

Schedule Nos. GS-35/GN-35/SLT-35

AGRICULTURAL EMPLOYEE HOUSING AND  
NONPROFIT GROUP LIVING FACILITY GAS SERVICE

APPLICABILITY

Applicable to gas service for nonprofit group living facilities, as defined in Rule No. 1 of this California Gas Tariff, where a minimum of 70 percent of the gas consumed under this schedule is for residential purposes, and to qualified migrant housing centers; privately-owned employee housing; or agricultural employee housing operated by nonprofit organizations.

TERRITORY

Throughout the Company's certificated California service areas, except as may hereafter be provided.

RATES

The commodity charges and basic service charge are set forth in the currently-effective Statement of Rates of this California Gas Tariff and are incorporated herein by reference.

The number of therms shall be determined in accordance with the provisions of Rule No. 2C of this California Gas Tariff.

Minimum Charge:

The minimum charge per meter per month is the basic service charge.

SPECIAL CONDITIONS

A. NONPROFIT GROUP LIVING FACILITIES

1. To be eligible for service under this schedule, the total gross annual income, both taxable and nontaxable, from all sources for each resident residing in the nonprofit group living facility may not exceed the Commission's CARE program eligibility income level 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	\$31,800

The above income limit is effective from June 1, 2011 through May 31, 2012.

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SPECIAL CONDITIONS (Continued)

A. NONPROFIT GROUP LIVING FACILITIES (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, senior or children homes), group homes for mentally or physically disabled/disadvantaged persons or satellite facilities of a properly-licensed "mother ship" facility; and other nonprofit group living facilities that may not have a license or permit (homeless shelters, women shelters or hospices) in which 100 percent of the residents would meet the residential CARE program 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 Qualified Nonprofit Group Living Facilities for California Alternate Rates for Energy (CARE) Program" is required for service under this schedule. In addition, applicants, other than homeless shelters, shall submit an "Application for California Alternate Rates for Energy (CARE) Program" on behalf of each resident of the facility.

2. Nonprofit group living facilities must recertify their eligibility for service under this schedule every two years. 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 facility's residents.
3. Publicly-owned and government-subsidized housing facilities are not qualifying group living facilities. A group living facility that would otherwise qualify for the CARE program 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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SPECIAL CONDITIONS (Continued)

A. NONPROFIT GROUP LIVING FACILITIES (Continued)

4. 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-exempt, nonprofit corporation status under Internal Revenue Service Code Section 501(c)(3), and any other documentation the Company may reasonably require.
5. Homeless shelters shall provide verification that at least six beds are provided during a minimum of 180 days each year for persons who have no alternative residence.

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

B. MIGRANT FARMWORKER HOUSING CENTERS

Pursuant to Section 50710.1(e) of the California Health and Safety Code and subject to the following conditions stated herein, Migrant Farmworker Housing Centers operated by the Office of Migrant Services or other nonprofit entities shall be deemed eligible for the CARE program discount due to the presumed income levels of the occupants.

1. Applicant shall be the customer of record.
2. Applicant shall provide copy of current contract with the Office of Migrant Services, Department of Housing and Community Development.
3. Where the applicant is not overseen by the Office of Migrant Services, applicant shall provide proof of 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 Assessor in the county where the 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.

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SPECIAL CONDITIONS (Continued)

B. MIGRANT FARMWORKER HOUSING CENTERS (Continued)

4. 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.
5. Migrant farmworker housing facilities must reapply and recertify their eligibility for service under this schedule every two years.
6. For individually-metered dwelling units in the migrant center, 100 percent of the usage must be for residential uses, as defined in Rule No. 1 of this California Gas Tariff, in order to qualify for this CARE program rate. If the migrant center is served by a master meter, then not less than 70 percent of the usage must be for residential uses in order to qualify. Natural gas 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 program rate.
7. Applicant must indicate on the initial application for service under this schedule how the discount from the CARE program rate will be used to directly benefit the occupants of the migrant farmworker housing center. At recertification, applicant must describe: 1) how the discount was previously used for the direct benefit of the residents, and 2) how the discount will be used for the next two years for the direct benefit of the residents. Applicants shall make a certification to the above under the penalty of perjury on the CARE program application.

The applicant will be required to demonstrate where the savings from the CARE program 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

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SPECIAL CONDITIONS (Continued)

B. MIGRANT FARMWORKER HOUSING CENTERS (Continued)

maintained include: reduced energy charges to tenants from the CARE program 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 program 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.

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

C. 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.

1. 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.

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(Continued)

SPECIAL CONDITIONS (Continued)

C. PRIVATELY-OWNED EMPLOYEE HOUSING (Continued)

2. 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 Residential Gas Service under the annual total household income guidelines and criteria as set forth in Schedule Nos. GS-12/GN-12/SLT-12 of this California Gas Tariff. The applicant shall make a certification to that effect under the penalty of perjury on the CARE program application. Housing for employees provided primarily for the convenience of the private employer shall not be considered eligible for the CARE program 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 privately-owned employee housing and its tenants.

3. The applicant must reapply and recertify their eligibility for service under this schedule every two years.
4. For privately-owned employee housing, 100 percent of the usage must be for residential uses, as defined in Rule No. 1 of this California Gas Tariff, in order to qualify for this CARE program rate, whether individually- or master-metered. Natural gas 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 program rate.
5. Applicants must indicate on the initial application for service under this schedule how the discount from the CARE program rate will be used to directly benefit the occupants of the privately-owned employee housing. At recertification, applicant must describe: 1) how the discount was previously used for the direct benefit of the residents, and 2) how the discount will be used for the next two years for the direct benefit of the residents. Applicants shall make a certification to the above under the penalty of perjury on the CARE program application.

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SPECIAL CONDITIONS (Continued)

C. PRIVATELY-OWNED EMPLOYEE HOUSING (Continued)

The applicant will be required to demonstrate where the savings from the CARE program 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 tenants from the CARE program 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 program 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.

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

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(Continued)

SPECIAL CONDITIONS (Continued)

D. AGRICULTURAL EMPLOYEE HOUSING

Agricultural Employee Housing, as defined by of Section 1140.4(b) of the California Labor Code and Section 17008(a) 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.

1. Applicant shall be the customer of record.
2. 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 Residential Gas Service under the annual total household income guidelines and criteria as set forth in Schedule Nos. GS-12/GN-12/SLT-12 of this California Gas Tariff. The applicant shall make a certification to that effect under the penalty of perjury on the CARE program 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 program 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.

3. The applicant must reapply and recertify their eligibility for service under this schedule every two years.
4. For individually-metered dwelling units for agricultural employee housing operated by nonprofit organizations, 100 percent of the usage must be for residential uses, as defined in Rule No. 1 of this California Gas Tariff, in order to qualify for this CARE program rate. If the agricultural employee housing is served by a master meter, then not less than 70 percent of the usage must be for residential uses in order to qualify. Natural gas 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 program rate.

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(Continued)

SPECIAL CONDITIONS (Continued)

D. AGRICULTURAL EMPLOYEE HOUSING (Continued)

5. Applicants must indicate on the initial application for service under this schedule how the discount from the CARE program rate will be used to directly benefit the occupants of the agricultural employee housing facility. At recertification, applicant must describe: 1) how the discount was previously used for the direct benefit of the residents, and 2) how the discount will be used for the next two years for the direct benefit of the residents. Applicants shall make a certification to the above under the penalty of perjury on the CARE program application.

The applicant will be required to demonstrate where the savings from the CARE program 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 tenants from the CARE program 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 program 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.

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

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SPECIAL CONDITIONS (Continued)

E. ALL APPLICANTS

1. Eligible customers shall be billed on this schedule commencing with the next regularly scheduled billing period after receipt and approval of CARE program application by the Company.
2. Eligibility and certification information provided by the customer on the CARE program 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.
3. 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.
4. It is the responsibility of the customer to notify the Company within 30 days of any changes in the customer's eligibility status.
5. Service under this schedule is subject to discontinuance without notice in case of an actual or threatened shortage of natural gas, whether due to insufficient supply or to inadequate transmission or delivery capacity of the facilities of either the Company or its wholesale supplier. The Company will not be liable for damages occasioned by interruption or discontinuance of service supplied under this schedule. Such interruption or discontinuance of service will be made in accordance with Rule No. 20 of this California Gas Tariff.