

Decision No. 81369

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of PACIFIC GAS AND
ELECTRIC COMPANY for authority
to adopt a fuel cost adjustment
provision for inclusion in its
electric tariff.

(Electric)

Application No. 53185
(Filed March 2, 1972)
Resolution No. E-1358
(Adopted March 27, 1973)

ORDER DENYING REHEARING AND
GRANTING PARTIAL STAY

On April 19, 1973 a petition for rehearing and stay of Resolution No. E-1358 was filed by Sylvia M. Siegel, Alameda County Consumer Action, Diablo Valley Consumer Action and San Francisco Consumer Action. On April 27, 1973 a petition for writ of review was filed with the Supreme Court by Sylvia M. Siegel challenging the lawfulness of Decision Nos. 79838 and 81077 and Resolution No. E-1358.

The Commission has considered each and every allegation in the petition for rehearing and stay of Resolution No. E-1358 and is of the opinion that good cause for rehearing has not been made to appear. However, considering the petition for review filed with the Supreme Court, the magnitude of the increase authorized in Resolution No. E-1358 and the significant change in regulatory procedure authorized by Decision No. 81077, we are of the opinion that good cause exists to grant a partial stay.

THEREFORE, IT IS ORDERED that:

1. Rehearing of Resolution No. E-1358 is hereby denied.
2. Petitioners' request for a stay is granted in part as follows: All sums collected by Pacific Gas and Electric Company (PG&E) pursuant to the order in Resolution No.

A. 53185 et al gg

E-1358 and collected subsequent to the date of this order shall be subject to refund in whole or in part should the Supreme Court annul or modify Decision No. 81077 and/or Resolution No. E-1358.

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

Dated at San Francisco, California, this 8th day
of MAY, 1973.

Vernon L. Stephens
President
William J. Lyons

[Signature]
[Signature]
Commissioners

Commissioner J. P. Vukasin, Jr., being
necessarily absent, did not participate
in the disposition of this proceeding.