

63291

Decision No. _____

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

SOUTHERN CALIFORNIA EDISON COMPANY,)

Complainant,)

vs.)

Case No. 5724

SOUTHERN CALIFORNIA GAS COMPANY and
SOUTHERN COUNTIES GAS COMPANY OF
CALIFORNIA,)

Defendants.)

SOUTHERN CALIFORNIA EDISON COMPANY,)

Complainant,)

vs.)

Case No. 5725

SOUTHERN CALIFORNIA GAS COMPANY,
SOUTHERN COUNTIES GAS COMPANY OF
CALIFORNIA, and
PACIFIC LIGHTING GAS SUPPLY COMPANY,)

Defendants.)

Bruce Renwick, Harry W. Sturges, Jr., and Rollin E. Woodbury,
for complainant.

Thomas J. Reynolds and Harry P. Letton, Jr., for Southern
California Gas Company; Milford Springer and Frederick G.
Dutton, for Southern Counties Gas Company of California;
and, Oscar C. Sattinger and J. R. Elliott, for Pacific
Lighting Gas Supply Company; defendants.

Robert N. Lowry, Brobeck, Phleger and Harrison, for
California Manufacturers Association; W. Bureigh Pattee,
Chickering and Gregory, for San Diego Gas & Electric
Company; Wallace K. Downey, for California Portland Cement
Company; and Donald J. Carman and Willis T. Johnson, for
California Electric Power Company; intervenors.

Joseph T. Enright, Norman Elliott and Waldo A. Gillette, for
Monolith Portland Cement Company; O'Melveny & Myers, by
Lauren M. Wright, for Riverside Cement Company; Alan G.
Campbell, Claude E. Hilker, T. M. Chubb and R. W. Russell,
for City of Los Angeles; Clarence A. Winder and Frank L.
Kostlan, for City of Pasadena; Donald H. Ford, for
Southwestern Portland Cement Company; Wolhfred Jacobson,
Leslie M. Still and Henry E. Jordan, for City of Long
Beach; Henry McClerman, for City of Glendale; J. G. Hansen,
for Permanente Cement Company; and, Archie L. Walters and
N. W. Sager, for City of Burbank; interested parties.

Harold J. McCarthy and Marshall J. Kimball, for the
Commission staff.

ORDER OF DISMISSAL

Southern California Edison Company filed the above-entitled cases on February 7, 1956, alleging that the defendants refuse to provide the service requested by it; that none of the defendants, collectively or otherwise, have been willing to undertake stable long-term commitments to supply all or any substantial part of its future fuel requirements; and that the defendants should provide exchange service under nondiscriminatory conditions.

After several days of hearing in 1956 before Examiner Grant E. Syphers, these matters were transferred to Commissioner Matthew J. Dooley and Examiner Manley W. Edwards for further consideration and processing in connection with Case No. 5924. Case No. 5924 was a state-wide gas investigation on the Commission's own motion. After 21 days of hearing on Case No. 5924, an opinion and order was issued (Decision No. 62260, July 11, 1961), but Cases Nos. 5724 and 5725 were not disposed of in such decision.

Since the issuance of Decision No. 62260, the Southern California Gas Company and Southern Counties Gas Company of California have filed Schedule G-54L for optional service to electric generating plants.

By letter dated December 5, 1961, the staff brought these latest developments to the attention of the complainant to determine whether or not it is necessary to continue Cases Nos. 5724 and 5725 any longer on the Commission's calendar.

Complainant's reply was that it would feel constrained to disagree with any suggestion that Schedule No. G-54L has met the subject of the complaint, but there were intervening developments to consider. These developments are, briefly:

1. Edison - Richfield agreement.
2. Edison - El Paso - Southern California - Southern Counties arrangement before this Commission and F.P.C. in Docket No. 12530.
3. The Pemex Project.
4. Commission investigation, Case No. 7132.

Complainant was of the view that further hearings in Cases Nos. 5724 and 5725 might involve an unwarranted duplication of hearings upon related matters and it would have no objection to dismissal of these cases at this time, providing such dismissal was without prejudice.

The Commission desires that the matters on its calendar be reasonably current and that duplicative matters be eliminated whenever injustice will not be done to any of the parties to the proceeding. The Commission has considered the complainant's position in these matters and finds and concludes that Cases Nos. 5724 and 5725 can be dismissed at this time without prejudice to complainant's position; therefore,

IT IS HEREBY ORDERED that Cases Nos. 5724 and 5725 are dismissed, without prejudice.

Dated at San Francisco, California, this 6th day of FEBRUARY, 1962.

Ray H. Keage
President
W. C. [unclear]
[unclear]
[unclear]
Fredrick B. Hoblitt
Commissioners