

Decision 89 09 012 SEP 7 1989

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Petition of PACIFIC GAS AND ELECTRIC)
COMPANY and SOUTHERN CALIFORNIA GAS)
COMPANY for Reconsideration and)
Modification of Decision No.)
86-05-008.)

Application 85-02-043
(Petition filed May 23, 1989)

OPINION

Pursuant to Rule 43 of the Commission's Rules of Practice and Procedure, Pacific Gas and Electric Company (PG&E) and Southern California Gas Company (SoCal Gas) (sometimes referred to jointly as "the utilities") move the Commission to modify Decision 86-05-008 to eliminate the requirement contained in Ordering Paragraph 5, which requires the utilities to file an annual plan for serving the Kern County enhanced oil recovery (EOR) market. The utilities assert that (1) the requirement places them at a competitive disadvantage by requiring them to make public marketing information which can be used by their competitors and (2) the requirement is an unnecessary and costly administrative burden, both to the utilities and to the Commission. Therefore, they request that the requirement be eliminated.

The Division of Ratepayer Advocates (DRA) opposes the petition. DRA asserts that the required information is needed by the Commission to properly evaluate the gas supply needs of California. Given the current controversies before the Commission which involve gas supply, the need for new pipelines, and applications for pipeline certification and expansion, the Commission needs more information, not less. DRA contends that the utilities must keep the Commission and its staff current on the utilities' views of market development and of their present and planned ability to serve these markets.

In regard to the potential for competitive disadvantage, DRA points out that the reports may be submitted to the Commission on a confidential basis pursuant to Public Utilities Code § 583. As DRA says "the remedy for concerns about competitive disadvantage is not to cease providing the Commission with this highly relevant information, but rather to take steps to ensure that the information is treated with an appropriate degree of confidentiality."

Petitioners assert that preparing the filing takes each company at least 40 hours to complete, which expense they believe is unwarranted because they "are aware of no purpose which has been served by these filings." DRA believes that not only is the burden insignificant because much of this information must be compiled by the utilities for the California Gas Report in any case, but the information is used by DRA in its evaluations.

We agree with DRA. The petition for modification will be denied.

ORDER

IT IS ORDERED that the petition for modification is denied.

This order is effective today.

Dated SEP 7 1989, at San Francisco, California.

G. MITCHELL WILK
President
FREDERICK R. DUDA
STANLEY W. HULETT
JOHN B. OHANIAN
PATRICIA M. ECKERT
Commissioners

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY.

- 2 -

Wesley Franklin

WESLEY FRANKLIN, Acting Executive Director