

Decision No. 37471

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
SAN DIEGO GAS & ELECTRIC COMPANY, a
corporation, for an order authorizing
Applicant to file and make effective a
rule and regulation relating to the
sale of surplus natural gas to be
designated "Emergency Gas Rule and
Regulation," having a number fixed by
the Railroad Commission, and to be in
the words and figures shown in "Exhibit
A" hereto.

ORIGINAL

Application No. 25628

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER

Under this application San Diego Gas & Electric 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. 36415, dated June 8, 1943. Accordingly, the utility filed and there was made effective emergency rule and regulation No. A-3, Limitation upon Surplus Natural Gas Service. The conditions and regulations of rule and regulation A-3 are substantially as follows:

1. Surplus natural gas service shall be and is hereby declared closed:
 - (a) To new applicants.
 - (b) To existing and former customers at new locations.
 - (c) To existing firm gas customers at present locations.
 - (d) For additional equipment at any location.
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 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(c) of emergency rule and regulation A-3 provides that surplus natural gas service is closed to existing firm gas customers at present locations. It is therefore necessary to amend Section 1(c) 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,

IT IS HEREBY ORDERED that San Diego Gas and Electric Company is hereby authorized to refile its emergency rule and regulation A-3, 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.

(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.

In refiling rule and regulation A-3, Section 1(c) should read approximately as follows:

- (c) To existing firm gas customers at present locations, except those customers at present locations 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 K. Baker
Justus F. Coe
Francis R. Haven

Donald S. Jones

Commissioners