

Decision S2 10 070 OCT 20 1982

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's)
own motion into the feasibility of)
establishing various methods of)
providing low-interest, long-term)
financing of solar energy systems)
for utility customers.)

OII No. 42

Re Resolution No. EC-17 that)
adopted a moratorium on appli-)
cations for eligibility under)
the Solar Demonstration Financing)
Program.)

Application No.
82-09-41

ORDER MODIFYING DECISION (D.) NO. 92251
AND RESOLUTION NO. EC-17
AND DENYING REHEARING

On September 27, 1982, our docket office received a document entitled "application for rehearing by Solar Heat Corporation" which seeks rehearing of Resolution No. EC-17 (Res. EC-17) issued on May 4, 1982.

Section 1731 of the Public Utilities Code provides that such applications may only be filed by a party to this proceeding or by one who is pecuniarily interested in one of the respondent utilities. Our records do not show that Solar Heat Corporation (Solar Heat) is a party to this proceeding and its application contains no allegation or showing of any pecuniary interest in the respondents.

Therefore we are not able to receive Solar Heat's filing as an application for rehearing nor may we grant rehearing of Res. EC-17. However we may receive it as a petition to alter or amend Res. EC-17 under our continuing jurisdiction over this proceeding pursuant to Section 1708 of the Public Utilities Code and Rule 43 of our Rules of Practice and Procedure.

We have carefully considered the issues raised by Solar Heat's petition and are of the opinion that although, as explained above, we may not now grant rehearing of Res. EC-17, the fact that it was issued without prior notice to the parties may have caused a significant hardship to some persons, such as Solar Heat, who were in the process of filing their applications to be considered in the Demonstration Program at the time Res. EC-17 adopted a moratorium on such filings.

Although the reasons stated in Res. EC-17 for restricting the filing of applications are as valid and compelling now as they were on May 4, 1982, by this order we recognize the possibility of such hardships and provide a limited time during which such applications may be filed, as well as a full statement of formal requirements which must be met before applications will be accepted for filing and processing.

In addition, we deem it appropriate to emphasize that automatic eligibility of solar equipment under the Demonstration Solar Financing Program (OII-42 program) is limited and to reaffirm the role of the staff in dealing with technical questions raised by proposals which use innovative equipment rather than standard, flat-plate collector systems.

In our September 1980 Decision authorizing the utilities' OII-42 programs, we stated,

"...we have a great responsibility to the ratepayers not to add unduly to their rapidly increasing utility bills."¹

and

"We are particularly concerned that solar water heaters financed with assistance from ratepayers...be durable and perform well."²

"...when we are asking the ratepayer to assist in financing to provide a demonstration for the

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benefit of all ratepayers, and when we place the imprimatur of government approval behind a particular technology, we have special obligation to assure both the ratepayers and the solar consumers that they are getting their money's worth."³

Reasonable assurance that energy savings would result from the OII-42 program thus called for technical standards. A major issue at the outset was whether to rely on performance standards covering actual energy savings, or on prescriptive standards, which if followed would lead to those energy savings.

Prescriptive standards would rely on past experience to predict both present and future savings. Performance standards could not address durability (future savings) but would permit equipment innovation, and initial savings would be estimated by laboratory testing or by engineering calculations.

The Commission recognized early that

"...One of the most difficult issues of system standards relates to the proper sizing of the solar water heater for the specific situation...A system that is undersized will neither displace adequate energy nor give good value to the customer.

"Proper sizing depends to a large degree on the size and efficiency of the collectors, the efficiency of other components of the system, and the size of the storage system. The interrelationship among these components is so complex that use of a full-system performance testing procedure is the only method to truly protect the consumer."⁴

"We will adopt a modification of the minimum sizing method for flat plate collectors ...included in Appendix C. ...
Contractors not using flat plate collectors

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shall provide the ECB of this Commission with sizing criteria or methodologies and adequate supporting data to permit adoption of alternative sizing procedures for such systems."⁵ (Emphasis added.)

The problems of resolving policy and implementation questions such as this one were anticipated by the Commission in the initial decision, when it named an Advisory Committee of 24 members of the solar community and state agencies other than the CPUC.⁶

In response to acknowledged imperfections with the initial sizing approach this Advisory Committee, in one of its earliest actions, in a letter dated November 5, 1980 on this subject recommended,

"that the most appropriate method of sizing is 20 gallons per bedroom per day. It further recommends the establishment of sixteen separate climate zones, with one single nomograph per zone. Finally the Committee recommends a special sizing system for certain systems such as thermo-syphons. We shall adopt the sizing recommendations of the Advisory Committee."⁷

The nomographs were prepared by the California Energy Commission using its extensive computer capabilities. Due to limitations of the computer program, the nomographs (sizing charts) were limited to sizing the one most popular type of solar water heater at that time, a system using an electric pump and controller to circulate water through flat-plate collectors and a storage tank. Other fixed technical assumptions relative to this one type of solar water heater are detailed on pages 4 and 6

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of the Sizing Chart Handbook, as well as in the lower left corner of each of the 16 sizing charts.

The Commission and the Advisory Committee both realized that these restrictive assumptions could not and should not be applied to all of the solar components that would be encountered in the OII-42 program. Individual evaluations were referred to again by the Commission when it proposed (and never rescinded) the following, regarding the initial freeze protection requirement:

"Solahart objects to D.92251's requirement concerning freeze protection, maintaining that its system differs significantly from those systems for which the standard was written. We recognize that our requirement...may not be appropriate for certain systems. Consequently, those manufacturers and/or installers who believe this requirement should not be applied to them may formally file for an exception to it. Everyone filing for such relief will be required to demonstrate to the staff's satisfaction that if an exception is granted, its system will still be able to fully meet the 60% solar energy contribution." (Emphasis added.)

The citations above, in combination with the twenty-some Memorandums of Understanding with the Energy Conservation Branch and ex parte decisions concerning sizing and exemptions to the Inspection Checklist, clearly establish this Commission's intentions regarding the role of the staff in the maintenance of ratepayer value in the OII-42 program when proposals raise technical questions about energy savings to be expected from the use of innovative equipment.

Therefore, good cause appearing,

IT IS ORDERED that D.92251 and Res. EC-17 are hereby modified as follows:

⁸ D.92501 p. 6 (mimeo).

1. Pending further action of this Commission, applications for eligibility to participate in the Demonstration Solar Financing Program will be received only during the period from November 18 through December 9, 1982 and then only if, within that time, the application is received by the docket office and found to be in conformance with the requirements contained in Appendix A hereto.

2. This order is effective in 30 days from the date hereof in order to provide notice to parties pursuant to Section 1708 of the Public Utilities Code. Persons wishing to file comments or protests hereto may do so in accord with the formal requirements of Rules 1 through 8.1 of our Rules of Practice and Procedure except that, because of the need to move expeditiously in this matter, such comments or protests must be filed by November 3, 1982.

3. The Executive Director is directed to mail a copy of this order to all persons on the mailing list for D.92251 and the applicant, Solar Heat Corporation.

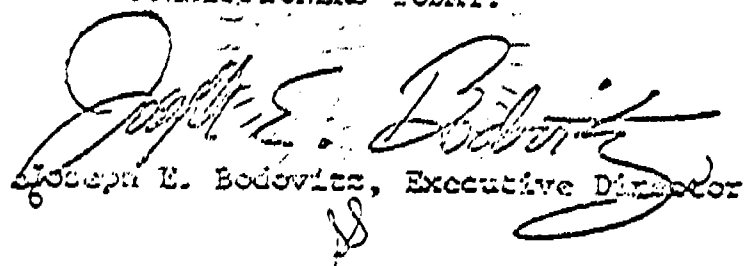
4. Except as granted herein, rehearing and modification of Res. EC-17 is denied.

Dated OCT 20 1982 at San Francisco,
California.

JOHN E. BRYSON
President
RICHARD D. GRAVELL
LEONARD M. GRAM
VICTOR CALVO
Commissioners

Commissioner Priscilla C. Grew,
being necessarily absent, did
not participate

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


Joseph E. Bodovitz, Executive Director

APPENDIX A

Procedure for Filing Applications for Eligibility to Participate in this Commission's Demonstration Solar Financing Program as Authorized by Decision No. 92251, dated September 16, 1980 in OII-42

Any manufacturer or contractor seeking to participate in the Demonstration Solar Financing Program with solar equipment other than that contemplated during the development of the system sizing and checklist standards should file an application for specific minimum sizing and for exemptions to the Installation Checklist.

The Commission must grant specific eligibility based on a reasonable showing of minimum thermal performance and of minimum insured durability. This requirement applies to any component or system other than an electrically pumped system with controller which continuously recirculates water or water plus corrosion and freeze inhibitors through a water storage tank and through flat-plate collectors which have been tested, certified and rated to acceptable program standards.

Attach to the application the following exhibits A through F.

Exhibit A - Description of Units

Describe the units to be used. Use words, diagrams, numbers, pictures, sales brochures, and other relevant materials. The unit(s) must be described fully and accurately. Also, describe exactly how the unit(s) would be used. Be sure to describe only those units which you plan to use for participation in the demonstration program.

Exhibit B - Authorization and/or Exemption Sought

List the sizing authorization and/or exemption(s) that you are requesting from the Installation Checklist. Quote the item number and document title and explain why you believe your solar system warrants the requested sizing and exemptions.

Exhibit C - Performance Test Results

Include the complete laboratory test results of thermal performance testing under an applicable recognized test standard.

The testing must be conducted by a laboratory independent of the applicant. The Solar Rating and Certification Corporation (SRCC) is to certify that the test results meet its standards for comparison with other similar test results certified by it. If the SRCC cannot provide such certification the applicant is to provide the results of testing to specifications requested from or acceptable to the Energy Conservation Branch.

Exhibit D - Energy Savings

Based on the performance test results, demonstrate that for a three-bedroom single-family home installation in California the solar system, or a typical system incorporating the solar device, could deliver to the existing water heating system approximately 100 therms (or 3000 kWh) per year of solar energy for twenty years. This level of energy production corresponds to a 60% savings of the adopted conventional energy usage for water heating which is 300 therms per year (a 180 therm reduction in metered usage). Multi-family installations are assumed to require two-thirds of these energy levels per bedroom served in the dwelling.

Exhibit E - Warranty

Include a copy of the standard warranty provided with the device. The warranty must meet requirements for California State solar tax credit eligibility.

Exhibit F - Product Sales & Price

Give the number of units sold to date and estimate the number of units expected to be sold under the OII-42 program. Individual and homemade devices or those which are not in regular volume production cannot be considered for eligibility. Provide the manufacturer's suggested retail price and installed price.

Attached for your information and guidance (see Attachment 1) are certain specific procedures abstracted from the Commission's Rules of Practice and Procedure.

Note the suggested format when preparing the application. It must be filed with the Commission as an original and 12 complete copies.

Send the application and copies to:

Docket Office
Public Utilities Commission
350 McAllister Street
San Francisco, CA 94102

Notify each of the four major California utilities with a copy to the Commission that you have filed with the Commission (see Attachment 2 for list and addresses).

If after reviewing this material you have questions on technical issues, please contact the Energy Conservation Branch of the Commission at (415) 557-3911. For legal assistance call (415) 557-1091.

TITLE 20 PUBLIC UTILITIES COMMISSION
(Register 77, No. 20—7-23-77)

6.1

SUBCHAPTER 1. RULES OF PRACTICE AND PROCEDURE

PREFACE

The following rules of practice and procedure before the California Public Utilities Commission were promulgated by Decision No. 72324 in Case No. 4924 and Case No. 7234. These rules, effective July 14, 1967, are issued under authority contained in the Public Utilities Code (Stats. 1951, Ch. 764, as amended) particularly Section 1701 thereof.

The rules of practice and procedure apply to formal proceedings before the Commission. Informal requests for relief or assistance may be made by letter, by telephone, or in person. Matters thus presented, if their nature so warrants, will be taken up by the Commission's staff with the parties involved in an effort to assist them in arriving at an amicable informal adjustment of the matter.

All communications should be addressed to California Public Utilities Commission, State Building, San Francisco, California 94102, or State Building, 107 South Broadway, Los Angeles, California 90012.

The former rules, prepared with the assistance of practitioners, were filed with the Secretary of State pursuant to Government Code, Section 11380. They were printed as Title 20 of the California Administrative Code. Such former rules, as amended, are hereby repealed effective July 14, 1967.

Article 1. Code of Ethics

1. (Rule 1) Code of Ethics. Any person who signs a pleading or brief, enters an appearance at a hearing, or transacts business with the Commission, by such act represents that he is authorized to do so and agrees to comply with the laws of this State; to maintain the respect due to the Commission, members of the Commission and its Administrative Law Judges; and never to mislead the Commission or its staff by an artifice or false statement of fact or law.

NOTE. Authority cited for Chapter 1: Public Utilities Code (Stats. 1951, Ch. 764 as amended), particularly Section 1701 thereof.

History: 1. Amendment filed 7-19-77; designated effective 6-23-77 by Resolution A-4690, see Section 11445, Government Code (Register 77, No. 20). For prior history, see Register 67, No. 22.

Article 2. Formal Requirements for All Pleadings and Briefs

2. (Rule 2) Form and Size. Pleadings and briefs shall be typewritten or printed upon paper 8½" wide and 11" long, and exhibits annexed thereto shall be folded to the same size. Unless printed, the impression shall be on one side of the paper only and shall be double-spaced, except that footnotes and quotations in excess of a few lines may be single-spaced. Pleadings shall be bound on the left side. Reproductions may be by any process, provided all copies are clear and permanently legible. (See Rule 75.)

History: 1. Amendment filed 1-27-71; designated effective 7-1-71 (Register 71, No. 5).

6.2

PUBLIC UTILITIES AND ENERGY

TITLE 20

(Register 77, No. 30—7-27-77)

3. (Rule 3) Title and Docket Number. All documents presented for filing shall show the caption for the proceeding, the docket number, and the title of the document, and leave sufficient space in the upper right-hand corner for a time and date stamp.

Documents initiating new proceedings shall leave a space for the docket number.

History: 1. Amendment filed 10-10-75; designated effective 9-30-75 by Resolution A-4415, see Section 11445, Gov. Code (Register 75, No. 41).

4. (Rule 4) Signatures. The original of each application, petition, complaint, answer, or amendment shall be signed in ink by each party thereto. If such party is a corporation or association, the pleading may be signed by an officer thereof. Any attorney for or representative of a party shall also sign such pleading, and show his address and telephone number.

Motions, notices, briefs, and petitions for rehearing may be signed by an attorney or representative.

5. (Rule 5) Verification. Applications or amendments thereto shall be verified by each applicant. Complaints or amendments thereto shall be verified by at least one complainant. Answers shall be verified by at least one of the defendants filing the same. If the party filing the pleading is a corporation or association, the pleading may be verified by an officer thereof.

Verification may be made before a notary public or by certification or declaration under the penalty of perjury.

6. (Rule 6) Signature and Verification by Attorney. Except in transfer proceedings (see Rule 35), the attorney for a party may sign and verify a pleading if such party is absent from the county where the attorney has his office, or from some cause is unable to sign and verify such pleading. When a pleading is signed and verified by the attorney, he shall set forth in the affidavit the reasons why the verification is not made by such party.

7. (Rule 7) Copies. Unless otherwise required by the Commission, and except as to complaints (see Rule 11), there shall be filed with the Commission an original and twelve conformed copies of each pleading, or amendment thereof, and the original and twelve copies of each brief or petition for rehearing or petition for leave to intervene.

8. (Rule 8) Amended Pleadings. Amendments to pleadings, and amended pleadings, may be filed before hearing, provided they are served upon all known interested parties, filed at least five days before the hearing, and contain a certification of service. Thereafter, pleadings may be amended as permitted, or directed, by the Commission or the presiding officer.

TITLE 20 PUBLIC UTILITIES COMMISSION
(Register 79, No. 28—7-14-79)

§ 17
(p. 7)

Article 4. Applications Generally

15. (Rule 15) Contents.

All applications shall state clearly and concisely the authorization or relief sought; shall cite by appropriate reference the statutory provision or other authority under which Commission authorization or relief is sought; and, in addition to specific requirements for particular types of applications (see Rules 18 through 41), shall state the following:

(a) The exact legal name of each applicant and the location of principal place of business, and if an applicant is a corporation, trust, association, or other organized group, the State under the laws of which such applicant was created or organized.

(b) The name, title, address and telephone number of the person to whom correspondence or communications in regard to the application are to be addressed. Notices, orders and other papers may be served upon the person so named, and such service shall be deemed to be service upon applicant.

(c) Such additional information as may be required by the Commission in a particular proceeding.

(d) Applications for ex parte action shall set forth the basis for such request, and those seeking the granting of relief pending full hearing shall set forth the necessity for such relief.

16. (Rule 16) Articles of Incorporation.

If applicant is a corporation, a copy of its articles of incorporation, certified by the Secretary of State, shall be annexed to the original of the application, but need not be annexed to copies thereof. If current articles have already been filed, the application need only make specific reference to such filings.

TITLE 20 PUBLIC UTILITIES COMMISSION
(Register 57, No. 22—8-3-57)

31

Article 23. Forms

88. (Rule 88) Forms. The following skeleton forms of applications, complaint, answer and protest are merely illustrative as to general form. The content of a particular pleading will vary, depending upon the subject matter and applicable procedural rules.

1. Application
2. Complaint
3. Answer
4. Application—Shortened Procedure Tariff Docket
5. Protest—Shortened Procedure Tariff Docket

No. 1—Application
(See Rules 2-8 and 15-43)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of JOHN JONES (Jones Rapid Transit) to operate
bus service between San Francisco and South San Francisco;
to establish fares; and to issue a \$10,000 note.

Application No. _____

(Commission will
insert number)

APPLICATION

The application of (exact legal name, mailing address and telephone number of each applicant) respectfully shows:

1. That communications in regard to this application are to be addressed to (name, title, and address).

2. (Here, and in succeeding numbered paragraphs, set forth the specific facts required by the applicable rules, together with additional facts deemed material).

WHEREFORE, applicant requests an order (here state clearly and concisely the specific authorization sought by applicant).

Dated at _____, California, this _____ day of _____, 19____

(Signature of each applicant)

(Signature, address and telephone number of attorney, if any)

VERIFICATION*

(See Rules 5 and 6)

(Where Applicant is an individual)

I am the applicant in the above-entitled matter; the statements in the foregoing document are true of my own knowledge, except as to matters which are therein stated on information or belief, and as to those matters I believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____ at _____, California.
(Date) (Name of city)

(Applicant)

* Where execution occurs outside California, verification must be made in accordance with the law of the state where execution occurs.

32

PUBLIC UTILITIES COMMISSION

TITLE 20

(Register 67, No. 22-6-3-67)

No. 1—Application—Continued

VERIFICATION

(See Rules 5 and 6)

(Where Applicant is a Corporation)

I am an officer of the applicant corporation herein, and am authorized to make this verification on its behalf. The statements in the foregoing document are true of my own knowledge, except as to the matters which are therein stated on information and belief, and as to those matters I believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____ at _____, California.
(Date) (Name of city)

(Signature and Title of Corporate Officer)

(Where Applicant is absent from
County of Attorney's Office)

I am the attorney for the applicant herein; said applicant is absent from the County of _____, California, where I have my office, and I make this verification for said applicant for that reason; the statements in the foregoing documents are true of my own knowledge except as to the matters which are therein stated on information or belief, and as to those matters I believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____ at _____, California.
(Date) (Name of city)

(Attorney for Applicant)

List of Utility Companies
To Whom a Letter of Notification
Should be Sent Regarding Your
Application Filing With The Commission

- 1) Pacific Gas and Electric Company
Attention: Mr. Michael Mertz
Manager, Energy Conservation Dept.
P. O. Box 7442
San Francisco, California 94102
- 2) San Diego Gas & Electric Company
Attention: Mr. James A. Hunter
Manager, Conservation Systems
P. O. Box 1831
San Diego, California 92112
- 3) Southern California Edison Company
Attention: Mr. Ronald Daniels
Manager, Revenue Requirements
P. O. Box 800
Rosemead, California 91770
- 4) Southern California Gas Company
Attention: Mr. Roger E. Embrey
Manager, Conservation Coordination
P. O. Box 3249, Terminal Annex
Los Angeles, California 90051

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4. Except as granted herein, rehearing and modification of Res. EC-17 is denied.

Dated OCT 20 1982 at San Francisco,
California.

JOHN E. BRYSON

President

RICHARD D. GRAVELLE

LEONARD M. CRIMES, JR.

VICTOR CALVO

Commissioners

Commissioner Priscilla C. Crow,
being necessarily absent, did
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Describe the units to be used. Use words, diagrams, numbers, pictures, sales brochures, and other relevant materials. The unit(s) must be described fully and accurately. Also, describe exactly how the unit(s) would be used. Be sure to describe only those units which you plan to use for participation in the demonstration program.

Exhibit B - Authorization and/or Exemption Sought

List the sizing authorization and/or exemption(s) that you are requesting from the Installation Checklist. Quote the item number and document title and explain why you believe your solar system warrants the requested sizing and exemptions.

Exhibit C - Performance Test Results

Include the complete laboratory test results of thermal performance testing under an applicable recognized test standard.

The testing must be conducted by a laboratory independent of the applicant. The Solar Rating and Certification Corporation (SRCC) is to certify that the test results meet its standards for comparison with other similar test results certified by it. If the SRCC cannot provide such certification the applicant is to provide the results of testing to specifications requested from or acceptable to the Energy Conservation Branch.

Exhibit D - Energy Savings

Based on the performance test results, demonstrate that for a three-bedroom single-family home installation in California the solar system, or a typical system incorporating the solar device, could deliver to the existing water heating system approximately 100 therms (or 3000kWh) per year of solar energy for twenty years. This level of energy production corresponds to a 60% savings of the adopted conventional energy usage for water heating which is 300 therms per year (a 180 therm reduction in metered usage). Multi-family installations are assumed to require two-thirds of these energy levels per bedroom served in the dwelling.

Exhibit E - Warranty

Include a copy of the standard warranty provided with the device. The warranty must meet requirements for California State solar tax credit eligibility.

~~Exhibit F - Pending Lawsuits~~

~~Submit an affidavit signed by an officer of the company describing the status of all litigation in which the company is currently involved.~~

Exhibit ^FG - Product Sales & Price

Give the number of units sold to date and estimate the number of units expected to be sold under the OII-42 program. Individual and homemade devices or those which are not in regular volume production cannot be considered for eligibility. Provide the manufacturer's suggested retail price and installed price.

Attached for your information and guidance (see Attachment 1) are certain specific procedures abstracted from the Commission's Rules of Practice and Procedure.

Note the suggested format when preparing the application. It must be filed with the Commission as an original and 12 complete copies.

Notify each of the four major California utilities with a copy to the Commission that you have filed with the Commission (see Attachment 2 for list and addresses).

Send the application and copies to:

Robert Office
~~Joseph E. Bodovitz~~
~~Executive Director~~
Public Utilities Commission
350 McAllister Street
San Francisco, CA 94102

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If after reviewing this material you have questions on technical issues, please contact the Energy Conservation Branch of the Commission at (415) 557-3911. For legal assistance call (415) 557-1091.

TITLE 20 PUBLIC UTILITIES COMMISSION
(Register 77, No. 38—7-23-77)

G.1

SUBCHAPTER 1. RULES OF PRACTICE AND PROCEDURE

PREFACE

The following rules of practice and procedure before the California Public Utilities Commission were promulgated by Decision No. 72324 in Case No. 4924 and Case No. 7234. These rules, effective July 14, 1967, are issued under authority contained in the Public Utilities Code (Stats. 1951, Ch. 764, as amended) particularly Section 1701 thereof.

The rules of practice and procedure apply to formal proceedings before the Commission. Informal requests for relief or assistance may be made by letter, by telephone, or in person. Matters thus presented, if their nature so warrants, will be taken up by the Commission's staff with the parties involved in an effort to assist them in arriving at an amicable informal adjustment of the matter.

All communications should be addressed to California Public Utilities Commission, State Building, San Francisco, California 94102, or State Building, 107 South Broadway, Los Angeles, California 90012.

The former rules, prepared with the assistance of practitioners, were filed with the Secretary of State pursuant to Government Code, Section 11380. They were printed as Title 20 of the California Administrative Code. Such former rules, as amended, are hereby repealed effective July 14, 1967.

Article 1. Code of Ethics

1. (Rule 1) Code of Ethics. Any person who signs a pleading or brief, enters an appearance at a hearing, or transacts business with the Commission, by such act represents that he is authorized to do so and agrees to comply with the laws of this State; to maintain the respect due to the Commission, members of the Commission and its Administrative Law Judges; and never to mislead the Commission or its staff by an artifice or false statement of fact or law.

NOTE: Authority cited for Chapter 1: Public Utilities Code (Stats. 1951, Ch. 764 as amended), particularly Section 1701 thereof.

History: 1. Amendment filed 7-19-77; designated effective 6-28-77 by Resolution A-4690, see Section 11443, Government Code (Register 77, No. 30). For prior history, see Register 67, No. 22.

Article 2. Formal Requirements for All Pleadings and Briefs

2. (Rule 2) Form and Size. Pleadings and briefs shall be typewritten or printed upon paper 8½" wide and 11" long, and exhibits annexed thereto shall be folded to the same size. Unless printed, the impression shall be on one side of the paper only and shall be double-spaced, except that footnotes and quotations in excess of a few lines may be single-spaced. Pleadings shall be bound on the left side. Reproductions may be by any process, provided all copies are clear and permanently legible. (See Rule 75.)

History: 1. Amendment filed 1-27-71; designated effective 7-1-71 (Register 71, No. 5).

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PUBLIC UTILITIES AND ENERGY

TITLE 20

(Register 77, No. 30-7-23-77)

3. (Rule 3) Title and Docket Number. All documents presented for filing shall show the caption for the proceeding, the docket number, and the title of the document, and leave sufficient space in the upper right-hand corner for a time and date stamp.

Documents initiating new proceedings shall leave a space for the docket number.

History: 1. Amendment filed 10-10-75; designated effective 9-30-75 by Resolution A-4415, see Section 11445, Gov. Code (Register 75, No. 41).

4. (Rule 4) Signatures. The original of each application, petition, complaint, answer, or amendment shall be signed in ink by each party thereto. If such party is a corporation or association, the pleading may be signed by an officer thereof. Any attorney for or representative of a party shall also sign such pleading, and show his address and telephone number.

Motions, notices, briefs, and petitions for rehearing may be signed by an attorney or representative.

5. (Rule 5) Verification. Applications or amendments thereto shall be verified by each applicant. Complaints or amendments thereto shall be verified by at least one complainant. Answers shall be verified by at least one of the defendants filing the same. If the party filing the pleading is a corporation or association, the pleading may be verified by an officer thereof.

Verification may be made before a notary public or by certification or declaration under the penalty of perjury.

6. (Rule 6) Signature and Verification by Attorney. Except in transfer proceedings (see Rule 35), the attorney for a party may sign and verify a pleading if such party is absent from the county where the attorney has his office, or from some cause is unable to sign and verify such pleading. When a pleading is signed and verified by the attorney, he shall set forth in the affidavit the reasons why the verification is not made by such party.

7. (Rule 7) Copies. Unless otherwise required by the Commission, and except as to complaints (see Rule 11), there shall be filed with the Commission an original and twelve conformed copies of each pleading, or amendment thereof, and the original and twelve copies of each brief or petition for rehearing or petition for leave to intervene.

8. (Rule 8) Amended Pleadings. Amendments to pleadings, and amended pleadings, may be filed before hearing, provided they are served upon all known interested parties, filed at least five days before the hearing, and contain a certification of service. Thereafter, pleadings may be amended as permitted, or directed, by the Commission or the presiding officer.

TITLE 20

PUBLIC UTILITIES COMMISSION

§ 17

(Register 79, No. 28—7-14-79)

(p. 7)

Article 4. Applications Generally

15. (Rule 15) Contents.

All applications shall state clearly and concisely the authorization or relief sought; shall cite by appropriate reference the statutory provision or other authority under which Commission authorization or relief is sought; and, in addition to specific requirements for particular types of applications (see Rules 18 through 41), shall state the following:

(a) The exact legal name of each applicant and the location of principal place of business, and if an applicant is a corporation, trust, association, or other organized group, the State under the laws of which such applicant was created or organized.

(b) The name, title, address and telephone number of the person to whom correspondence or communications in regard to the application are to be addressed. Notices, orders and other papers may be served upon the person so named, and such service shall be deemed to be service upon applicant.

(c) Such additional information as may be required by the Commission in a particular proceeding.

(d) Applications for ex parte action shall set forth the basis for such request, and those seeking the granting of relief pending full hearing shall set forth the necessity for such relief.

16. (Rule 16) Articles of Incorporation.

If applicant is a corporation, a copy of its articles of incorporation, certified by the Secretary of State, shall be annexed to the original of the application, but need not be annexed to copies thereof. If current articles have already been filed, the application need only make specific reference to such filings.

TITLE 20 PUBLIC UTILITIES COMMISSION
(Register 67, No. 22—6-3-67)

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Article 23. Forms

88. (Rule 88) Forms. The following skeleton forms of applications, complaint, answer and protest are merely illustrative as to general form. The content of a particular pleading will vary, depending upon the subject matter and applicable procedural rules.

1. Application
2. Complaint
3. Answer
4. Application—Shortened Procedure Tariff Docket
5. Protest—Shortened Procedure Tariff Docket

No. 1—Application
(See Rules 2-8 and 15-43)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of JOHN JONES (Jones Rapid Transit) to operate
bus service between San Francisco and South San Francisco;
to establish fares; and to issue a \$10,000 note.

Application No.

(Commission will
insert number)

APPLICATION

The application of (exact legal name, mailing address and telephone number of each applicant) respectfully shows:

1. That communications in regard to this application are to be addressed to (name, title, and address).

2. (Here, and in succeeding numbered paragraphs, set forth the specific facts required by the applicable rules, together with additional facts deemed material).

WHEREFORE, applicant requests an order (here state clearly and concisely the specific authorization sought by applicant).

Dated at _____, California, this _____ day of _____, 19____

(Signature of each applicant)

(Signature, address and telephone number of attorney, if any)

VERIFICATION*

(See Rules 5 and 6)

(Where Applicant is an individual)

I am the applicant in the above-entitled matter; the statements in the foregoing document are true of my own knowledge, except as to matters which are therein stated on information or belief, and as to those matters I believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____ at _____, California.
(Date) (Name of city)

(Applicant)

* Where execution occurs outside California, verification must be made in accordance with the law of the state where execution occurs.

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PUBLIC UTILITIES COMMISSION

TITLE 20

(Register 67, No. 22-6-3-67)

No. 1—Application—Continued

VERIFICATION

(See Rules 5 and 6)

(Where Applicant is a Corporation)

I am an officer of the applicant corporation herein, and am authorized to make this verification on its behalf. The statements in the foregoing document are true of my own knowledge, except as to the matters which are therein stated on information and belief, and as to those matters I believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____ at _____, California.
(Date) (Name of city)

(Signature and Title of Corporate Officer)

(Where Applicant is absent from
County of Attorney's Office)

I am the attorney for the applicant herein; said applicant is absent from the County of _____, California, where I have my office, and I make this verification for said applicant for that reason; the statements in the foregoing documents are true of my own knowledge except as to the matters which are therein stated on information or belief, and as to those matters I believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____ at _____, California.
(Date) (Name of city)

(Attorney for Applicant)

List of Utility Companies
To Whom a Letter of Notification
Should be Sent Regarding Your
Application Filing With The Commission

- 1) Pacific Gas and Electric Company
Attention: Mr. Michael Mertz
Manager, Energy Conservation Dept.
P. O. Box 7442
San Francisco, California 94102
- 2) San Diego Gas & Electric Company
Attention: Mr. James A. Hunter
Manager, Conservation Systems
P. O. Box 1831
San Diego, California 92112
- 3) Southern California Edison Company
Attention: Mr. Ronald Daniels
Manager, Revenue Requirements
P. O. Box 800
Rosemead, California 91770
- 4) Southern California Gas Company
Attention: Mr. Roger E. Embrey
Manager, Conservation Coordination
P. O. Box 3249, Terminal Annex
Los Angeles, California 90051