

Decision No. 36128

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Investigation )  
on the Commission's own motion, into )  
the reasonableness of the rates, rules, )  
regulations, charges, classifications, )  
contracts, practices, service and op- ) Case No. 3424  
eration, or any of them, applicable to )  
natural gas service on the system of )  
PACIFIC GAS AND ELECTRIC COMPANY. )  
 )  
 )

BY THE COMMISSION:

ORDER DISCHARGING ORDER TO SHOW CAUSE

On June 19, 1933, this Commission issued its order directing Pacific Gas and Electric Company to show cause, if any it had, why interim rates for natural gas should not be made effective during the pendency of the above proceeding, said rates to be lower than those presently effective. At the hearing held on said order to show cause the Company moved that it be allowed until September 5, 1933 upon which to commence the presentation of evidence in the above proceeding for the fixing of rates for gas which it might charge its consumers, and that the order to show cause be discharged. In support of its motion the Company offered the following stipulation:

"And in that behalf of the Company stipulates and agrees that it will complete its presentation of evidence in said proceeding before October 1, 1933, and that the rates which the Commission establishes in said proceeding may, if they be lower than the rates now in force, be made retroactive by the Commission in such manner as it may provide so as to apply to all meter readings that would be made according to the Company's normal course of business on or after July 16, 1933, and before November 15, 1933. The Company while

reserving all legal rights it may have to question and contest on all other grounds the validity of the rates which the Commission may fix in said proceeding and of the order of the Commission fixing the same, hereby expressly waives the right to question or contest the validity of said rates on the ground that they are retroactive as aforesaid or the validity of said order on the ground that it provides that the rates fixed by it shall be so retroactive.

"The Company further stipulates and agrees that in case the Commission fixes rates in said proceeding lower than the rates now in force and makes such rates retroactive as aforesaid, the Company will, if the rates so fixed by the Commission are not contested by the Company in legal proceedings to that end, or if their validity is sustained in case they are so contested, account in the manner and method directed by the Commission and under its orders for the difference during the period for which said rates are retroactive between the amounts collected by the Company under the rates now in force and the amounts it would have collected according to the rates fixed by the Commission."

The foregoing stipulation by the Company will serve to expedite the final disposition of the proceeding and adequately protects the public and all parties in interest. It is, therefore, appropriate that the order to show cause be discharged.

Good cause therefor appearing, IT IS HEREBY ORDERED that the order to show cause issued on June 19, 1933, directing Pacific Gas and Electric Company to show cause why interim rates for natural gas should not be made effective during the pendency of the above proceeding be and the same is hereby discharged.

Dated at San Francisco, California, this 5<sup>th</sup> day of July 1933.

CC Sawyer  
Leon S. ...  
M. J. ...  
W. H. ...  
Commissioners