

Company: San Diego Gas & Electric Company (U 902 M)/Southern California Gas
Company (U 904 G)
Proceeding: 2019 General Rate Case
Application: A.17-10-007/008
Exhibit: CforAT/SEU-1

**PREPARED DIRECT TESTIMONY OF MELISSA W. KASNITZ AND CHARLES R.
MANZUK DEVELOPED JOINTLY BY THE CENTER FOR ACCESSIBLE
TECHNOLOGY, SAN DIEGO GAS & ELECTRIC COMPANY AND
SOUTHERN CALIFORNIA GAS COMPANY**

(ACCESSIBILITY ISSUES)

May 14, 2018

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

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SUMMARY OF JOINT PROPOSAL AMONG CENTER FOR ACCESSIBLE TECHNOLOGY, SDG&E AND SOCALGAS FOR THE TY 2019 GRC

The purpose of this joint testimony on behalf of the Center for Accessible Technology (“CforAT”) and San Diego Gas & Electric Company and Southern California Gas Company (“the Utilities”) (collectively, the “Parties”) is to provide an overview of the terms of a joint proposal reached among these Parties on accessibility issues (the “Joint Accessibility Proposal”). The Parties agree on a mutually acceptable outcome to resolve certain access issues initially raised by CforAT as an Intervenor in the *Application of San Diego Gas & Electric Company (U 902 M) for Authority, Among Other Things, to Update its Electric and Gas Revenue Requirement and Base Rates Effective on January 1, 2019* (A.17-10-007) and the *Application of Southern California Gas Company (U 904 G) for Authority to Update its Gas Revenue Requirement and Base Rates Effective on January 1, 2019* (A.17-10-008) (the “Proceeding”). This outcome builds off of previous accessibility agreements adopted in earlier general rate cases.

In Decision (D.) 13-05-010, issued in Application 10-12-005 (the Utilities’ 2012 General Rate Case), the California Public Utilities Commission (“Commission”) adopted a joint settlement proposal among the Utilities and CforAT. That joint proposal committed the Utilities to certain accessibility practices and funding to improve accessibility of the Utilities’ communications and utility operations for customers with disabilities.¹ The Utilities performed under that settlement during the course of its term. CforAT has now raised accessibility issues in connection with this proceeding, which the Parties have resolved as described in more detail below.

The Joint Accessibility Proposal addresses the Utilities’ efforts to ensure that an appropriate amount is spent each year over the test year (TY) 2019 General Rate Case (“GRC”) cycle on eligible activities to comply with accessibility requirements and to improve the accessibility of their facilities and services. A summary of the salient provisions includes:

¹ See A.10-12-005/A.10-12-006, Joint Motion for Adoption of Settlement (Feb. 24, 2012); see also D.13-05-010 at 21-24, and 1092 (Conclusion of Law 6).

- The Utilities will incur incremental costs of \$1.5 million per year over the TY 2019 GRC cycle. Of that amount, each Utility will spend a minimum amount of \$450,000 on eligible activities to improve accessibility of facilities and services;
- The Utilities will either jointly or separately employ (in their discretion) a Disability Access Coordinator who will be responsible for coordinating and shaping company-wide strategies for accessibility improvements and compliance;
- The annual budget will include, in addition to the hiring and support of the Disability Access Coordinator(s), costs related to: (a) improving the accessibility of customer communications, including websites, mobile applications, emergency communication systems, and written communications, training for personnel who work on customer communications issues, and other customer communications access needs, (b) improving the accessibility of local offices, third-party payment locations, work in public rights of way, and other physical facilities or locations where accessibility is required, if any, and (c) coordination with local governments regarding accessibility issues arising with placement of electric utility poles and undergrounding projects; and
- The agreement establishes standards, compliance timelines, reporting and other important criteria.

At this time, CforAT and the Utilities are not aware of any opposition to the Joint Accessibility Proposal.

1 **JOINT PREPARED DIRECT TESTIMONY OF**
2 **MELISSA W. KASNITZ AND CHARLES R. MANZUK**

3 **(ACCESSIBILITY ISSUES)**

4 **I. INTRODUCTION**

5 **A. Joint Proposal on Accessibility Issues Among CforAT and the Utilities**

6 Under the joint proposal among CforAT and the Utilities for the TY 2019 GRC, the
7 Utilities have proposed to commit to:

8 **1. Level of Spending:**

9 The Utilities will jointly spend \$1.5 million per year, over the TY 2019 GRC cycle on
10 eligible activities described below, with a minimum spend for each utility of \$450,000. The
11 Utilities will track and report their annual spending towards the targeted goal.

12 **2. Disability Access Coordinator for Accessibility Issues:**

13 The Utilities will either jointly or separately employ, at the Utilities' discretion, a
14 Disability Access Coordinator, whose salary and expenses will be paid from the allocated
15 budget. The Disability Access Coordinator(s) will be responsible for coordinating and shaping
16 Company-wide strategies to improve accessibility.

17 **3. Annual Reporting:**

18 For each year of the TY 2019 GRC cycle, the Utilities will jointly or separately prepare
19 and distribute an annual report to CforAT on the Utilities' activities and spending to promote
20 accessibility. Any other interested party may request a copy of such annual report(s). The
21 annual report will include a review of the work accomplished related to accessibility in the prior
22 year, including a review of whether spending has met the agreed level, and a plan for the work to
23 be done in the following year. The Utilities will distribute the annual report each year for the
24 prior calendar year by the end of April.

25 **4. Eligible Activities:**

26 **Disability Access Coordinator and Related Work**

- 27
- Costs associated with the Disability Access Coordinator's role for accessibility
28 issues, including salary (base and incentive) and benefits.
 - Costs associated with the production of the annual report and consultation with
29 interested parties.
30

- Costs associated with appropriate professional development activities, such as those furthering understanding of best practices related to accessibility issues, and participating in Americans with Disabilities (“ADA”) organizational events, ADA conferences and various customer-focused outreach events.
- Costs associated with developing training materials and conducting training for employees on accessibility-related issues.
- Costs associated with support on ADA compliance-related activities at the applicable utility as ADA standards and regulations change.

Communications Accessibility

- Work associated with website and mobile applications (“apps”) accessibility based on applicable standards. This activity may also include work performed to address any newly identified or continuing web or mobile app accessibility issues or required to comply with any new standards that become applicable.
- Focus group/usability testing of new website enhancements to ensure they meet the needs of disabled customers.
- Costs associated with a Disability Needs Assessment to enhance understanding of the communications and engagement needs and preferences of customers with hearing or vision challenges, and work performed to address the needs, preferences and potential communications gaps with this audience.
- Costs associated with identifying disabled customers, including outreach to customers to determine and request their preferred communication format, and use of such formats, if feasible.
- For SoCalGas, costs associated with accessibility of key large print and braille bills and costs associated with the automation of these billing processes and ongoing software maintenance.
- For SDG&E, costs for select printed collateral material, including costs to convert material into alternative formats such as large print or braille.
- Costs associated with expanding efforts relating to outreach and education on customer accessibility issues, including training personnel who develop customer outreach material on accessible communication issues.

- Costs for continued training of customer service personnel on accessible communications issues, including identifying and assisting customers with disabilities.
- Costs for other customer communications access needs, including emergency communications systems.

Physical Accessibility

• Local Offices

- Costs associated with surveys or audits at local offices to identify remaining or emergent accessibility issues.
- Costs associated with redress of any identified or emergent accessibility issues.
- Costs associated with ongoing training for local office personnel in maintaining or improving accessibility.

• Third-party Payment Locations

- Costs associated with monitoring accessibility issues at third-party payment locations, including surveys and audits.
- Costs associated with identifying new accessible locations.
- Costs associated with ongoing publication of a list of accessible third-party payment locations.

• Public Rights of Way at Temporary Construction Sites

- Costs associated with ongoing training of Utility personnel and contractors regarding accessibility issues.
- Acquisition costs of accessibility-related equipment for use at temporary construction sites.
- Costs associated with maintaining or replacing pedestrian right-of-way warning equipment.
- Costs associated with monitoring the compliance with protocols at temporary construction sites.

• Utility Pole and Undergrounding Projects

- Costs for continued coordination with local governments regarding accessibility issues arising out of placing electric utility poles and undergrounding projects.

- Costs associated with Rule 20A accessibility issues.

5. Term and Effectiveness:

The commitments in this Joint Accessibility Proposal apply only to the Utilities' TY 2019 GRC cycle, and only become effective upon the Commission issuing a final decision in the Utilities' TY 2019 GRC that specifically approves and funds the terms of this proposal. If a material delay in the Commission issuing a final decision in the TY 2019 GRC occurs or the Commission fails to unconditionally approve this proposal in its entirety without modification, the Parties agree to meet and confer to discuss modifications to the proposal, including reasonable extensions of deadlines and any changes ordered by the Commission. The TY 2019 GRC Accessibility Proposal, upon Commission adoption, shall remain effective until the end of the TY 2019 GRC cycle.

B. CforAT and the Utilities Believe Adoption of the Joint Accessibility Proposal by the Commission is Appropriate because the Joint Accessibility Proposal is Reasonable, Consistent with Law and in the Public Interest

The interests of CforAT captured by the Joint Accessibility Proposal are specific in scope and centered on the interests of persons with disabilities. CforAT and the Utilities believe this proposal represents a meaningful continuation of the Utilities' commitment to comply with accessibility laws and regulations and to fund accessibility improvements and activities to further address accessibility issues for persons with disabilities who use the services and/or facilities of the Utilities.

The Joint Accessibility Proposal will preclude the need for a litigated outcome of disability issues that are not of general interest to other parties, and thus will generally streamline the Proceeding. The Joint Accessibility Proposal contributes, either directly or indirectly, to improving customer service and further ensuring the safety and health of the public, while nothing in the Joint Proposal prejudices any other party nor binds the Commission. The Joint Accessibility Proposal can be implemented by the Utilities within the revenue requirements ultimately adopted in this Proceeding – *i.e.*, adoption of the Joint Accessibility Proposal does not require any other party to agree to any outcome regarding revenue requirements or other related issues.

1 **II. CONCLUSION**

2 For the reasons found in this joint testimony, CforAT and the Utilities jointly and
3 respectfully request that the Commission adopt this proposal in its entirety in its final decision in
4 the above-captioned proceeding.

5 This concludes our prepared joint testimony.

1 **III. WITNESS QUALIFICATIONS**

2 Melissa W. Kasnitz is the Center for Accessible Technology's Legal Director, and she
3 has been involved in issues of accessibility of utility services, rate design and affordability before
4 the California Public Utilities Commission since 2004, first through her work with Disability
5 Rights Advocates and then through her work with CforAT. She has extensive experience
6 advocating on behalf of people with disabilities and other vulnerable populations in litigation,
7 before the Commission, and in other forums. Ms. Kasnitz has previously provided testimony
8 before the California Public Utilities Commission on multiple occasions, including with regard
9 to the needs of customers with disabilities. Ms. Kasnitz has a B.A. from Yale University,
10 awarded in 1989, and a J.D. from the Boalt Hall School of Law at U.C. Berkeley, awarded in
11 1992.

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13 The Qualifications of Charles R. Manzuk may be found in Exhibit SCG-49/SDG&E-49
14 (Case Management Exhibit of Charles R. Manzuk), submitted April 6, 2018.