

ORIGINAL

Decision No. 53194

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application) of PACIFIC GAS AND ELECTRIC) COMPANY for authority to increase) rates applicable to natural gas) service in the territory formerly) served by Coast Counties Gas and) Electric Company within the) <u>State of California.</u>)	Application No. 34107 (F H)
In the Matter of the Application of) PACIFIC GAS AND ELECTRIC COMPANY) to increase its present rates and) charges for natural gas service in) the manner and to the extent herein) set forth.)	Application No. 35256 (F H)
In the Matter of the Application of) PACIFIC GAS AND ELECTRIC COMPANY) to increase its present rates and) charges for natural gas service in) the manner and to the extent) herein set forth.)	Application No. 36635 (F H)
In the Matter of Application of) SOUTHERN CALIFORNIA GAS COMPANY) for a general increase in gas rates) under Section 454 of the Public) Utilities Code.)	Application No. 33700 (F H)
In the Matter of the Application of) SOUTHERN CALIFORNIA GAS COMPANY) for a general increase in gas rates) under Section 454 of the Public) Utilities Code.)	Application No. 34975 Second Supplemental (F H)
In the Matter of the Application) of SOUTHERN COUNTIES GAS COMPANY) OF CALIFORNIA for a general in-) crease in gas rates under Section) 454 of the Public Utilities Code.)	Application No. 33699 (F H)
In the Matter of the Application) of SOUTHERN COUNTIES GAS COMPANY) OF CALIFORNIA for a general in-) crease in gas rates under Section) 454 of the Public Utilities Code.)	Application No. 35742 Second Supplemental (F H)

APPEARANCES

See Appendix A attached hereto

O P I N I O N

On April 14, 1953, this Commission issued Decision
No. 48484 in Application No. 34107 authorizing Coast Counties Gas and

Electric to increase its gas rates in order to offset a contingent increase in the cost of gas to it. Coast Counties was merged with Pacific Gas and Electric Company, effective August 31, 1954, pursuant to authorization granted by Decision No. 50366.

The Pacific Gas and Electric Company was authorized by Decision No. 50744 (amended February 23, 1955, by Decision No. 51126) issued November 4, 1954, in Application No. 35256, and by Decision No. 51360 issued April 19, 1955, in Application No. 36635 to increase its gas rates in order to offset certain contingent charges which El Paso Natural Gas Company had put into effect.

The Southern California Gas Company similarly was authorized by Decision No. 47992 issued December 2, 1952, in Application No. 33700 and by Decision No. 51359 issued April 19, 1955, in Application No. 34975 (Second Supplemental) to increase its gas rates in order to offset certain contingent charges which El Paso Natural Gas Company was to and did put into effect.

The Southern Counties Gas Company of California likewise was authorized by Decision No. 47991 issued December 2, 1952, in Application No. 33699 and by Decision No. 51361 issued April 19, 1955, in Application No. 35742 (Second Supplemental) to increase its gas rates to offset certain contingent charges which El Paso Natural Gas Company was to and did or had put into effect.

The offset rate increases authorized by Decisions Nos. 47991, 47992, 48484 and 50744 (amended by Decision No. 51126) arose as a result of the proceedings in F.P.C. Docket No. G-2018 and those authorized by Decisions Nos. 51359, 51360 and 51361 arose as a result of the proceedings in F.P.C. Docket No. G-4769. By all of said Commission decisions the customers of the California gas companies were and are fully protected as to possible refunds.

On February 27, 1956, the Supreme Court of the United States rendered decisions in United Gas Pipeline Company v. Mobile Gas Service Corporation and Federal Power Commission, v. Mobile Gas Service Corporation, Nos. 17 and 31, October Term, 1955, and Federal Power Commission v. Sierra Pacific Power Company, and Pacific Gas and Electric Company v. Sierra Pacific Power Company, Nos. 51 and 53, October Term, 1955, the effect of which decisions was to raise certain questions respecting the jurisdiction of the Federal Power Commission to accept for filing and review the increased gas rate schedules of El Paso Natural Gas Company involved in Federal Power Commission Docket No. G-2018 and Docket No. G-4769. On March 20, 1956, this Commission (the California Public Utilities Commission) issued orders in each of the proceedings herein reopening such proceedings for further hearing for the purpose of determining whether any or all of the decisions of this Commission previously referred to herein should be modified.

The matters were consolidated for hearing and will be consolidated for decision. Public hearings were held before the Commission en banc and Examiner Wilson E. Cline in San Francisco on April 26, 1956, and before Commissioner Ray E. Untereiner, Commissioner Rex Hardy, and Examiner Wilson E. Cline in Los Angeles on April 27, 1956. Commissioner Ray E. Untereiner presided at the hearings. On May 14, 1956, after the receipt of certain late-filed exhibits and after the filing of briefs the matters herein, in so far as they related to F.P.C. Docket No. G-2018, were taken

under submission. The proceedings were left open for the later consideration of the matters herein pertaining to F.P.C. Docket No. G-4769. Late-filed Exhibits Nos. CF-1A, CF-9, and CF-35 through CF-38 are hereby made a part of the record herein.

After full consideration of the record and the law involved we are of the opinion and hereby find that none of the decisions of this Commission previously issued herein should be modified at this time.

O R D E R

Further public hearings having been held, the matters having been considered and good cause appearing,

IT IS ORDERED that:

1. None of the decisions issued in the proceedings herein shall be modified until further order of this Commission.

2. These proceedings are discontinued in so far as matters pertaining to Federal Power Commission Docket No. G-2018 are concerned but are held open for the later consideration of the matters herein pertaining to Federal Power Commission Docket No. G-4769.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 17th day of June, 1956.

John E. Mitchell
President
Justin F. Calver
Paula Winterstein
R. H. Hurd
William J. F. ...
Commissioners

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Appearances in all proceedings herein:

F. T. Searls and John C. Morrissey for Pacific Gas and Electric Company; T. J. Reynolds and Harry P. Letton, Jr., for Southern California Gas Company; and Milford Springer and Frederick Dutton for Southern Counties Gas Company of California, applicants.

Bruce Renwick, Harry W. Sturges, Jr., and Rollin E. Woodbury for Southern California Edison Company; Robert N. Lowry of Brobeck, Phleger & Harrison for California Manufacturers Association; Joseph T. Enright and Norman Elliott of Enright and Elliott and Waldo A. Gillette for Monolith Portland Cement Company; Paul Kayser in propria persona; W. D. MacKay of Commercial Utility Service for Challenge Cream & Butter Assn.; Robert E. Michalski for City of Palo Alto; J. J. Deuel and Bert Buzzini for California Farm Bureau Federation; Kenneth Lemon for California Electric Power Company; Dion R. Holm, City Attorney, and Paul L. Beck for City and County of San Francisco; Oliver Rands for Twelfth Naval District; and Roger Arnebergh, City Attorney, Alan G. Campbell, Assistant City Attorney, and T. M. Chubb, General Manager and Chief Engineer of the Department of Public Utilities and Transportation, by Alan G. Campbell for the City of Los Angeles, interested parties.

Boris H. Lakusta for the Commission staff.

Additional Appearances in Application No. 34107

W. E. Johns and J. E. Sheeks for Coast Counties Gas and Electric Company, applicant.

Edson Abel for California Farm Bureau Federation and W. D. MacKay for Gentry, Incorporated, interested parties.

Charles W. Mors for the Commission staff.

Additional Appearances in Application No. 35256.

Robert H. Gerdes and R. W. DuVal for Pacific Gas and Electric Company, applicant.

Thomas M. Carlson, W. E. Thompson, Grant G. Calhoun and John T. Garvey for City of Richmond; John Bauer for City of Palo Alto, protestants.

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Thomas A. Toomey, Jr., for City and County of San Francisco; John W. Collier for City of Oakland; Edson Abel for California Farm Bureau Federation; and William Biddick, Jr., for City of Stockton, interested parties.

Charles W. Mors and John Donovan for the Commission staff.

Additional Appearances in Application No. 36635

R. H. Gerdes and R. W. DuVal for Pacific Gas and Electric Company, applicant.

Robert E. Michalski for City of Palo Alto; Grant C. Calhoun and Thomas M. Carlson for City of Richmond, and Robert A. Boon for City of Roseville, protestants.

George D. Rives of Brobeck, Phleger & Harrison for California Manufacturers Association; J. F. Coakley and Bernard M. King for County of Alameda; John W. Collier and Robert E. Nisbet for City of Oakland; Fred C. Hutchinson and Robert T. Anderson for City of Berkeley; Richard M. Ramsey for City of Santa Rosa; A. Watson Conner for City of Los Altos; Fred J. Groat for A. D. Edmonston, State Engineer; Lloyd E. Cooper for California Pacific Utilities Company; William M. Laub for Southwest Gas Corporation; Edson Abel for California Farm Bureau Federation; W. D. MacKay for Gentry Division, Consolidated Grocers Corporation and Sing Hop Company; William Biddick, Jr., for City of Stockton; Thomas L. McHugh for certain citizens of Santa Cruz, interested parties.

Freyman Coleman and Charles Mors for the Commission staff.

Additional Appearances in Applications Nos. 33699 and 33700.

Robert Russell for City of Los Angeles; Clarence A. Winder for City of Pasadena; George D. Rives of Brobeck, Phleger and Harrison for California Manufacturers Association; J. F. Davenport, W. H. Seaman and R. J. Cahall for Southern California Edison Company; Commander J. M. Beauchamp, Jr., for Eleventh Naval District, Legal Office; O. G. Cook for Secretary of the Army and Federal Executive Agencies, Sixth Army Area; Sherman Chickering of Chickering and Gregory for San Diego Gas and Electric Company; W. D. MacKay for Exchange Orange Products Company, interested parties.

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Walter B. Wessells for the Commission staff.

Additional Appearances in Application No. 34975
(Second Supplemental) and Application No. 35742
(Second Supplemental)

Robert W. Russell for the City of Los Angeles; George D. Rives of Brobeck, Phleger & Harrison for California Manufacturers Association; Jesse E. Jacobsen for City of Banning; Henry E. Jordan for City of Long Beach; W. D. MacKay for Exchange Orange Products Company; John Bury for Southern California Edison Company; Preston Turner for City of Anaheim; Jean L. Vincenz for County of San Diego; Clarence A. Winder and Frank L. Kostlan for City of Pasadena; Edwin Goodwin for Hollywood Consumers League, interested parties.

Charles W. Mors and Theodore Stein for the Commission staff.

Additional Appearances in Application No. 35742
(Second Supplemental)

Sherman Chickering of Chickering and Gregory for San Diego Gas and Electric Company, protestant.