

ORIGINALDecision No. 53993

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 Southern California Edison Company
 for authority to alter, amend and
 revise its existing Rules and Regula-
 tions.

Application No. 37417

Bruce Renwick, Rollin E. Woodbury, John Bury and
 Robert P. O'Brien, by Rollin E. Woodbury and
 Robert P. O'Brien, for applicant.

Harold Gold and Reuben Lozner, for Department of
 Defense and other executive agencies of United
 States Government; Brobeck, Phleger & Harrison,
 by George D. Rives, for California Manufacturers
 Association; J. J. Deuel and Bert Buzzini, for
 California Farm Bureau Federation; Wahlfred
 Jacobson, city attorney, by Leslie E. Still, and
 Henry E. Jordan, chief engineer-secretary, for
 Bureau of Franchises and Public Utilities, City
 of Long Beach; Samuel S. Bloom, for Safeway
 Stores, Inc.; interested parties.

Charles W. Mors, John J. Doran, and Robert W.
 Beardslee, for the Commission staff.

O P I N I O N

Southern California Edison Company, a corporation, by the above-entitled application, filed October 19, 1955, seeks authority to alter, amend and revise its existing Rules and Regulations for electric service.

Public hearings on this matter were held before Commissioner Ray E. Untereiner and Examiner Stewart C. Warner on January 30, 1956 and March 7 and 8, 1956. There were no protests to the granting of the application which was filed pursuant to a staff suggestion that applicant's Rules and Regulations be modernized. The matter was submitted on the last named date, and is now ready for decision.

Exhibit "A" attached to the application is a copy of applicant's presently filed Rules and Regulations, which have not been

comprehensively amended since 1920.^{1/} Exhibit "B" is a copy of applicant's proposed Rules and Regulations. Exhibit "C" is a copy of applicant's standard forms now effective and on file with the Commission, and copies of its proposed changes in standard forms.

At the hearing of January 30, 1956, applicant's witness, its rate engineer, outlined in detail the proposed changes, and submitted, as Exhibit No. 3, an analysis of the proposed Rules and Regulations. A staff engineering witness submitted, as Exhibit No. 4, a report setting forth the exceptions and modifications recommended by the staff to applicant's proposed Rules and Regulations. Exhibits Nos. 5, 5A, 5B and 5C list and delineate certain locations as of January 15, 1956 of Safeway Stores, Inc., where electrical installations involve alley crossings to parking lots, which Safeway contended should be served on one meter under the definition of "premises."

On February 24, 1956, an informal conference among the parties was held for the purpose of resolving as many of the controversial problems as possible, before the adjourned hearing of March 7, 1956.

Exhibit No. 9 is a memorandum of such conference prepared by a Commission staff engineering representative.

Exhibit No. 6 was filed at the hearing of March 7, 1956, by applicant. Said exhibit incorporates certain revisions to Exhibit "B" of the application, resulting principally from suggestions made at the hearing on January 30, 1956 and at the conference on February 24, 1956, which were acceptable to applicant. It appears that nearly all controversial points were resolved except that dispute continued over the

^{1/} Applicant alleges that the proposed revision and modernization of its Rules and Regulations is in accord with the desires of the Commission; that its application is intended to harmonize many of applicant's Rules with those authorized to be filed and directed to be filed by California Electric Power Company by Decision No. 44717, dated August 29, 1950 in Application No. 30855; and that it is the result of many conferences prior to its filing, between the staff and applicant's representatives.

definition of "premises" as it related to automobile parking lots constituting a part of and adjacent to a single enterprise separated by an alley; the definition of quasi-public institutions; the description of service at high voltages and the required customer's advance therefor; the provision under Rule and Regulation No. 11, that service should not be discontinued for non-payment of a bill to correct previously billed incorrect charges for a period in excess of the preceding three months, unless such incorrect charges have resulted from the customer not abiding by the filed Rules and Regulations; the deletion from Rule and Regulation No. 14, of the phrase "and similar remote and isolated locations" in paragraph D2; and a revision in Rule and Regulation No. 18, Supply to Separate Premises and resale, propounded by the United States Government.

A representative of the United States Navy argued for a re-definition of "premises" to provide for a single meter to naval installations separated by public thoroughfares or railways, and a spokesman for the Public Housing Authority urged a re-definition of "resale" as it alleged that the distribution of electricity to tenants of multifamily accommodations as an incident of tenancy does not constitute resale.

Applicant agreed to hold in abeyance Rule and Regulation No. 2-I, Rating of Welders, and 2-J, Billing of Welders, pending the outcome of the Commission's re-examination of the welder Rule in Case No. 4963. Since submission of the instant-captioned application, Decision No. 53675, dated August 29, 1956, in Case No. 4963, has been issued and applicant herein has adopted the rule applicable to welders contained in said decision.

It is noted that Section 451 of the public Utilities Code refers to Rules, only, and makes no mention of Rules and Regulations.

Applicant proposed substantial revision of Rule and Regulation No. 15, Line Extensions, particularly with respect to free footage allowances. It also proposed an increase in Charges for

Restoration of Service from \$1 to \$2.50 (estimated increase in gross annual revenue of about \$15,000), and proposed a reduction of interest on deposits from 6% to 5% per annum (estimated decrease of \$2,750 in annual interest paid.

Findings and Conclusions

After a careful review of the record in this proceeding, the Commission finds and concludes that applicant's proposed Rules, as contained in Exhibit No. 6 are reasonable, except as contained in Appendix A attached to the order which follows. Said order will authorize and direct applicant to file new Rules. Any increases in rates and charges resulting from the application of such Rules are found to be justified and rates and charges resulting from the application of the present Rules and Regulations insofar as they differ from the rates and charges resulting from the Rules herein prescribed, for the future are unjust and unreasonable.

O R D E R

Application, as above entitled, having been filed, public hearings having been held, the matter having been submitted, and now being ready for decision,

IT IS HEREBY ORDERED as follows:

1. That Southern California Edison Company, a corporation, be and it is authorized and directed to file in accordance with provisions of General Order No. 96 a new set of Rules as contained in Exhibit No. 6, filed at the hearing, except that said exhibit shall be modified by Appendix A attached hereto and on not less than five days' notice to the public and to the Commission, to place in effect said Rules for electric service rendered on and after December 1, 1956.

2. That upon the filing of the new set of Rules ordered herein, Southern California Edison Company's presently filed Preliminary

Statement and Rules and Regulations of its Tariff Schedules
Applicable to Electric Service be and they are superseded and
cancelled except for the rule applying to electric welders authorized
by Decision No. 53675.

3. That in all other respects the application be and it is
dismissed.

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

Dated at San Francisco, California, this 30th
day of October, 1956.

John E. Mitchell
President
Ray L. Lutz
Walter B. ...
W. Hardy

Commissioners

Commissioner Justus F. Cramer, being
necessarily absent, did not participate
in the disposition of this proceeding.

APPENDIX A
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The word rules will be substituted for the phrase rules and regulations in all instances where the reference is to applicant's rules.

Rule No. 1. DEFINITIONS

Company's Operating Convenience: The term refers to the utilization, under certain circumstances, of facilities or practices not ordinarily employed which contribute to the over-all efficiency of the Company's operations; it does not refer to customer convenience nor to the use of facilities or adoption of practices required to comply with applicable laws, ordinances, rules or regulations, or similar requirements of public authorities.

Premises: All of the real property and apparatus employed in a single enterprise on an integral parcel of land undivided, excepting in the case of industrial, agricultural, oil field, resort enterprises, and public or quasi-public institutions, by a dedicated street, highway, or other public thoroughfare, or a railway. Automobile parking lots constituting a part of and adjacent to a single enterprise may be separated by an alley from the remainder of the premises served provided the customer's wiring across the alley is underground, and copies of all permits for the alley crossing, as required by public authorities, are filed with the Company.

Quasi-public Institutions: Public utilities, educational institutions, and hospitals, whether publicly or privately owned, where the property, campus or hospital grounds extend over relatively large areas through which public streets may run.

Rule No. 2. DESCRIPTION OF SERVICE

A. General.

- 6 b. Voltages in excess of 16,500 volts are transmission voltages. For its operating convenience, the Company may elect to supply a customer from lines of transmission voltage. Where such transmission voltage is 66,000 volts, the customer may select as a standard delivery voltage one of the following: 2400, 4160, 6900, 12,000, 13,800, 16,500 volts, or such other voltage as the Company may approve, provided that in no case shall a customer be required to advance to the Company a greater amount of money to obtain service than he would be required to advance under the Company's Rules applicable to the particular load, if he were regularly served from the Company's nearest appropriate facilities ordinarily employed.

Rule No. 2, DESCRIPTION OF SERVICE--Contd.

Delete

- I. Rating of Welders, and
- J. Billing of Welders

Adopt

Sections I and J as contained in Appendix A of Decision No. 53675

Rule No. 5, SPECIAL INFORMATION REQUIRED ON FORMS

- A. Contracts. In accordance with the Commission's General Order No. 96, each contract for electric service will contain the following provision:

"This contract shall at all times be subject to such changes or modifications by the Public Utilities Commission of the State of California as said Commission may, from time to time, direct in the exercise of its jurisdiction."

Rule No. 11, DISCONTINUANCE AND RESTORATION OF SERVICE

- B. Nonpayment of Bills

Add

- 4. Under no circumstances may service be discontinued for nonpayment of a bill to correct previously billed incorrect charges for a period in excess of the preceding three months, unless such incorrect charges have resulted from the customer not abiding by the filed rules.

Rule No. 14, SHORTAGE OF SUPPLY AND INTERRUPTION OF DELIVERY

- D. Areas of Limited Service

- 2. Service to Mt. Wilson, Santiago Peak, Mt. Liebre, Cottonwood Peak, Verdugo Peak, and Oat Mountain is subject to hazards of severe weather, such as snow, ice, winds, lightning, and heavy rains. Such conditions often make it impossible to get maintenance crews into such locations to repair interruptions of service for extended periods of time. In these areas, the Company will not be liable for any loss or damage of any kind whatsoever sustained as a result of shortage or interruption of service or variation in voltage or frequency resulting from any cause not within the Company's control.