

**RULE 23**

**MOBILEHOME PARK CONVERSION PROGRAM**

A. **PURPOSE:** Pursuant to the California Public Utilities Commission's (CPUC or Commission) Decision (D.)14-03-021, BVES is offering the Mobilehome Park Utility Upgrade Program ("MHP Program") as a voluntary three-year living pilot program to convert approximately 10 percent of eligible master-metered submetered Mobilehome Parks or Manufactured Housing Communities (MHP) spaces within BVES' service territory. (N)

B. **APPLICABILITY:** The MHP Program is available to all eligible MHPs within BVES' service territory as defined in Section C. Within the eligible MHPs the only eligible Mobilehome spaces are those permitted by the California Department of Housing and Community Development or its designated agency. Recreational vehicle parks and spaces are not eligible for the MHP Program.

C. **PROGRAM ELIGIBILITY**

1. MHPs must meet all of the following criteria to be eligible for the MHP Program. Program eligibility does not guarantee acceptance into the program, nor does it guarantee conversion to direct service from BVES.

- a. Receives electricity through a utility owned master-meter, owns and operates the distribution system with at least a natural gas or electric associated sub-meters, and furnish electricity to residents. In cases where only one service is sub-metered, the sub-metered service must be served by an Investor Owned Utility participating in the MHP Program.
- b. Take electric service under the following rate schedule:
  - Schedule DMS
- c. Operate under a current and valid license from the governmental entity with relevant authority.
- d. If operated on leased real property, the land lease agreement must continue for a minimum of 20 years from the time that the MHP Agreement is executed by BVES.
- e. Not be subject to an enforceable condemnation order and/or to a pending condemnation proceeding.

2. MHP Owner/Operators who elect to participate in the MHP Program must comply with all general rules, rights and obligations as set forth in this Rule. In addition, MHP Program participants must complete and/or execute the following documents:

- The CPUC's "Application for Conversion of Master Meter Service at Mobilehome Park or Manufactured Housing Community to Direct Service from Electric or Gas Corporation" ["CPUC's Form of Intent"]; and (N)

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- The "Mobilehome Park Utility Upgrade Program Application" ["MHP Application"] (Form 60); and
- The "Mobilehome Park Utility Upgrade Program Agreement" ["MHP Agreement"] (Form 61)

(N)

**D. MHP PROGRAM COMPONENTS**

**1. CPUC's Form of Intent**

CPUC's Form of Intent will be accepted January 1, 2015, through March 31, 2015 (90-day period). The MHP Owner/Operator must complete and submit the CPUC Form of Intent concurrently to both the Safety Enforcement Division (SED) of the CPUC and BVES. CPUC Form of Intent received after the 90-day period will be placed on a waiting list.

**a. Prioritization of CPUC's Form of Intent**

- 1) CPUC Form of Intent will be reviewed and prioritized as follows: (1) SED will prioritize MHPs that are gas only or dual system (gas and electric service), and (2) the California Department of Housing and Community Development (HCD) will prioritize MHPs that are electric only. MHPs whose CPUC Form of Intent are accepted and prioritized by SED and HCD will be considered pre-qualified.
- 2) BVES will receive a list of prequalified MHP Initial Applications from SED and HCD. BVES will then contact the MHPs with the highest priority to participate in the MHP Program until the program goal is achieved. BVES will undertake its best efforts to communicate and coordinate with other utilities, municipal entities, and/or water and telecommunications providers to maximize efficiencies where possible.

**2. MHP Application**

- a. After an MHP has been preliminarily contacted by BVES to participate in the MHP Program, the MHP Owner/Operator will be provided with the MHP Application. The MHP Application requests additional information that the MHP Owner/Operator should provide to enable BVES to commence the engineering and planning process for the new MHP distribution system.
- b. Upon receipt of a completed MHP Application and necessary documentation from the MHP Owner/Operator, BVES will commence engineering and planning a new MHP distribution system

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3. MHP Agreement

- a. After BVES has engineered and planned the new MHP distribution system and BVES has received the name of the MHP's Contractor and the cost for the "Beyond-the-Meter" work, BVES will prepare the MHP Agreement for signature.
- b. The conversion project will commence upon 1) the satisfactory resolution of any environmental, endangered species and/or cultural issues, 2) procurement of all required permits, and 3) payment for any applicable re-arrangements/relocation of facilities or addition of new electric facilities "Beyond-the-Meter" by the MHP Owner/Operator, 4) the execution of the MHP Agreement.

4. Construction

- a. BVES will perform or select a qualified, licensed contractor to perform all necessary "To-the-Meter" construction, and/or electric work as set forth in this Rule, and the MHP Agreement.
- b. In common areas, consistent with existing requirements for BVES to safely and efficiently connect its service facilities with its electric distribution facilities, BVES will terminate its service facilities at a location as close as possible to the exterior of the building/structure nearest to BVES main distribution facilities. The selected location shall be as close as practical to the existing service delivery point(s); however, some flexibility in the construction approach is necessary to address various situations that exist in current installations.
- c. The MHP Owner/Operator selected Contractor will perform all necessary "Beyond-the-Meter" construction and/or electrical work as set forth in this Rule, and the MHP Agreement.

5. Cutover of Service

- a. Cutover to direct service from BVES will occur only after the inspection and approval of the "Beyond-the-Meter" facilities by the appropriate jurisdictional authorities.
- b. The MHP Owner/Operator's MHP master-meter submetered discount will continue in full and will only cease at complete cutover of the entire system to direct service from BVES.
- c. MHP residents (tenants or owners of the Mobilehome) will become customers of BVES and served in accordance with all applicable rates, rules and conditions set forth in BVES's existing Tariffs, except as otherwise noted in this Rule.

6. Ownership of Facilities After Conversion

- a. Upon cutover to direct service, BVES will own, operate, and maintain all of the "To-the-Meter" electric distribution and service systems within the MHP in accordance with all applicable rates, rules and conditions set forth in BVES existing Tariffs.
- b. The MHP Owner/Operator or MH Owner shall own, operate and maintain all "Beyond-the-Meter" facilities in accordance with State and local jurisdictional codes and ordinances.

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- c. BVES shall have no liability for the MHP submetered system (referred to as legacy systems), or the "Beyond-the-Meter" infrastructure installed during conversion. The MHP Owner/Operator will hold harmless, defend and indemnify the Utility from all causes of action or claims arising from or related to these systems.

7. Safety

The MHP Owner/Operator and its Contractor participating in the MHP Program recognize and agree that safety is of paramount importance in the performance of the MHP Program and are solely responsible for performing the "Beyond-the-Meter" work in a safe manner and in accordance with the National Electric Code, Universal Plumbing Code and the Safety Section of the MHP Agreement.

8. Reimbursement to MHP Owner/Operator

BVES will reimburse the MHP Owner/Operator for reasonable and prudently incurred expenses for "Beyond-the-Meter" construction covered by the MHP Program. This shall include reasonable costs for converting to direct BVES service buildings/structures and/or locations that serve as common areas for the MHP's residents and who currently receive utility service from the MHP's master-metered system. For common areas, BVES will terminate its service facilities at a location as close as possible to the exterior of the building/structure nearest to the BVES main distribution facilities. The selected location shall be as close as practical to the existing delivery point(s); however, some flexibility in the construction approach is necessary to address various situations that exist in current installations.

Beyond-the-Meter expenditures shall not include costs relating to any modification or retrofit of the Mobilehome, costs associated with service relocations, rearrangements, upgrades, or other service modification(s) by the MHP Owner/Operator and/or by the MHP residents beyond what is being provided by the MHP Program. For expenditures related to common areas, BVES is not responsible for the installation, modification, and/or permitting of necessary MHP owned electric facilities, or other non-BVES owned facilities necessary to accommodate electric installations. Moreover, BVES is not responsible for any beyond-the-meter work necessary to connect the newly established service delivery points to existing delivery points whether such connections are external or internal to the building/structure. The amount eligible for reimbursement will be stated in the MHP Agreement.

9. Payment to BVES

- a. If applicable, any costs associated with service relocations, rearrangements and upgrades that are not covered by the MHP Program or in excess of what the MHP Program requires must be paid in full to BVES prior to or included with the submittal of the MHP Agreement in order for the construction phase to begin.

10. Changes to the Mobilehome/Manufactured Home

Changes or modifications to the individual mobilehome, including alterations to the utility connection that may be required to complete the conversion, must be authorized by the registered owner of the mobilehome prior to the alterations being made. Obtaining such authorization is the responsibility of the Mobilehome Owner/Operator. Authorization from a resident who is not also the registered owner is not sufficient.

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**E. INTERACTION WITH OTHER TARIFFS**

(N)

**1. MHP Residents**

Upon conversion, MHP residents will be subject to BVES' effective Tariffs, which can be found at [www.bves.com](http://www.bves.com) with the following exceptions:

- a. Rule 7- Deposit: Existing MHP residents who become customers of BVES through the MHP Program will be deemed "grandfathered" into their BVES service accounts and on a one-time basis, fees associated with new customer credit checks and service deposits will be waived. This one-time waiver is authorized by D.14-03-021. MHP residents will still be subject to the service shut-off provisions under Rule 11.
- b. CARE/FERA Program – Existing MHP residents who participate in the California Alternate Rates for Energy (CARE) and/or Family Electric Rate Assistance (FERA) programs through the MHP master-meter/submeter distribution system and become customers of BVES through the MHP Program will be deemed "grandfathered" into the respective program without having to recertify or reapply as long as the name of the customer for the new service account matches that of the name of the participant in the CARE/FERA program. This will be a one-time exception to the respective CARE/FERA Rules at the time of the service conversion and will continue to be subject to the periodic recertification and/or post-enrollment verification requirements of the CARE/FERA program.
- c. Medical Baseline Allowance – Existing MHP residents who receive a medical baseline allowances through the MHP master-meter/submeter distribution system and become customers of BVES through the MHP Program will be deemed "grandfathered" and will continue to receive the same medical baseline allowances without having to recertify or reapply as long as the participant who is receiving the medical baseline allowance still resides at the residence. This will be a one-time exception to the Medical Baseline Rule at the time of the service conversion and will continue to be subject to the periodic recertification and/or post-enrollment verification requirements of the Medical Baseline Rule.

**2. MHP Owner/Operator(s)**

Utility service provided by BVES to the MHP Owner/Operator(s) is subject to BVES' effective Tariffs, which can be found at [www.bves.com](http://www.bves.com) with the following exceptions:

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E. INTERACTION WITH OTHER TARIFFS: (Cont'd)

2. MHP Owner/Operator(s) (Cont'd)

- a. Rule 15 – Distribution Extension: Because BVES will design and install the new Distribution Line/Main Extension, at no cost to the MHP Owner/Operator, sections in Rule 15 that cover applicant responsibilities or options are not applicable to MHP Owner/Operator while participating in the MHP Program. This may include, but is not limited to applicants': responsibilities; allowances; contributions or advances; refunds; and design and installation options.
- b. Rule 16 – Service Extension: Because BVES will design and install the new Service Extension, at no cost to the MHP Owner/Operator, sections in Rule 16 that cover applicant responsibilities or options are not applicable to MHP Owner/Operators while participating in the MHP Program. This may include, but is not limited to applicants': installation options, allowances and payment.

(N)

Because space for metering equipment and its associated working space are very limited in MHPs, the requirements of the Meter Location provision of Rule 16 may be waived by the utility during MHP Program participation. In consultation with the MHP Owner/Operator, all meters and associated metering equipment under the MHP Program shall be located at a protected location in the park as designated and approved by BVES.

F. DEFINITIONS and ACRONYMS

Certain specific terms used in this Rule are defined below. Additional definitions for more widely used terms in BVES' tariffs are also found in Rule 1

- 1. MHP AGREEMENT – The Mobilehome Park Utility Upgrade - Agreement (Form 61).
- 2. BEYOND-THE-METER – Electric "Beyond-the-Meter" facilities include the electric equipment to establish the Service Delivery Point as identified in the "Required Service Equipment" of Rule 16, along with additional conductors, infrastructure and substructures necessary to complete the extension of facilities from the Service Delivery Point (e.g. Electric Metering Facility to the point of connection (e.g. power supply cord or hard wire feeder assembly) for the mobile home. BVES will not be responsible for any part of the "point of connection" as noted above, including labor, or any work that would require an alteration permit. Other than aspects related to reimbursement by utilities for the reasonable costs for their initial construction, Beyond-the-Meter facilities are solely the responsibility of the MHP Owner/Operator or the mobilehome owner (MH Owner). The power supply cord or hard wire feeder assembly will continue to be part of the mobilehome and be the responsibility of the mobilehome owner.
- 3. COMMON USE AREA – Designated building(s), areas, or facilities within an MHP that is (are) intended to be used by all the park residents or the MHP Owner/Operator. Energy costs for servicing the common area are paid for by the MHP Owner/Operator.

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- 4. CPUC's FORM OF INTENT – The CPUC's Application for Conversion of Master-Meter Service at Mobilehome Park or Manufactured Housing Community to Direct Service from Electric or Gas Corporation (Appendix C of Decision 14-03-021). (N)
- 5. HCD - California Department of Housing and Community Development. HCD administers and enforces uniform statewide standards which assure owners, residents and users of mobilehome parks protection from risks to their health and safety
- 6. MANUFACTURED HOUSING COMMUNITY – Any area or tract of land where two or more manufactured home lots are rented or leased, held out for rent or lease, or were formerly held out for rent or lease and later converted to a subdivision, cooperative, condominium, or other form of resident ownership, only to accommodate the use of manufactured homes constructed pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974.
- 7. MOBILEHOME – See Rule 1.
- 8. MOBILEHOME PARK (MHP) – See Rule 1.
- 9. MOBILEHOME SPACE (MH-Space) – Designated area within a MHP that is owned, rented, or held out for rent, to accommodate a mobilehome used for human habitation.
- 10. MOBILEHOME PARK OWNER/OPERATOR (MHP Owner/Operator) – The party that has legal obligation for the MHP.
- 11. MHP RESIDENT – A person who has tenancy in a MHP under a rental agreement or who lawfully occupies a mobilehome.
- 12. SED – California Public Utilities Commission's Safety and Enforcement Division: The SED has safety oversight of electric and communications facilities, natural gas and propane gas systems, railroads, light rail transit systems, and highway/rail crossings, licensing, consumer protection, and safety oversight of motor carriers of passengers, household goods, and water vessels, and regulatory oversight of hot air balloons and some air carriers.
- 13. SERVICE DELIVERY POINT (Electric) – Where BVES' Service Facilities are connected to either Applicant's conductors or other service termination facility designated and approved by BVES.
- 14. TO-THE-METER - "To-the-Meter" facilities include all electrical facilities (e.g. cable, connectors, poles, transformers, switches, and meters) including the conduit and substructures necessary to complete the electrical distribution line and service extensions to the Service Delivery Point, and will be owned, maintained and operated by BVES.
- 15. MHP APPLICATION – The Mobilehome Utility Upgrade Application (Form 60). (N)

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