

SCHEDULE NO. EXPCARE
EXPANDED CARE
SERVICE TO QUALIFIED AGRICULTURAL EMPLOYEE HOUSING
AND NONPROFIT GROUP LIVING FACILITIES

APPLICABILITY

This schedule provides a California Alternate Rates for Energy (CARE) rate discount to qualified nonprofit group living facilities, migrant farm worker housing centers, privately owned employee housing, or agricultural employee housing operated by nonprofit organizations, and is taken in conjunction with the customer's otherwise applicable service schedule.

TERRITORY

Entire California Service Area.

RATES

Qualifying customers will receive a 20% discount on all customer, demand, and energy charges on their otherwise applicable service schedule. In addition, such customers will not be charged the CARE Surcharge.

SPECIAL CONDITIONS

1. **APPLICABLE CONDITIONS**

All special conditions contained in the customer's otherwise applicable schedule are applicable to service under this schedule.

2. **NONPROFIT GROUP LIVING FACILITIES**

- a. To be eligible for service under this schedule, the total gross annual income, both taxable and non-taxable, from all sources from each resident residing in the nonprofit group living facility may not exceed the Commission's CARE eligibility income level established for June 1, 2009 to May 31, 2010 as shown below for a single-person household, and each resident may not be claimed as a dependent on another person's income tax return.

	<u>Total Gross Annual Income</u>
Each Resident	\$30,500

(Continued)

(N)

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Michael J. Carano
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Director
Title

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(N)

(Continued)

SPECIAL CONDITIONS (Continued)

2. **NONPROFIT GROUP LIVING FACILITIES** (Continued)

(D),(N)

a. (Continued)

Examples of potentially eligible nonprofit group living facilities consist of licensed or permitted homeless shelters, transitional housing, short- or long-term care facilities (hospices, nursing homes, seniors' or children's homes), group homes for mentally or physically disabled /disadvantaged persons or satellite facilities of a properly licensed larger facility; and other nonprofit group living facilities that may not have a license or permit (homeless shelters, women's shelters or hospices) in which 100 percent of the residents would meet the care residential CARE income eligibility requirements and where services are being provided for the direct benefit of eligible residents. Any for-profit entity, student housing/dormitories, military barracks and fraternities/sororities are excluded.

An approved "Application for SPPCO's California Alternative Rates for Energy (CARE) Expanded Care for Group-Living Facilities" is required for service under this schedule. In addition, applicants, other than homeless shelters, shall submit an "Application of California Alternate Rates of Energy (CARE) Program" on behalf of each resident of the facility.

b. Nonprofit group living facilities must reaffirm their eligibility for service under this rate schedule annually. Eligibility confirmation shall require demonstration by the applicant that the rate discount obtained under this schedule has been passed on to the benefit of the facilities residents.

c. Publicly owned and government-subsidized housing facilities are not qualifying group living facilities. A group living facility that would otherwise qualify for CARE would not be ineligible because compensation for room, board or services is provided by a government agency on behalf of the resident under a disability, Supplemental Security Income (SSI), Social Security Administration (SSA) or other governmental assistance program.

A nonprofit owner/operator of a government-subsidized residential facility may be eligible for service under this schedule if services besides lodging are provided to residents and all other eligibility criteria are met.

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(D),(N)

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(Continued)

(N)

SPECIAL CONDITIONS (Continued)

2. NONPROFIT GROUP LIVING FACILITIES (Continued)

(D,N)

- d. The Company shall require a nonprofit group living facility applicant to provide a copy of its current valid State Business License or Conditional Use Permit, if licensed or permitted, a letter determination of tax-exemption, nonprofit corporation status under Internal Revenue Service Code Section 501 (c)(3), and any other documentation the Company may reasonably require.
- e. Homeless shelters shall provide verification that at least six (6) beds are provided during a minimum of 180 days each year for persons who have no alternative residence.

(D)

Homeless shelters operated in a government-owned or subsidized building by a nonprofit organization may qualify for CARE so long as the nonprofit entity is the Utility customer of record for the site and a minimum of seventy (70) percent of the energy consumed on site is used for residential purposes.

3. MIGRANT FARMWORKER HOUSING CENTERS

Migrant farmworker housing centers provided pursuant to Section 50710 of the California Health & Safety Code may be determined by the Company to be eligible for service under this schedule subject to the following conditions.

- a. Applicant shall be the customer of record. The Company may require documentation which establishes the entity has a valid contract with the Director of Housing and Community Development of the State of California to provide housing.
- b. To be eligible for service under this schedule, the Applicant shall be responsible for determining that all households residing in the migrant center qualify for the CARE (California Alternate Rates for Energy) Residential Electric Service under the annual total household income guidelines and criteria as set forth in Schedule No. "CARE" of this California Electric Tariff. The Applicant shall make a certification to that effect under the penalty of perjury on the CARE application. Employees of the operating or managing entity for the migrant center who reside at the migrant center can be excluded for purposes of qualifying the facility for this CARE rate.

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(Continued)

(N)

SPECIAL CONDITIONS (Continued)

3. MIGRANT FARMWORKER HOUSING CENTERS (Continued)

An approved "Application for California Alternate Rates for Energy ("CARE") Program for Qualified Agricultural Employee Housing Facilities" is required for service under this schedule. The Company shall be permitted to verify the eligibility of the facility and its tenants.

- c. The Applicant must reapply and reaffirm their eligibility for service under this schedule annually.
- d. For individually-metered dwelling units in the migrant center, 100% of the usage must be for residential uses in order to qualify for this CARE rate. If the migrant center is served by a master meter, then not less than 70% of the usage must be for residential uses in order to qualify. Electric usage for offices, maintenance shops or agricultural uses shall not be considered residential use. Only meters that are served under a residential or commercial rate schedule can qualify for this CARE rate.
- e. Applicants must indicate on each annual application how the discount from the CARE rate will be used to directly benefit the occupants of the migrant centers. Applicants shall make a certification to that effect under the penalty of perjury on the CARE application. At each annual recertification, Applicant shall be required to certify how the discount directly benefited the occupants of the migrant housing center.

The Applicant will be required to demonstrate where the savings from the CARE rate will or have been reallocated and that the reallocation benefits the occupants directly. The Applicant must maintain accounting entries and retain supporting documentation in order to allow the Company to verify the benefits conferred. Supporting documentation includes, but is not limited to: dated receipts identifying items purchased; stated purposes of such purchases, and letters or memorandum to occupants indicating the benefit provided. Examples of benefits that would qualify, provided appropriate records are maintained, include: reduced energy charges to

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(Continued)

SPECIAL CONDITIONS (Continued)

3. MIGRANT FARMWORKER HOUSING CENTERS (Continued)

tenants from the CARE rate savings; improvements to tenant services such as day care or recreational facilities for tenants; reduced rents or reduced rent increases from offsets by the CARE rate. Other benefits may be considered by the Company as qualifying provided the Applicant can adequately demonstrate the savings will or have been used for the direct benefit of the occupants.

Items not considered direct benefits for current occupants include: physical improvements to property that do not directly benefit occupants, such as remodeling to add office space; or development of new migrant center housing.

- f. Customers who wrongfully declare eligibility or fail to demonstrate the CARE rate savings directly benefited the migrant center occupants may be rebilled for the period of ineligibility under their otherwise applicable rate schedule.

4. PRIVATELY-OWNED EMPLOYEE HOUSING

Privately-owned employee housing, as defined by Section 17008 of the California Health and Safety Code, that is licensed and inspected by state or local agencies pursuant to Part 1 (commencing with Section 17000) of Division 13 of the California Health and Safety Code, may be determined by the Company to be eligible for service under this schedule subject to the following conditions.

- a. Applicant shall be the customer of record. Applicant shall be required to provide proof of current compliance with Part 1 of Division 13 of the California Health and Safety Code, commonly cited as the Employee Housing Act. Compliance may take the form of a current valid permit or license issued pursuant to Health and Safety Code §17030.
- b. To be eligible for service under this schedule, the Applicant shall be responsible for determining that all households residing in the employee housing qualify for the CARE (California Alternate Rates for Energy) Residential Electric Service under the annual total household income guidelines and criteria as set forth in Schedule No. "CARE" of this California Electric Tariff. The Applicant shall make a certification to

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(Continued)

SPECIAL CONDITIONS (Continued)

4. PRIVATELY-OWNED EMPLOYEE HOUSING (Continued)

that effect under the penalty of perjury on the CARE application. Housing for employees provided primarily for the convenience of the private employer shall not be considered eligible for the CARE rate.

An approved "Application for California Alternate Rates for Energy (CARE) Program for Qualified Agricultural Employee Housing Facilities" is required for service under this schedule. The Company shall be permitted to verify the eligibility of the facility.

- c. The Applicant must reapply and reaffirm their eligibility for service under this schedule annually.
- d. For privately-owned employee housing, 100% of the usage must be for residential uses in order to qualify for the CARE rate, whether individually- or master-metered. Electric usage for offices, maintenance shops or agricultural uses shall not be considered residential use. Only meters that are served under a residential or commercial rate schedule can qualify for this CARE rate.
- e. Applicants must indicate on each annual application how the discount from the CARE rate will be used to directly benefit the occupants of the privately-owned employee housing. Applicants shall make a certification to that effect under the penalty of perjury on the CARE application. At each annual recertification, Applicant shall be required to certify how the discount directly benefited the occupants of the privately-owned employee housing.

The Applicant will be required to demonstrate where the savings from the CARE rate will or have been reallocated and that the reallocation benefits the occupants directly. The Applicant must maintain accounting entries and retain supporting documentation in order to allow the Company to verify the benefits conferred. Supporting documentation includes, but is not limited to: dated receipts identifying items purchased; stated purposes of such purchase, and letters or memorandum to occupants indicating the benefit provided. Examples of benefits that would qualify, provided appropriate records are maintained, include: reduced energy charges to

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(Continued)

SPECIAL CONDITIONS (Continued)

4. PRIVATELY-OWNED EMPLOYEE HOUSING (Continued)

tenants from the CARE rate savings; improvements to tenant services such as day care or recreational facilities for tenants; reduced rents or reduced rent increases from offsets by the CARE rate. Other benefits may be considered by the Company as qualifying provided the Applicant can adequately demonstrate the savings will or have been used for the direct benefit of the occupants.

Items not considered direct benefits for current occupants include: physical improvements to property that do not directly benefit occupants, such as remodeling to add office space; or development of new privately-owned employee housing.

- f. Customers who wrongfully declare eligibility or fail to demonstrate the CARE rate savings directly benefited the privately-owned employee housing occupants may be rebilled for the period of ineligibility under their otherwise applicable rate schedule.

5. AGRICULTURAL EMPLOYEE HOUSING OPERATED BY NONPROFITS

Agricultural employee housing, as defined by subdivision (b) of Section 1140.4 of the California Labor Code, operated by nonprofit organizations may be determined by the Company to be eligible for service under this schedule subject to the following conditions.

- a. Applicant shall be the customer of record. Applicant shall be required to provide proof of its nonprofit status. Acceptable proofs include: unrevoked letter determination or ruling of tax-exempt, nonprofit corporation status under Internal Revenue Service Code Section 501 (c)(3) or similar tax-exempt certification from the California Franchise Tax Board. Additionally, Applicant shall provide a copy of a letter from the Assessor in the County where the agricultural employee housing is located indicating exemption of the housing from local property taxes, pursuant to subdivision (g) of Section 214 of the California Revenue and Taxation Code.
- b. To be eligible for service under this schedule, the Applicant shall be responsible for determining that all households residing in the agricultural employee housing qualify for the CARE (California Alternate Rates for Energy) Residential Electric Service under the annual total household income guidelines and criteria as set forth in

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(Continued)

SPECIAL CONDITIONS (Continued)

5. AGRICULTURAL EMPLOYEE HOUSING OPERATED BY NONPROFITS (Continued)

Schedule No. "CARE" of this California Electric Tariff. The Applicant shall make a certification to that effect under the penalty of perjury on the CARE application. Employees or staff of the nonprofit organization operating the agricultural employee housing who reside at the facility can be excluded for purposes of qualifying the facility for this CARE rate.

An approved "Application for California Alternate Rates for Energy (CARE) Program for Qualified Agricultural Employee Housing Facilities" is required for service under this schedule. The Company shall be permitted to verify the eligibility of the facility and its tenants.

- c. The Applicant must reapply and reaffirm their eligibility for service under this schedule annually.
- d. For individually-metered dwelling units for agricultural employee housing operated by nonprofit organizations, 100% of the usage must be for residential uses in order to qualify for this CARE rate. If the agricultural employee housing is served by a master meter, then not less than 70% of the usage must be for residential uses in order to qualify. Electric usage for offices maintenance shops or agricultural uses shall not be considered residential use. Only meters that are served under a residential or commercial rate schedule can qualify for this CARE rate.
- e. Applicants must indicate on each annual application how the discount from the CARE rate will be used to directly benefit the occupants of the agricultural employee housing facility. Applicants shall make a certification to that effect under the penalty of perjury on the CARE application. At each annual recertification, Applicant shall be required to certify how the discount directly benefited the occupants of the agricultural employee housing facility.

The Applicant will be required to demonstrate where the savings from the CARE rate will or have been reallocated and that the reallocation benefits the occupants directly. The Applicant must maintain accounting entries and retain supporting documentation in order to allow the Company to verify the benefits conferred

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(Continued)

SPECIAL CONDITIONS (Continued)

5. AGRICULTURAL EMPLOYEE HOUSING OPERATED BY NONPROFITS (Continued)

Supporting documentation includes, but is not limited to: dated receipts identifying items purchased; stated purposes of such purchase, and letters or memorandum to occupants indicating the benefit provided. Examples of benefits that would qualify, provided appropriate records are maintained, include: reduced energy charges to tenants from the CARE rate savings; improvements to tenant services such as day care or recreational facilities for tenants; reduced rents or reduced rent increases from offsets by the CARE rate. Other benefits may be considered by the Company as qualifying provided the Applicant can adequately demonstrate the savings will or have been used for the direct benefit of the occupants.

Items not considered direct benefits for current occupants include: physical improvements to property that do not directly benefit occupants, such as remodeling to add office space; or development of new agricultural employee housing.

- f. Customers who wrongfully declare eligibility or fail to demonstrate the CARE rate savings directly benefited the agricultural employee housing occupants may be rebilled for the period of ineligibility under their otherwise applicable rate schedule.

6. ALL APPLICANTS

- a. Eligible customers shall be billed on this schedule commencing with the next regularly scheduled billing period after receipt and approval of application by the Company.
- b. Eligibility and certification information provided by the customer on the application form may be subject to verification by the Company. Refusal or failure of a customer to provide documentation of eligibility acceptable to the Company, upon request of the Company, shall result in removal from this schedule.
- c. Customers who wrongfully declare eligibility or fail to notify the Company when they no longer meet the eligibility requirements may be rebilled for the period of ineligibility under their otherwise applicable rate schedule.
- d. It is the responsibility of the customer to notify the Company within 30 days of any changes in the customer's eligibility status.

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