocates, I write in support of your bill's efforts to ensure that the Low Income Oversight Board (LIOB) has the resources it needs to provide the California Public Utilities Commission (CPUC) with timely and effective advice on issues affecting low-income ratepayers. This is especially important at this time when so many people are facing financial hardship due to the downturn in the economy.

As you know, the Division of Ratepayer Advocates (DRA) is the independent consumer advocacy division of the CPUC. DRA's statutory mandate is to obtain the lowest possible rate for utility service consistent with reliable and safe service levels.

DRA is honored that you have identified us to assist the LIOB with strengthening its role as a low-income advocate before the CPUC. While we support the LIOB being provided with sufficient resources to accomplish this goal, we are concerned that this bill may have the unintended consequence of compromising our advocacy efforts before the CPUC. The CPUC's rules of due process (Public Utilities Code Section 1701 et al.) prohibits DRA from advising on CPUC proceedings while being a party in those CPUC proceedings. We believe AB 1316, as introduced, may result in a legal conflict for DRA and also leave the LIOB in the untenable position of not getting the information it needs to be most effective, clearly not in the best interest of low-income ratepayers.

DRA participated in your first AB 1316 roundtable discussion on April 2nd and is committed to working with you and all interested stakeholders to find a solution that gets the LIOB the advisory resources it needs. We are currently discussing amongst ourselves possible solutions to reach the bill's goal. We look forward to sharing those with you and other stakeholders shortly.

If you have any questions or would like to discuss this matter further, please call DRA's Legislative Director Matthew Marcus, at (916) 327-3455 or me at (415) 703-2544.

Respectfully,

Dana S. Appling, Director
Division of Ratepayer Advocates