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Decision No. 85295

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's Own Motion into the Adequacy and Reliability of the Energy and Fuel Requirements and Supply of the Electric Public Utilities in the State of California.

Case No. 9581  
(Filed July 3, 1973)

Investigation on the Commission's own motion into the natural gas supply and requirements of gas public utilities in the State of California.

Case No. 9642  
(Filed December 18, 1973)

Investigation on the Commission's own motion into the establishing of priorities among the types of categories of customers of every electrical corporation and every gas corporation in the State of California and among the uses of electricity or gas by such customers.

Case No. 9884  
(Filed March 11, 1975)

#### INTERIM OPINION

On December 2, 1975 in D.85189 the Commission adopted an end-use system for allocating the State's supply of natural gas replacing the price-volume priority system.

The dismal supply picture facing the State and its citizens has been thoroughly covered in other decisions and need not be repeated here.<sup>1/</sup> In this opinion, we address a matter of vital concern which was not covered in D.85189.

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<sup>1/</sup> See D.81931 dated 9/25/73, D.82139 dated 11/13/73, D.82881 dated 5/15/74, D.83612 dated 10/16/74, and D.83819 dated 12/10/74.

During the hearings on end-use curtailment there was discussion regarding the prohibition of the use of natural gas for such luxury items as swimming pool heaters and other outdoor heating equipment.

We recognize some difficulties inherent in that any ban on connections of swimming pool heaters may be unpopular. For example, opponents point out that new residential gas service does not normally involve swimming pools since pools are normally constructed after the customer has lived in a home. They also argue that such a ban could lead people to use electric heaters, a much less efficient use of energy, and that the amount of gas used for this purpose is insignificant when compared to the total demands on the utilities' systems. It is apparent that there will be problems for the utility in enforcing any ban on swimming pool hookups. For example, gas service is generally begun before a pool is constructed.

PG&E's witness, deYoung, testified that there are approximately 75,000 pool heaters in their system, two-thirds of which are residential, that the residential pools use only one-third of the gas used for heating pools and that total consumption amounts to only .6 percent of total demand on the system. Mr. deYoung stated that he did not feel that the current supply situation warranted prohibiting such uses and that all customers should be encouraged to use energy wisely.

The utilities argue that any conservation achieved by banning swimming pool heaters will only release the same volume for what could be considered a lower priority use.

The National Swimming Pool Institute (NSPI) stated that with the advent of the Arab oil embargo, an industry-wide energy task force was formed to develop an effective public education program to reduce energy consumption by swimming pool owners on a voluntary basis. Statistics developed to measure the energy consumed show that there are approximately 250,000 pools in California and that 60 percent have heaters. Of the 60 percent, two-thirds are located in southern California. This information closely paralleled that of the utilities.

The NSPI representative, Mr. Irv Styer, testified concerning the steps the industry task force is doing to conserve energy. Included in their recommendations are: reduce the swimming pool temperature to 78°, heat pools only during the three-month summer season, improve control over the pool filter system, turn off the pool heater and pilot light on vacations longer than one week, cover the pool where practical, and follow a regular program of preventative maintenance. Mr. Styer stressed that his association was working through various media to publicize these recommendations. On cross-examination he indicated that there is a 10 percent greater consumption of natural gas per degree of temperature rise. Thus a reduction of four degrees in temperature would result in a 40 percent energy saving.

Testifying on behalf of Fafco Inc., a distributor of solar swimming pool heaters, Mr. Richard H. Senn stated that in southern California solar heat can maintain a 72-82 degree temperature for the period of sometime in April to sometime in October. He also stated that solar heating is 70 to 80 percent as effective as gas.

Notwithstanding these arguments, because conservation of this valuable natural resource is so vital, we are of the opinion that prompt action must be taken to discourage what can only be considered as a luxury use. Therefore, we will order the gas utilities under our jurisdiction to discontinue new gas connections for swimming pool heaters.

Further, while this order is directed to the use of natural gas for heating swimming pools, we stress that all uses that could be classified as a luxury should be prohibited. We will thus order the gas utilities to determine types of uses which could be classified as a luxury and take the necessary steps to discourage such use.

In ordering this prohibition we recognize that exemptions will be required to meet special situations such as heated pools for therapeutic purposes, or public facilities for which solar heating is impractical. Such exemptions should be handled on an individual basis, subject to strict standards. In further proceedings, we will consider whether natural gas heating of existing swimming pools should be phased out or subjected to a higher tariff.

Findings and Conclusions

1. The total supply of natural gas available to California has become increasingly inadequate in recent years.
2. Natural gas is a valuable natural resource that should not be used for inferior, nonessential purposes.
3. Natural gas used in swimming pool heaters is an inferior use.
4. New connections for swimming pools should be prohibited and existing connections phased out.
5. An exemption from the prohibition should be granted only after a substantial showing.

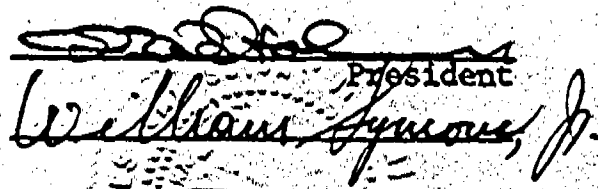
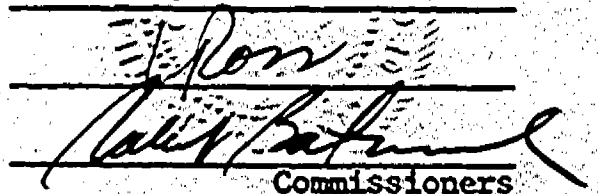
To permit an orderly transition we will make the prohibition effective April 1, 1976.

INTERIM ORDER

IT IS ORDERED that after April 1, 1976, the California gas utilities shall not provide service for new swimming pool heaters without authority of the Commission.

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

Dated at San Francisco, California, this 30th  
day of DECEMBER, 1975.

  
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President  
  
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Commissioners

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.