

Decision No. 26513.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

United States,  
Complainant,

vs.

Pacific Gas & Electric Company,  
Defendant.

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United States Government,  
Complainant,

vs.

Pacific Gas & Electric Company,  
Defendant.

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War Department,  
United States Government,  
Complainant,

vs.

Pacific Gas and Electric Company,  
Defendant.

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War Department of the  
United States Government,  
Complainant,

vs.

Pacific Gas and Electric Company,  
Defendant.

ORIGINAL

CASE NO. 3627.

CASE NO. 3636.

CASE NO. 3653.

CASE NO. 3656.

Captain J. T. Sallee, for U. S. Government,  
Presidio at Monterey.

Gerald H. Totten, for U. S. Government,  
Presidio at San Francisco.

H. F. Wilkinson, for U. S. Government,  
Fort Mason.

George C. Borland, for U. S. Government,  
Hamilton Field.

C. P. Cutten, for Pacific Gas and Electric Company.

SEAVEY, COMMISSIONER:

O P I N I O N

These complaints constitute requests that defendant, Pacific Gas and Electric Company, be required to reduce by ten (10) per cent the rates under which said utility is now serving natural gas to the United States Government for use at the Presidio of Monterey, California, the Presidio of San Francisco, and Fort Mason, San Francisco, California, and that said utility be required to bill said complainant under the former's Surplus Gas Schedule No. GS-1 for all of the gas furnished to complainant for use at Hamilton Field, Marin County, California.

Public hearing was held on these matters at San Francisco, California on August 24, 1935, at which time they were consolidated for hearing and decision.

Testimony and evidence show that at the Presidio of Monterey the United States Government owns the gas distribution system to which Pacific Gas and Electric Company delivers natural gas through a master meter at the following special rates, all in accordance with contract dated November 1, 1932, now expired:

First 1,250,000 cubic feet per month at 41¢ per M.C.F.  
Over 1,250,000 cubic feet per month at 30¢ per M.C.F.

The 30¢ block is subject to increase or decrease of 1¢ per M.C.F. for each 6¢ per barrel in the market price of fuel oil above or below 89¢ per barrel and a decrease of 3 mills per M.C.F. for each 1% decrease in the heating value of the gas below 1150 B.t.u. per cubic foot.

This rate is lower than the regular General Schedule No. G-5-N, under which natural gas is served to other consumers in this territory.

The record also shows that at the Presidio of San Francisco the gas distribution system is owned and maintained by

defendant, Pacific Gas and Electric Company, which utility delivers natural gas to the United States Government under its regular General Schedule No. G-1-N modified as follows:

The total monthly service charge is computed by multiplying the service charge of 60¢ per meter by the total number of active meters.

The commodity charge is computed by totaling the registration of all of the meters and billing said consumption as if it were delivered through one master meter, under the commodity rate in Schedule G-1-N, except that all gas used in excess of 4,500,000 cubic feet per month is billed at the rate of 30¢ per M.C.F. The rate carries the same fuel oil and B.t.u. differential as set forth above for the Presidio of Monterey.

This rate is lower than the regular General Schedule No. G-1-N under which natural gas is served to other consumers in this territory.

The record further shows that at Fort Mason the gas distribution system is owned and maintained by defendant Pacific Gas and Electric Company, which utility delivers natural gas to the United States Government under its regular Schedule No. G-1-N. This is the same schedule under which natural gas is served to other consumers in this territory.

Evidence and testimony further disclosed the fact that at Hamilton Field, Marin County, the United States Government owns the gas distribution system, to which defendant Pacific Gas and Electric Company delivers natural gas through a master meter and bills complainant for same at the following rate, all in accordance with contract dated February 10, 1933, now expired:

For the first 150,000 cubic feet of gas per month, plus 10,000 cubic feet per month for each family quarters in excess of 12, the rate is 60¢ per M.C.F.

All gas in excess of the above block is considered as surplus and is subject to shutoff. The rate for this surplus gas is as follows:

Next 100,000 cubic feet per month at 35¢ per M.C.F.  
Next 900,000 cubic feet per month at 17¢ per M.C.F.  
" 2,000,000 cubic feet per month at 14¢ per M.C.F.  
All additional cubic feet per month at 13¢ per M.C.F.

This rate is lower than the regular schedules under which natural gas is served to other consumers in this territory for similar service.

General Order No. 45 of this Commission, issued in accordance with the provisions of Section 17 of the Public Utilities Act, provides that any public utility in this State, other than a common carrier, may, if it so desires,

"\* \* \* \* grant free or reduced rate service to the Federal and State Governments and the political subdivisions thereof, including the departments thereof \* \* \* \*."

The conditions of service to the Government hereinbefore described include the concessions of reduced rates and the combining of meter readings, which concessions are denied to the general consumer under the regular schedules here involved. The utility may grant these or other concessions to the Government under the law and General Order as above noted, but the Commission cannot require or order a utility to grant these or any other special concessions to the Government or other political subdivision in violation of the rate schedules legally on file for the different classes of consumers.

I recommend the following form of Order:

### ORDER

The United States Government having entered complaint against Pacific Gas and Electric Company, protesting against the present rates under which natural gas service is now being rendered by the latter to the Presidio of Monterey, the Presidio of San Francisco, Fort Mason, San Francisco, and Hamilton Field, Marin County, public hearing having been held, the matters being

submitted and now ready for decision,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY  
ORDERS that these complaints be and they are hereby dismissed.

The foregoing Opinion and Order are hereby approved and  
ordered filed as the Opinion and Order of the Railroad Commission  
of the State of California.

Dated at San Francisco, California, this 13<sup>th</sup> day of  
November, 1933.

Clarence  
Leon E. White  
W. A. Can  
M. B. Harris  
Matthew  
Commissioners.