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Decision 83 02 045 FEB 16 1983

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of Sunmaster Corporation to
modify D.82-03-009 as to Tube
Collector Model TRS-81.

Application 83-01-09
(Filed January 6, 1983)

ORDER OF DISMISSAL

The Sunmaster Corporation (Sunmaster) submitted a letter, dated January 3, 1983, seeking to modify Commission Decision 82-03-009. Upon review of this letter, the Commission staff considered that the subject matter should be submitted as a formal matter, and it was docketed on January 6, 1983 as Application 83-01-09.

Sunmaster is a manufacturer of solar hot water heaters. In D.82-03-009, issued March 2, 1982, the Commission declared solar hot water heaters built by Sunmaster, using its Model DEC-8A tube solar collector, to be eligible for participation in the Commission's OII 42 Demonstration Solar Financing Program. In this application Sunmaster requests the Commission to modify D.82-03-009 to declare as eligible Sunmaster solar systems using the new TRS-81 solar collectors rather than the DEC-8A collectors. Because the TRS-81 collectors are larger than the DEC-8A collectors, Sunmaster also requests that the Commission modify the sizing standards established for its system in D.82-03-009.

The Commission, in establishing the Demonstration Solar Financing Program in OII 42, per Decision 92251, as amended, set forth certain minimum sizing standards before solar systems could be found eligible for loans or rebates. In addition, to assist those manufacturers who were constructing systems that were not of the standard type or design, a process was established by which these atypical systems could apply for eligibility.

Due to the unexpected large number of applications filed by the manufacturers of atypical systems, a large backlog of work occurred in the Energy Conservation Branch. To resolve this problem, the Commission issued Resolution EC-17, dated May 4, 1982, and subsequently a decision (D.82-10-070, dated October 20, 1982), which in effect placed a moratorium on the filing of applications for eligibility. Specifically, Decision 82-10-070 stated at Ordering Paragraph 1 that "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..." (mimeo p. 6). The Commission staff interprets this language as including not only applications from manufacturers who have never previously filed with the Commission, but also manufacturers seeking an exemption from the checklist, a modification of an existing decision or memorandum on eligibility, or a finding of eligibility for a new model of its solar system. We concur in this interpretation.

The justification for the moratorium and the amount of staff time necessary to review the technical data also applies to the latter cases mentioned above.

Upon review of the application in question (A.83-01-09), we find that it was not filed within the prescribed dates, as authorized in D.82-10-070, dated October 20, 1982, namely: between November 18 and December 9, 1982. This application was filed on January 6, 1983, long after the established termination date for filing for such applications.

This matter should be dismissed.

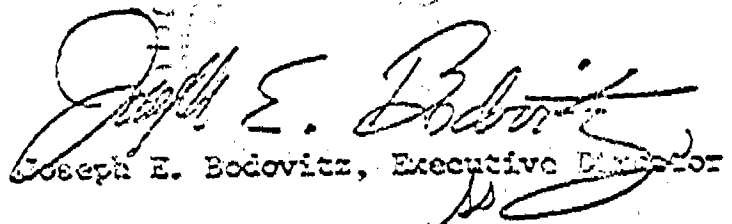
IT IS ORDERED that Application 83-01-09 is dismissed. Further, the Docket Office of the Commission shall not accept any more applications or petitions for modification from manufacturers who have never previously filed with the Commission, also manufacturers seeking an exemption from the checklist, or a modification of an existing decision or memorandum on eligibility, or a finding of eligibility for a new model of their solar systems.

This order becomes effective 30 days from today.

Dated FEB 16 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.
President
VICTOR CALVO
PRISCILLA C. GREW
DONALD VIAL
Commissioners

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


Joseph E. Bodovitz, Executive Director