

Decision No. 38122

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

SOUTH WEST BRICK COMPANY, a
partnership,

Complainant,

vs.

SOUTHERN CALIFORNIA GAS
COMPANY, a corporation,

Defendant.

ORIGINAL

Case No. 4772

OPINION AND ORDER

In this complaint, it is requested that Defendant be required to render natural gas service to Complainant under appropriate surplus gas schedules for use in brick kilns in the latter's brickyard at Torrance, California. The gas requirements for this equipment are estimated at not to exceed 2,000,000 cubic feet per day.

Complainant formerly received surplus natural gas service at this location from Defendant, such service being terminated after the 1942 season as a result of the inability of Complainant to secure the manpower necessary to operate the yard during the succeeding season.

Complainant states that the cost of installing standby facilities for the kilns would make his business unprofitable, in view of the ceiling prices established for his products and, further, that brick is not burned during the winter months. Complainant also alleges that if the desired surplus gas service is rendered, it will result in conservation of fuel oil for the war effort.

Under Defendant's Emergency Rule and Regulation No. A-5, effective August 1, 1943, surplus gas service cannot be rendered to new or former surplus users not served as of that date, unless this Commission, by appropriate rule or order, permits an exception to be made.

Complainant's statement that brick is not burned during the winter months cannot alone be taken as justification for the failure to provide standby, for the reason that curtailment may be required at any time of the year. A full realization of this possibility on the part of Complainant is presupposed, and it is imperative that all curtailment orders be complied with immediately.

It appears that Complainant should not be unduly penalized for discontinuing surplus service after the 1942 season, since such discontinuance resulted from circumstances beyond the control of Complainant.

The Commission having considered the request and it being of the opinion that the exception asked for should be granted, that a public hearing in the matter is not necessary, and sufficient cause appearing, therefore

IT IS ORDERED that Southern California Gas Company, under the conditions stated, render natural gas service under appropriate surplus gas schedules to South West Brick Company at its brickyard located in Torrance, California.

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

Dated at San Francisco, California, this 3rd day of

August, 1945.

Edward Anderson
Justus J. Cassin
Richard Barker
Francis D. ...
W. H. Russell
(Commissioners)