

Decision No. 41256

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation upon the Commission's
Own Motion to Inquire into the
Availability of and Demands for
Electricity in Northern and Central
California and the Need for Emergency
Rules Respecting Use and Service of
Such Electricity.

Case No. 4939

Robert H. Gerdes and Ralph W. Du Val for Pacific Gas and Electric Company; Hugh Fullerton and J.K. Horton for Coast Counties Gas and Electric Company; Reginald L. Vaughan for Vallejo Electric Light and Power Company; J.S. Moore, Jr. and J.C. Boyle for The California Oregon Power Company; Orrick, Dahlquist, Neff, Brown and Herrington by Sidney Roberts for California-Pacific Utilities Company; Gail Larkin and Bruce Renwick for Southern California Edison Company; Frank Tracy for Sierra Pacific Power Company; John J. O'Toole, Dion R. Holm and Paul L. Beck for City and County of San Francisco and San Francisco Public Utilities Commission; J.J. Deuel and Edson Abel for California Farm Bureau Federation; Martin McDonald for Sacramento Municipal Utilities district; Kenneth R. McSwain for Merced Irrigation District; G.A. Baxter for Alameda Bureau of Electricity and California Municipal Utilities Association; C.G. Smith for City of Palo Alto; H.G. Becker for Plumas-Sierra Electric Cooperative and Surprise Valley Electrification Corporation; Ed.D. Murray for State Engineer; Pierce J. Deasy on behalf of the Armed Services; Paul M. Sapp for U.S. Public Housing Authority; Wayne Ball for California State C.I.O. Council; E.J. Gorman and Lewis Hanchett for Yuba Consolidated Gold Fields; Helga Weigert for California Farm Research and Legislative Committee; Harry Barnes for Madera Irrigation District; H.B. Eastman for Madera County Farm Bureau; Charles L. Kaupke for Kings River Water Association; L.A. Bailey and Reginald L. Vaughan for Pacific States Cold Storage Warehouse Association and California Association of Ice Industries; L. H. Wolters for Golden State Company, Ltd.; O.L. Becker for Madera Chamber of Commerce; H.L. Weber for Fiberboard Products and Glass Containers; R.L. Chaney for Glass Containers Manufacturers Institute; Melvin S. Faith for Oil Workers International Union, Local 5; and Harold M. Brown for Fresno Chamber of Commerce.

BY THE COMMISSION:

INTERIM OPINION AND ORDER

At a hearing at San Francisco today, evidence was received as to the prolonged drought which has curtailed the production of hydro-electrical energy in northern and central California and has greatly increased the demand and use of electricity for pumping water for irrigation purposes. By invitation Commissioner C.V. Williams of the Nevada Public Service Commission and George H. Flagg, Public Utilities Commissioner of Oregon, were present on the bench.

This Commission, at the time of serving its order of February 20th, furnished the respondents with a proposed set of emergency rules and regulations upon the larger electric utilities operating in the central and northern part of the State. The rules cover the following:

- C-1 Departure from present rules with respect to standards of service.
- C-2 Provision for emergency or breakdown procedures.
- C-3 Restriction of nonresidential display, ornamental or convenience lighting.
- C-4 Control of new loads.
- C-5 Conservation or curtailment of power and energy for residential use.
- C-6 Agricultural use.
- C-7 All other uses.

The rules are designed to conserve the supply of electrical energy in this emergency. The order covering this matter has been served on the following public utilities:

1. Pacific Gas and Electric Company
2. Southern California Edison Company, Ltd
(San Joaquin Valley Service)
3. Coast Counties Gas and Electric Company
4. The California Oregon Power Company
5. Sierra Pacific Power Company
6. Vallejo Electric Light and Power Company
7. California-Pacific Utilities Company

The Commission asks the good will and cooperation of the public in the carrying out of the plan to conserve electricity in this, the most severe drought recorded in the weather bureau records in the San Joaquin Valley.

The Commission has not, by this order, made these rules mandatory on smaller utilities, but will expect the filing of the same or similar rules by such companies. The Commission also asks the cooperation of the Publicly-owned electric distributing agencies in northern and central California in making substantially similar rules effective in their territory.

None of the parties appearing at the hearing denied that the existing power shortage fully justified the prescription of reasonable conservation rules to be enforced by the respondent utilities. However, Representatives of some consumer groups suggested that further study be given to their particular power needs. The Commission will give consideration to their requests, and it should be understood that the rules herein prescribed on an interim basis will be revised from time to time upon petition either of a utility or of their customers so that the rules will operate as equitably as possible during the emergency. In order to immediately inaugurate a conservation program, it is imperative that the rules proposed by the Commission's staff now be ordered into effect on an interim basis

At the hearing a proposal was made to incorporate in the rules, an additional rule covering an appropriate method of computing bills involving demand charges.

We hereby find as a fact that, pending further investigation and further order of this Commission, public convenience and necessity require that the electrical power supply of this State immediately be conserved and that the allocation of said electrical power supply to users thereof be placed under the supervision of this Commission and its lawfully authorized agents and representatives, in order that irreparable injury and damage to said electrical power supply and to the users thereof be avoided and prevented. That, pursuant to the immediately foregoing findings of fact, this Commission hereby prescribes and promulgates "Emergency Rules and Regulations No. C-1 to C-8 inclusive" (relating to electrical power conservation and allocation), which is attached to this order as Exhibit A, and hereby directs that said rules and regulations be filed by each of the respondent utilities in accordance with G.O. 96 to become effective on February 26, 1948 and continue in effect until the further order of this Commission.

The Secretary is hereby directed to cause certified copies of this Order to be served immediately upon each of the public utilities hereinabove named.

Dated at San Francisco, California, this 24th day of February, 1948.

R. E. Johnson
Justus F. Green
Irving Russell
Hazel P. Hule
Samuel J. Latta
Commissioners

EXHIBIT A

EMERGENCY RULE AND REGULATION C-1VOLTAGE AND FREQUENCY

Due to the critical shortage of water and the urgent necessity to conserve temporarily electric power and energy, this emergency rule and regulation is established pursuant to Decision No. _____, dated _____, 1948, issued by the California Public Utilities Commission, and any rule or regulation, rate or contract of this Company on file with the California Public Utilities Commission, or in force and effect, inconsistent herewith, shall be deemed suspended or modified to the extent necessary to remove such inconsistency.

Variations in voltage and frequency are permitted as follows:

1. Company may reduce the voltage on its distribution feeders not more than 5%, except in those cases where such reduction will cause undue hardship to the customer or customers involved.
2. Company may reduce its system frequency from approximately 60 cycles per second to such lower frequency as may be necessary to meet load requirements from time to time. Whenever a material programmed change is made in the then existing scheduled frequency, the Company shall announce the new frequency and the hours involved at least once in the public press as soon thereafter as practicable.

This emergency rule and regulation shall remain in effect until such time as said emergency is ended or until changed or amended by authority of the California Public Utilities Commission.

EMERGENCY RULE AND REGULATION C-2

EMERGENCIES

Due to the critical shortage of water and the urgent necessity to conserve temporarily electric power and energy, this emergency rule and regulation is established pursuant to Decision No. _____, dated _____, 1948, issued by the California Public Utilities Commission, and any rule or regulation, rate or contract of this Company on file with the California Public Utilities Commission, or in force and effect, inconsistent herewith, shall be deemed suspended or modified to the extent necessary to remove such inconsistency.

During times of system disturbance or outage, the Company shall take such steps as, in its judgment, may be necessary to safeguard the electric supply to its customers in general and the stability of the Company's system for the general welfare of the public.

If, at any such time, or times, the demand for electric power or energy on Company's system is in excess of the power and energy available for sale at said time, or times, the Company shall have the right upon request to temporarily require firm industrial and agricultural customers whose ordinary maximum demand is of the order of 500 kilowatts or more to cease using, or to curtail the use of, electric power and energy until the Company shall again have sufficient power (kilowatts) and/or energy (kilowatt hours) to supply the requirements of all its customers.

This emergency rule and regulation shall remain in effect until such time as said emergency is ended or until changed or amended by authority of the California Public Utilities Commission.

EMERGENCY RULE AND REGULATION C-3CONSERVATION OF ELECTRIC POWER AND ENERGYLIGHTING CLASSIFICATIONS (NON-RESIDENTIAL)

Advertising Signs, Outline and Decorative Lighting Installations, Billboards, Show Window Lighting, Floodlighting Installations, Street Lighting, and Lighting of Commercial and Industrial Premises (or parts thereof) when not in use.

* * * * *

Due to the critical shortage of water and the urgent necessity to conserve temporarily electric power and energy, this emergency rule and regulation is established pursuant to Decision No. _____, dated _____, 1948, issued by the California Public Utilities Commission, and any rule or regulation, rate or contract of this Company on file with the California Public Utilities Commission, or in force and effect, inconsistent herewith, shall be deemed suspended or modified to the extent necessary to remove such inconsistency.

The use of electric power and energy for the following lighting purposes is prohibited and the Company shall not be required to supply, or to continue to supply, electric service for said purposes during the period of this emergency:

- (a) For advertisements, announcements, billboard notices or signs advertising a product or service or designating the location or nature of an office, store or other place of business, except that:
 1. Commercial establishments other than theatres open to the public during evening hours shall be permitted one normal identification sign from sunset to closing.
 2. Theatres shall be permitted, normal marquee signs indicating current and coming attractions only, from sunset to closing. Entrance area lighting under marquees shall be reduced to 50% of normal.
- (b) For the lighting of show windows.
- (c) For the exterior illumination or ornamentation of any commercial or public building or structure. This shall not include normal all-night protective lighting.
- (d) For floodlighting of outdoor areas such as service stations, used car lots, parking lots, etc., except if open for business in evening hours, in which event floodlighting shall be permitted from sunset to closing, in an amount not to exceed 50% of normal.

- (e) For floodlighting of outdoor sporting events in excess of 50% of the energy used during the corresponding month of the previous year. Sports floodlighting shall not be turned on prior to 8 p.m.
- (f) For the illumination of the interior of stores, offices and other places of business, when such establishments are not open for business, except minimum requirements for protection and maintenance.
- (g) For street lights now operating on other than an all-night basis.

This order shall not be construed as prohibiting lights or lighting as required by law or public safety.

Failure to comply with the foregoing rules will make the party responsible for the violation subject, upon three days' notice, to discontinuance of all electric service to the customer or the premises on which the violation exists.

This emergency rule and regulation shall remain in effect until such time as said emergency is ended or until changed or amended by authority of the California Public Utilities Commission.

CONSERVATION OF ELECTRIC POWER AND ENERGY

NEW BUSINESS

Due to the critical shortage of water and the urgent necessity to conserve temporarily electric power and energy, this emergency rule and regulation is established pursuant to Order No. _____, dated _____, 1948, issued by the California Public Utilities Commission, and any rule or regulation, rate or contract of the Company on file with the California Public Utilities Commission or in force or effect, inconsistent herewith, shall be deemed suspended or modified to the extent necessary to remove such inconsistency.

Electric service will be supplied to new customers, or for increased facilities of existing customers, within the limitations of the following provisions, subject to change from time to time by authority of the Public Utilities Commission:

1. All new business for which bona fide applications have been accepted, or definite commitments made, prior to the effective date hereof, in accordance with the Company's established priority procedure.
2. All other new business loads will receive service in accordance with the Company's established priority procedure as follows:
 - (a) Minimum service to agencies or instrumentalities essential for the maintenance of public health and safety.
 - (b) Residential lighting (only) and domestic water supply.
 - (c) Such other loads, the capacity of which when added to loads connected under (a) and (b) above will not exceed 60% of the load connected in the same month of 1947 in each commercial district of the Company.
 - (d) The New Business quota established in paragraph 2(c) above is likewise applicable to paragraph 1 hereof.
3. Applications received subsequent to the effective date hereof will not be accepted for the following types of service:
 - (a) Replacement of other fuels or types of power which have previously performed a given service or function.
 - (b) Space heating and air conditioning of living and/or working areas.
 - (c) Lighting for outdoor sports, illuminated signs and exterior flood or ornamental lighting of commercial or public buildings or structures, except as specifically exempted in Emergency Rule and Regulation C-3.

EMERGENCY RULE AND REGULATIONS C-4 -2-

- (d) Street lighting where existing all-night lights are adequate for safety.
- (e) Heating in industrial processes where other fuels can be readily utilized.

This emergency rule and regulation shall remain in effect until such time as said emergency is ended or until changed or amended by authority of the California Public Utilities Commission.

EMERGENCY AND TEMPORARY RULE AND REGULATION C-5

CONSERVATION OF ELECTRIC POWER AND ENERGY

DOMESTIC AND RESIDENTIAL CLASSIFICATIONS

Due to the critical shortage of water and the urgent necessity to conserve temporarily electric power and energy, this emergency rule and regulation is established pursuant to Decision No. _____, dated _____, 1948, the California Public Utilities Commission, and any rule or regulation, rate or contract of this Company on file with the California Public Utilities Commission or in force or effect, inconsistent herewith, shall be deemed suspended or modified to the extent necessary to remove such inconsistency.

All residential customers will be expected to reduce their use of electric energy for household purposes to 90% of their use of electricity during the corresponding month of 1947 with proportionate adjustment for load changes which may have been made in the intervening period.

This emergency rule and regulation shall remain in effect until such time as said emergency is ended or until changed or amended by authority of the California Public Utilities Commission.

EMERGENCY AND TEMPORARY RULE AND REGULATION C-6CONSERVATION OF ELECTRIC POWER AND ENERGYAGRICULTURAL CLASSIFICATIONS

Due to the critical shortage of water and the urgent necessity to conserve temporarily electric power and energy, this emergency rule and regulation is established pursuant to Decision No. _____, dated _____, 1948, issued by the California Public Utilities Commission, and any rule or regulation, rate or contract of this Company on file with the California Public Utilities Commission, or in force or effect, inconsistent herewith, shall be deemed suspended or modified to the extent necessary to remove such inconsistency.

The use of electric power and energy for agricultural pumping shall be curtailed or discontinued as specified below, and the Company shall not supply or continue to supply electric service in excess thereof.

- (a) Pumping plants normally operating less than two-thirds (2/3rds) of the total number of hours in any month shall not be operated during designated peak periods. Such plants shall reduce their kilowatt hour use each to 90% of their 1947 season use.
- (b) Pumping plants normally operating more than two-thirds (2/3rds) of the total number of hours in any month, which must operate during designated peak periods, shall reduce their kilowatt hour use each month to 90% of their 1947 seasonal average monthly use.
- (c) Pumping plants connected subsequent to February 1, 1947 and not having a prior use record for 1947 will be curtailed, as in (a) or (b) above, based upon the seasonal average monthly use of like plants for agricultural pumping within the area.

The time of designated "Peak Period" (now between 4 p.m. and 8 p.m.) is subject to change. Announcement of such changes in the time of "Peak Period" will be made to all agricultural customers.

Failure to comply with the foregoing rules will make the party responsible for the violation subject, upon three days' notice, to discontinuance of all electric service to the customer or the premises on which the violation exists.

This emergency rule and regulation shall remain in effect until such time as said emergency is ended or until changed or amended by authority of the California Public Utilities Commission.

EMERGENCY RULE AND REGULATION C-7CONSERVATION OF ELECTRIC POWER AND ENERGYALL CLASSIFICATIONS EXCEPT DOMESTIC AND AGRICULTURAL

Due to the critical shortage of water and the urgent necessity to conserve temporarily electric power and energy, this emergency rule and regulation is established pursuant to Decision No. _____, dated _____, 1948, issued by the California Public Utilities Commission, and any rule or regulation, rate or contract of this Company on file with the California Public Utilities Commission, or in force and effect, inconsistent herewith, shall be deemed suspended or modified to the extent necessary to remove such inconsistency.

The use of electric energy by all except domestic and agricultural users for heating, lighting, manufacturing, processing purposes, or for any other power requirement, shall be reduced so as not to exceed 90% of the number of kilowatt hours used during the corresponding month of 1947, with proportionate adjustment for load changes which may have been made in the intervening period, and provided further that:

- (a) During the months of November to April, inclusive, the use of electric energy between the hours 4 p.m. and 8 p.m. each day except Saturdays, Sundays and holidays, shall be reduced 10%.
- (b) During the months of May to October, inclusive, the use of electric energy between the hours 10 a.m. to 12 noon and 2 p.m. to 4 p.m. each day except Saturdays, Sundays and holidays, shall be reduced 10%.
- (c) Electric energy used solely for the protection of public health and safety shall be exempt from the requirements of this rule.

In so far as practicable maximum demands shall be reduced by the same percentage as specified above for energy reductions.

Failure to comply with the foregoing rules will make the party responsible for the violation subject, upon three days' notice, to discontinuance of all electric service to the customers or the premises on which the violation exists.

This emergency rule and regulation shall remain in effect until such time as said emergency is ended or until changed or amended by authority of the California Public Utilities Commission.

EMERGENCY RULE AND REGULATION C-8CONSERVATION OF ELECTRIC POWER AND ENERGYBILLING ADJUSTMENT

Due to the critical shortage of water and the urgent necessity to conserve temporarily electric power and energy, this emergency rule and regulation is established pursuant to Decision No. _____, dated _____, 1948, issued by the California Public Utilities Commission, and any rule or regulation, rate or contract of this Company on file with the California Public Utilities Commission, or in force and effect, inconsistent herewith, shall be deemed suspended or modified to the extent necessary to remove such inconsistency.

Bills, for electric service which is curtailed in accordance with the provisions of Rule and Regulation C-5, C-6 and C-7 of this set of Emergency Rules and Regulations, shall be adjusted as follows:

1. When the computation of billing demands requires the use of maximum demands established prior to the effective date hereof, such prior demands shall be reduced by the then effective curtailment percentage applicable to the service for which the billing demand is to be computed.

This emergency rule and regulation shall remain in effect until such time as said emergency is ended or until changed or amended by authority of the California Public Utilities Commission.