

Decision No. 37469

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of SOUTHERN COUNTIES GAS COMPANY OF CALIFORNIA, a corporation, for an order authorizing applicant to file and make effective a rule and regulation, to be designated "Emergency Rule and Regulation No. A-5", in words and figures as written in the form therefor shown in Exhibit "B" hereof.

ORIGINAL

Application No. 25705

In the Matter of the Application of SOUTHERN CALIFORNIA GAS COMPANY, a corporation, for an order authorizing applicant to file and make effective a rule and regulation, to be designated "Emergency Rule and Regulation No. A-5", in words and figures as written in the form therefor shown in Exhibit "B" hereof.

Application No. 25706

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER

Under these applications Southern Counties Gas Company of California and Southern California Gas Company requested an order by this Commission to file and make effective an emergency rule and regulation permitting the closing of surplus tariffs to new customers during the war period.

Such authority was granted by Decision No. 36518, dated July 27, 1943. Accordingly, the utility filed and there was made effective emergency rule and regulation No. A-5, Limitation upon Surplus Natural Gas Service. The conditions and regulations of rule and regulation A-5 are substantially as follows:

1. Surplus natural gas service shall be and is hereby declared closed:

- (a) To new or former customers not now being served gas to any location.
 - (b) To customers for equipment now served gas on other than surplus schedules.
 - (c) To present surplus customers for equipment using other fuels.
2. The Railroad Commission may by rule, order or otherwise, establish or permit such exceptions from the conditions of paragraph 1 hereof as it may consider just and reasonable.

This emergency rule and regulation shall terminate six (6) months after the declaration of an armistice with Germany, Italy and Japan in World War II, unless extended by action of said Railroad Commission.

The Commission is on this date issuing its Third Supplemental Order in Case 4591, covering the investigation of gas utility schedules, rules, regulations and contracts, relating to sale of surplus natural gas. It is the purpose of the Third Supplemental Order to grant to those customers, who were classed as essential⁽¹⁾ by the War Production Board, and hence, not subject to curtailment under the provisions of the surplus tariff and who have been receiving service on firm gas tariffs, the option of again receiving surplus service in the event such customer is removed from his essential classification by the same agency that originally imposed the classification.

It will be noted that Section 1(b) of emergency rule and regulation A-5 provides that surplus natural gas service is closed to customers for equipment now served gas on other than surplus schedules. It is therefore necessary to amend Section 1(b) to be in conformity with the Third Supplemental Order of Case 4591.

A public hearing under the circumstances being deemed unnecessary, and good cause appearing,

(1) An "exempt customer" (essential customer) means a nonresidential consumer whose operations have been determined by the War Production Board to be so important that an interruption of gas deliveries would seriously impair the war effort.

IT IS HEREBY ORDERED that Southern Counties Gas Company of California and Southern California Gas Company are hereby authorized to refile their emergency rule and regulation A-5, Limitation upon Surplus Natural Gas Service, in order that said rule will permit those essential customers who have been entitled to receive uninterrupted gas service by virtue of regulations or orders issued by the national government to again revert to surplus service in the event their status is declared to be such that it will be possible to comply with the shutoff provisions under surplus tariffs.

In refiling rule and regulation A-5, Section 1(b) should read approximately as follows:

- (b) To consumers for equipment now served gas on other than surplus schedules except those customers who, because of their being classified as engaged in essential war work, were required to transfer from surplus service to firm service, provided such customers shall have taken firm service for a period of not less than one (1) year and shall make application for surplus service within a period of six (6) months from the date their classification is no longer regarded by the War Production Board as essential to war work.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 9th day of

November, 1944.

Richard L. Jackson
Justice F. Coe
Francis D. Haven

John H. Powell

Commissioners