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Decision 92-02-031 February 5, 1992

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

Application of Pacific Gas and Electric Company for authority to adjust its electric rates effective November 1, 1991; and adjust its gas rate effective January 1, 1992; and for Commission order finding that PG&E's gas and electric operations during the reasonableness review period from January 1, 1990 to December 31, 1990 were prudent.

Application 91-04-003
(Filed April 1, 1991)

(U 39 M)

OPINION ON ELIGIBILITY

This decision grants the request of Toward Utility Rate Normalization (TURN) to be found eligible for intervenor compensation in this proceeding pursuant to Article 18.6 of the Commission's Rules of Practice and Procedure.

TURN filed a request for intervenor compensation in this proceeding on October 16, 1991 in accordance with Rule 76.54 which requires filing of such a request within 30 days of the first prehearing conference or within 45 days after the close of evidentiary hearings. No other party has filed a response to TURN's request.

Rule 76.54 sets forth four requirements to be addressed in requesting a finding of eligibility for intervenor funding. These requirements are addressed herewith:

1. A showing by the customer that participation in the hearing or proceeding would pose a significant financial hardship.

The Commission found that TURN met its burden of showing significant financial hardship for calendar year 1991 in Decision (D.) 91-05-029. In that decision, the Commission considered in

detail the basis for TURN's claim of financial hardship. Accordingly, based upon the findings in D.91-05-029, TURN satisfies the financial hardship requirement of Rule 76.54(a)(1) for purposes of costs incurred during 1991 in this proceeding.

2. A statement of issues that the customer intends to raise in the hearing or proceeding.

TURN has satisfied this requirement by noting the issue areas where it has participated in this proceeding already. These areas involve natural gas forecasts, customer energy efficiency funding, and revenue allocation.

3. An estimate of the compensation that will be sought.

TURN has presented an estimate of \$80,000 in compensation for its work in this phase of the proceeding. TURN states that the precise amount of the compensation and the reasonableness of the compensation sought will be addressed after the Commission has decided the eligibility issue.

4. A budget for the customer's presentation.

As discussed under item 3, TURN proposes to address the budget details of its \$80,000 requested compensation following the Commission's decision on its eligibility.

Findings of Fact

1. On October 16, 1991, TURN filed a Request for Finding of Eligibility for Compensation pursuant to Rule 76.54 of the Commission's Rules of Practice and Procedure.

2. No party has filed a response to TURN's request.

3. TURN previously satisfied the significant financial hardship criteria of Rule 76.54 for 1991 as determined in D.91-05-029.

4. TURN demonstrated that it has actively participated in this proceeding in the areas of natural gas forecasting, customer energy efficiency funding, and revenue allocation.

5. TURN presented an estimate of its budget for intervenor compensation in the amount of \$80,000.

Conclusion of Law

TURN should be found to be eligible for an award of compensation as an intervenor in this proceeding for work performed during 1991.

ORDER

IT IS ORDERED that:

1. Toward Utility Rate Normalization (TURN) is eligible to request compensation in accordance with Rule 76.56 of the Rules of Practice and Procedure.

2. TURN shall maintain and preserve appropriate books and records in support of its requested compensation award in the event that the Commission orders a verification audit at some future date to substantiate the basis for the award pursuant to Rule 76.57.

This order becomes effective 30 days from today.

Dated February 5, 1992, at San Francisco, California.

DANIEL Wm. PESSLER
President

JOHN B. OHANIAN
PATRICIA M. ECKERT
NORMAN D. SHUMWAY
Commissioners

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


NEAL J. SHULMAN, Executive Director