PG&E Penalized for San Bruno
ORDERED TO REFUND $400 MILLION TO CUSTOMERS

shortly before this newsletter went to press, the California Public Utilities Commission (CPUC) agreed to penalize PG&E close to two billion dollars for the San Bruno explosion. The proposal, authored by President Picker, and approved by the full Commission, is much better than previous proposals, and adopts many of TURN’s recommendations for consumer protections and shareholder responsibility.

“This consumer victory took four years of determined advocacy by TURN.”

—MARK TONEY, TURN

Bruno and San Francisco, and Commission advocacy divisions,” said TURN executive director Mark Toney. TURN had urged the Commission not only to penalize PG&E $1.6 billion but also to apply much of that money to pipeline safety. The approved decision mirrors TURN’s demands, refunding $400 million in pipeline maintenance costs to customers and requiring that shareholders bear the costs of an additional $850 million in pipeline safety improvements.

Toney said that PG&E must pay the penalties out of profits, not rates. “The CPUC has put the responsibility for pipelines squarely where it belongs, on PG&E’s shareholders. These penalties send a strong message to PG&E that the neglect and mismanagement that led to the San Bruno explosion must never happen again,” he said. “Customers are looking to the CPUC to rein in PG&E and be a watchdog, rather than a lapdog. Requiring PG&E to pay the costs of its previous pipeline neglect is a good place to start.”
Message from TURN’s Executive Director

Dear Consumer Champion,

You are truly a champion for all California customers of utility and telecom companies!

This 2013-14 annual report shows how your steadfast support inspires our small, dedicated staff to move mountains and win against insurmountable odds! As the only statewide nonprofit dedicated solely to your rights as a utility consumer, TURN routinely goes up against some of the biggest guns in the game: AT&T, Verizon, PG&E, SDG&E and SoCal Edison. It isn’t easy. These companies have armies of lobbyists and lawyers promoting their corporate agendas. We’re grateful that we’ve got you on our side.

TURN appreciates every penny we receive, especially because your contributions show us how much you care about fair rules and making sure consumers’ voices are heard. If you’ve followed the recent scandals at the CPUC, you know that it is all too easy for utility executives to get the ear of the Commission. We’re working on several levels to change that, including sponsoring legislation to reform the CPUC (SB 215, Leno) and advocating for new consumer protections as well.

Thanks to you, we are making more of a difference than ever before. Despite collusion and corruption at the highest level. TURN members are speaking out at public hearings, showing up at CPUC meetings, and sending letters and petitions to legislators. Our outreach team arms you with the information you need to challenge utility flaks with confidence, and spread the word to friends and neighbors as well.

One way to tell that you are making a difference is when your opponents come after you. A special thanks to everyone who responded to our recent request for donations to the Stop AT&T Bullying campaign. AT&T’s mean-spirited efforts to exact revenge on TURN for leading the grassroots campaign to stop the T-Mobile merger is proof positive that you are making an impact. Why else would a huge, wealthy company go after us over the relatively small fees the CPUC ordered AT&T to pay TURN? It is obvious they will try to silence consumer voices any way they can. That campaign is ongoing as we gear up for our first day in court, and we hope you’ll continue to give generously. We are not going let AT&T bully us!

Some TURN members have also chosen to maximize their donations through planned giving and gifts of stock, which we deeply appreciate.

We are sad to note the passing of long-time TURN member and supporter, Olga Urcinoli from Santa Monica.

I had a chance to talk with her last year and she told me how she remembered Sylvia Siegel and her leadership of TURN. Olga was very generous in her support of TURN over the years and was even a monthly donor.

When Olga and I talked, she told me what she most liked about our work was how TURN represented the David in all of us who isn’t afraid to stand up and win against huge corporate utility Goliaths.

Recently we learned Olga left a generous planned gift to TURN that ensures her championship of consumer rights for years to come. She became a member of the Sylvia Siegel Legacy Circle by remembering TURN in her estate plans.

We want to acknowledge Olga for her years of loyal support of TURN. It is thanks to her and other supporters that we are able to win cleaner energy and better phone service at fair rates.

We also want to acknowledge an anonymous member for her extremely thoughtful and generous gift of stock. If you too would like to donate stock to TURN, please let us know. It’s very easy to do and we will be happy to help you. Please call CFO Richard Perez at 415-954-8088 for more information.

If you would like to learn more about the Sylvia Siegel Legacy Circle and how you can make a legacy gift to TURN, please contact me at 415-929-8876 or mtoney@turn.org

Thanks to you, we are making more of a difference than ever before.”

Mark Toney, Executive Director of TURN
Utility companies want you to pay for their mistakes, and keep their profits high at the same time. With the public concern about dangerous utility practices heightened, the new mantra for raising rates is safety and reliability. TURN agrees with the goals, but does not want to see them become a blank check for every high-priced, profit-driven scheme.

TURN worked to make sure utilities were held responsible for shoddy past practices and other failures, and could not pass the costs of their mistakes on to customers, or twist the rules to make costly schemes appear to be necessary to keep customers safe or provide reliable service.

At the same, we made progress on basic rate protections for vulnerable customers. With income inequality growing, TURN’s advocacy for customers who desperately need affordable phone, gas and electric service became more urgent. TURN continued to protest skyrocketing phone bills and poor call quality, while advocating for strengthened universal service and new consumer protections to address the changing landscape for telecom customers.

PUTTING CUSTOMERS FIRST

Decision-makers should hear from real consumers, not just utility lobbyists. TURN brings true community voices to the debate, empowering customers to speak out, through public hearings, community meetings and individual complaints. And we are training more advocates every day with our PolicyVoice outreach project. Through PolicyVoice TURN expands our reach by supporting grassroots organizing efforts and training local, frontline staff in activism, consumer protection and energy efficiency.

This year’s programs included:
- Trainings for community workers in rural and urban areas on preventing energy shut-offs and winning climate justice.
- Collaborations with local activists from the Antelope Valley and AARP to educate community members to speak up against higher Edison rates at local CPUC public hearings.
- Organizing local partners to speak out at a first-ever FCC Town Hall meeting in Oakland with Chair Tom Wheeler.

TURN organized scores of consumers to attend public hearings on LifeLine low-income phone service. In her historic decision expanding the program, Commissioner Sandoval credited the community input as key.

“The CPUC heard from consumers throughout California that affordability, choice and access were key,” said Montes, “and Commissioner Sandoval listened. With customers, community leaders and local activists supporting TURN’S legal position, we succeeded in winning vital improvements to the LifeLine program.”

DEMANDING MORE BANG FOR YOUR BUCK

A proposed utility marketing plan for energy efficiency programs was long on spending but short on metrics to measure whether or not identifiable goals were being reached. Energy efficiency programs should deliver quantifiable results, especially when customers’ hard earned dollars are being used to tout the benefits of utility-run programs.

TURN demanded that utilities deliver real bang for customers’ bucks, not just feel-good advertising. TURN staff attorney Bill Nusbaum said, “When customers’ money is at stake, vague, poorly-defined goals simply are not good enough.”

Thanks to TURN customer funded programs marketing energy efficiency will have to provide tangible results. TURN also succeeded in convincing utility companies to bolster low-income programs and expand outreach. With these improvements, the programs should be able to deliver savings where they are most needed. In addition, Nusbaum advocated for data and privacy concerns to be given a closer look before utility companies or others can be allowed access to customers’ information. TURN also won additional accountability with administrative costs being held back pending review of the programs’ effectiveness.
With deregulation, consolidation, and the ascendancy of cell phones and the Internet, decisions made in Washington at the FCC have a growing impact on California. TURN is expanding our role, working closely with national consumer organizations including AARP, Free Press, Public Knowledge, Media Action Grassroots Network, and the National Consumer Law Center to advance consumer interests at the FCC, demanding effective oversight to ensure there is an affordable communications system universally available without discrimination.

TURN’s Telecom Policy Director Regina Costa heads our efforts, and is chair of the National Association of Utility Consumer Advocates’ Telecom committee.

The FCC has already adopted many of our recommendations, most importantly declaring broadband to be a Title II service. In addition, the FCC sought input on issues including a customers’ right to choose reliable phone service that works during power outages and prohibiting the “de facto copper retirement” that occurs when phone companies refuse to maintain and repair landline networks. “This will allow us to expand on what we’ve won in California on a national level, including ensuring reliable, affordable communications regardless of the technology,” said Costa. “Modern technologies require modern consumer protections. Rather than abandoning the quality standards customers enjoyed with landlines, those standards should be extended to cell phones, VoIP and other new tools.”

According to a study by Consumer Reports, over 3 million Americans had their phones stolen last year. Many of these robberies were violent, so the need to prevent them cannot be overstated.

That’s why TURN was a strong supporter of Senate Bill 962, Senator Mark Leno’s “kill switch” bill. The bill takes aim at cell phone theft by requiring phone companies to automatically install a “kill switch” on every phone they sell. That would mean a stolen phone could be “killed” remotely, making theft unprofitable and pointless. It makes sense to hold the phone companies accountable for deterring theft. The industry profits an estimated $30 billion annually from replacing lost or stolen devices, and billions more through selling phone insurance to consumers.

Senator Leno’s bill requires all mobile devices manufactured after July 1, 2015 that are sold in California to have kill switches already installed, and although it would give buyers the option to disable the switches, it would outlaw companies from encouraging customers to do so.

“The phone industry initially opposed the bill, but was forced to back down in the face of widespread consumer support,” said TURN staff attorney Leslie Mehta. “Many of our members were among the thousands of Californians who urged their legislators to support the bill, and helped convince the Governor to sign it.”
GAS SYSTEM IMPROVEMENTS THAT MAXIMIZE PUBLIC SAFETY, NOT PROFITS

In the wake of the avoidable San Bruno explosion, and mounting public concerns about gas safety, utilities have proposed billions in pipeline “improvements.” But many of those proposals would unfairly shift the cost of previous utility mismanagement on to customers.

TURN legal director Tom Long and staff attorney Marcel Hawiger represent consumers in demanding that PG&E, SoCal Gas and SDG&E are held accountable for their poor pipeline practices, and don’t pass the costs of their previous neglect on to customers.

Business As Usual at PG&E

In a case setting PG&E gas rates for the next three years, TURN won significant reductions to PG&E demands including inflated gas distribution costs. The CPUC agreed with TURN that safety considerations don’t justify unreasonable rates. TURN won limits on rate hikes without compromising safety.

Gas Transmission Rate Case Under a Cloud

With new proposals for over a billion dollars in increases to gas transmission rates, P&GE hoped to double dip, taking advantage of community fears to demand customer funding for gas work that was paid for but not done right in the past. “We will not make any proposal that would jeopardize safety,” said TURN legal director Tom Long, “but we will insist that PG&E improve its system in a fair and cost-effective manner.”

The gas rate case has become increasingly controversial due to revelations of collusion and back room deals. Emails between the CPUC and PG&E have revealed that PG&E tried to judge-shop in the case, and have sparked federal and state investigations into possible criminal charges.

SoCal Gas and SDG&E (Sempra) Try to Get in on the Act

SDG&E and SoCal Gas needed to test or replace gas lines they didn’t have records for, and wanted to pass those costs on to customers. The CPUC’s administrative law judge agreed with TURN that shareholders, not ratepayers, should pay to re-test pipelines for which the utilities had violated rules.

But the Commission ended up caving to corporate demands after a massive lobbying campaign by SDG&E parent corporation Sempra. TURN staff attorney Marcel Hawiger said, “TURN is appealing this decision. It is a basic tenant of utility law that customers should not pay for corporate mistakes.”

PG&E Sanctioned for Covering Up Safety Mistakes

TURN advocated for the maximum penalties against PG&E for failing to promptly disclose errors in gas pipeline safety information it submitted to the CPUC, and that the Commission relied on in setting safe pipeline operating pressure. The Commission agreed with TURN that PG&E should be fined $14.35 million to be paid out of profits, not rates.

COUNTERACTING THE UTILITY MEDIA MACHINES

TURN celebrated 40 years of advocacy in November 2013 with a gala event, and memories of founder Sylvia Siegel, who established TURN as not only an accurate media source but also a caustic one. The Los Angeles Times quoted executive director Mark Toney on the occasion: “Goliath corporations need to be confronted by advocates for people who are paying the bills.” Continuing in Sylvia’s footsteps, TURN regularly confronted utilities in the media, and took advantage of new technologies to reach more media outlets, and more consumers.

TURN staff responded to close to 400 press queries, and went on the offensive with press releases, op-eds and online campaigns that kept our members and supporters active and engaged. TURN was quoted in over 300 print articles, and featured in television and radio coverage throughout California, including:

- KCRA TV Sacramento, reporting on TURN’s demands for penalties against Comcast for violating customers’ privacy,
- KNTV San Jose, which featured TURN’s joint press conference with state Senator Jerry Hill,
- Southern California Public Radio and KPBS San Diego on our efforts to hold SoCal Edison accountable for the defective steam tubes at the (thankfully) shuttered San Onofre nuclear power plant.
- TURN continued the call for PG&E accountability for the San Bruno explosion, and was quoted extensively in statewide and national media as well as energy industry publications, including the Associated Press, Bloomberg News and California Energy Markets.
**LET THERE BE LIGHTS: NEW LIMITS ON DEADLY, DANGEROUS SHUT-OFFS**

**STAFF ATTORNEY**

**HAYLEY GOODSON**

**TURN** often receives calls from frightened consumers facing the horrific prospect of having their power shut off. These calls come not only from California, but also from all over the United States, where low-income consumers often face a daily struggle to pay for essential services. Utility shut-offs can trigger other serious health and safety consequences, including exposure, eviction, and fires. Policies that assist consumers in being able to pay their bills, manage arrearages and avoid shut-offs bestow enormous benefits upon those Californians most in need of assistance, and society as a whole.

Thanks to the advocacy of **TURN** and other consumer representatives, PG&E, SoCal Edison, SDG&E and SoCal Gas agreed to provide new protections and continue many of the expiring protections previously won by **TURN** and our allies, including home visits before disconnection, limits on customer deposit requirements, and special requirements for limited English proficient customers and customers with disabilities.

Staff attorney **Hayley Goodson** said, “Utility companies are too quick to pull the plug when left to their own devices. They must do more to make sure that customers have every possible opportunity to avoid costly and dangerous shut-offs. These protections will mean more customers can keep their lights on when they are experiencing hard times.”

**PG&E WOULDN’T GIVE UP – BUT NEITHER WOULD WE!**

**GENERAL COUNSEL**

**BOB FINKELSTEIN**

In February 2014, general counsel **Bob Finkelstein** scored a major victory at the California Court of Appeal when a California Public Utilities Commission decision authorizing PG&E to develop a new gas-fired power plant in Oakley, California was overturned. The Commission had approved spending customers’ money on the proposed plant even though PG&E had not met the Commission’s standards for showing that a new fossil fuel power plant was necessary to meet California’s needs.

This was the second time **TURN** was forced to appeal a Commission decision on the Oakley plant. In 2012, the Court agreed with **TURN** that the Commission’s previous decision authorizing the plant was procedurally invalid. But PG&E still wanted the expensive gas-fired plant in Oakley and concocted a phantom “need” for the plant even though it wasn’t necessary to serve customers. The CPUC voted to go along with the scheme, and it took the Court of Appeal to save PG&E customers from the unnecessary expense.

“Consumers should not have to pay $200 million a year for a plant they don’t need,” Finkelstein said. “Recent revelations of back door emails between former CPUC President Peevey and PG&E indicate Peevey personally favored the project, which may be why PG&E was able to skirt the rules at the Commission.”

**KEEPING RATES CAPPED AND CONSERVATION REWARDED**

**STAFF ATTORNEY**

**MATT FREEDMAN**

**UTILITY companies want to destroy hard-won restrictions on rate increases for baseline, essential electricity usage, and impose mandatory time-based pricing on customers. Staff attorney Matt Freedman spearheads TURN’s efforts to preserve conservation incentives and limit bill increases.**

In a case setting interim rates, **TURN** convinced PG&E, SoCal Edison and SDG&E to abandon their dreams of drastically higher bills, and agree to continue many vital caps on rates and retain the current four-tier system. In addition, a fixed charge the utilities wanted to add to every customer’s bill was once again defeated. “Fixed charges add an unfair burden to the bills of customers who are doing their best to conserve,” Freedman said.

The rush toward time-based pricing was also slowed by the passage of Senate Bill 1090. **TURN** partnered with state Senator Jean Fuller (R-Bakersfield) on the bill, which stops the California Public Utilities Commission from approving default time-based pricing until it determines the likelihood of unreasonable summertime bills or hardship in hot climate areas. Freedman said that customers in the hot central valley are especially at risk from utility schemes to shift from tiered rates to time-based ones. “Vulnerable seniors and others who need to be at home during the day will fare the worst,” he warned.

Freedman’s work on these issues is ongoing, as the CPUC continues to consider fixed customer charges, changes to rate tiers and time-based pricing.
THANK YOU

FROM ALL OF US AT TURN

TURN appreciates each and every donation we receive, not just because it helps fund our consumer advocacy and assistance, but also because we know your donations are a vote of confidence. TURN regrets that we don’t have the space to thank all our donors individually, because we are so grateful for all of your support.

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Michael J. Pascale and Lisa M. Pascale
James Patmore and Lada Patmore
William Patrick and Hans Schacht
Willie L. Patterson
Vernon Patterson and Louise Patterson
Florence J. Paul
R. D. Payne and Bara J. Payne
Ned Pearlstein
Eve Pelli
Judith A. Perlin
Claire Perricelli
Thomas E. Perry
Ralph G. Peters
Keith Peterson
Bernard E. Peterson and Marion Peterson
Mary E. Peterson
Ray Peterson and Ettamaria Peterson
Bruno R. Peterson
W. Peterson and A. Peterson
Bernard Pfister and Roza Plelia
Al Pickrel
Robert M. Pickle
G. Allen Pickel
Jean C. Piercy
William D. Piercy
Elizabeth Pierso
Ernest A. Plattner and Rital L. Plattner
Steven Podesta
Charles L. Pole
Erik Pontoppidan and Elsa Pontoppidan
Ralph O. Porter and Janet M. Porter
Marian Pratt
Peter R. Preiswerk and Johanna Preiswerk
Robert Puppo and Alice Alpso
James S. Puikas and Eleanor R. Rush
Denis Quinn and Gregory Quinn
Paul Quintero
Jack Rafferty and Lin L. Rafferty
Robert Ralphi and Susi Ralphi
Sharon Rakunas
Catherine J. Ralph
Susan Reight
Albinio Ramos and Joyce Ramos
Eric G. Ramstrom and Shirley Ramstrom
Thomas Rancic
William Ransone
James Raught and Margerita Raught
Norman Ravizza and Mary Aron Ravizza
Alan M. Raznick and Nancy Raznick
Maurice A. Reckan
Joel Recinos
Mara Reed
Shane and94: A. A. Reddy
Curtis J. Reeves and Virginia R. Reeves
Rhea Rehark-Griffith
Charlotte Reichert and Guenter Reichert
John C. Reiger and Debra L. Reiger
Stephen C. Reilly
Sam Resnick and Patricia Resnick
Bill Rett and Judy A. Barnes
Teresa S. Reynolds
Ray T. Reynolds and Yolanda D. Reynolds
Chester D. Rhano
Martin A. Rhodes and Roslyn B. Rhodes
William B. Ricard
Barbara Rice
D.C. Richardson and M.E. Richardson
F. Rieben and S. Rieben
Robert Riegel and Patricia Riegge
Kim Ries
Edward Rimer
George Ritchey
John K. Robbe and Kathleen M. Robbe
Justine Roberts
Raymond J. Roberts
Norman F. Robinson
Robert Robison
Rand B. Robison and Joyce M. Robison
Ruth Robinson
David Rodel and Nan Rodel
David R. Rodel and H.J. Rodelwe
Ronald L. Rogers
Michelle Rojas
David Roman
Louella L. Romero
Frank J. Roppolo
and Edward G. Rosen
Nathan Rosenblatt and Ada Rosenbllatt
David J. Rosen
Lawrence Rosenthal
Gregory A. Ross
Edna C. Rossenas
Devora Rossman
Margaret C. Rowe
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Alan Sandine
San S. and Anawo
Mary C. Santana
Mark Sapio
Russell B. Sartor, Jr.
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Susan Schacher
Robert J. Schatter DDS
Charles J. Schafer
Ronald Schaffer and Roberta Schafer
E. A. Schlegoff and M.J. W. Schlegoff
Rexina Scheiding
Madeline Scheiman
Elinor Schell
Mignon Scheiner
William F. Schick
Deanna Schle
Jane E. Schimmel and Michael Schimmel
William A. Schneek and Maria R. Schneek
Susan Schneider
Fred Sjolos and Phyllis Scheen
Robert Scholten and Dorothy Scholten
Wallace J. Schum
Charles Schwarz and Patricia J. Schwarz
William S. Seppstein
Ash Sengupta
W. Shafer and J. Shafer
Georgina Sharm
Alexander J. Shome and Patricia A. Shand
Jack Scannon
Harold Shenson
Glen J. Sheppard and Faueta M. Shepik
Lindsey R. Shere
Susan Sherin
Martin Sherman and Helen Reiner
Mark L. Sherman
Anthony Shineldus and Barbara Shineldus
Barbara Showler
David A. Shum and Karen J. Goff
Frank Shopman and Leonard Siegelman
Edward Siegel and Else Siegel
Richard B. Silber
Michael Silver and Diane Ratekin
Leonard R. Silvey and Helene J. Hannum
Warren G. Sims and Virginia H. Sims
Allen Simontacchi
Rita L. Simonon
John Simpson
Dr. Elizabeth L. Simpson and John Wurr
Roy M. Signer and Sarah S. Singer
David Snow
Martha R. Sklar
Joseph Sklar and Rita W. Sklar
Carolyn J. Smith
Grant B. Smith and Elizabeth V. Smith
Frances M. Smith
Barbara Smith
Phyllis Smith
Ilaj. Smith
D. A. Sniderman and A. Sniderman
Joanna W. Sobel
R. Solomon and D.A. Solomon
Carolyn Sonfield
David Sonnleitner
Robert W. Sonoga and Marjory Sonoga
Deborah Spangler
John H. Spark and Mehenni Spark
Col. Paul N. Spencer
Victor F. Sprag and Darlene Sprag
Milton Sprinker and Chris Spraker
Beverley Sproat
Susan St. Aubin
Frederick Stammerberg
Lucille Stanke
Kendall Stansberry
Peter Stansky
Alice P. Staufer
H. V. Staub
Yoenne M. Steffen
Carl Stein
Evelyn Stein and Edward M. Krakauer
Barbara Stein
Margaret Garth Steinhart Greene
Lisa Steingart
Harvey Steinhous
Mark D. Steisel and Sara Slavin Steisel
Dr. Martin H. Sterneck
Ben F. Stetson
Peter S. Stevensen
Clinton Stevenson and Shirley Stevenson
Albert G. Stone and Arlene A. Stone
Tyler Stone
Elizabeth Stone
Marlynn J. Story
Robert B. Stout and Alinee T. Stout
Beverley Strant
William R. Stratton
George Strauss
Gordon Strickland and Jananne Strickland
Roxanne Strucinski
Doris E. Stuggess
Jon M. Sturtevant
Frederick Styles and Anne Styles
John M. Suarez and Sheila Suarez
John Sugar
Timothy J. Sullivan and Shirley A. Sullivan
Jeanette B. Sullivan
Angelina Summers
Jean L. Sutherland
Henry V. Swekurs and Barbara T. Swekurs
Judith A. Swekurs
Laurence D. Sykes and Ann N. Sykes
Jean-Luc Szpaweki
Wilbur K. Takashima
Jeanne T. Taylor
Laury Taniwaki and Kathy Zebowski-Taniwaki
Zeena Tendall
Buxing Tharss
Donald M. Thomas
Bertha L. Thomas
Thomas A. Thornton
Susan Thwees
FINANCIAL NOTES

SAVING TURN THOUSANDS OF DOLLARS EACH YEAR

CFO Richard Perez continues to look for cost-cutting measures to save the organization thousands of dollars while operating efficiently. Perez and his staff prepare over 100 legal filings per year, help answer members’ questions, keep the office running smoothly, and are responsible for making sure you get receipts in a timely manner.