

Decision ~~83 03 037~~ March 16, 1983

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of PACIFIC GAS AND)
ELECTRIC COMPANY for an Order)
Authorizing the Transfer of)
Fuel Oil from Oil Terminal)
Facilities at Moss Landing and)
Morro Bay to Other Users for)
Purposes of Resale.)
_____)

Application 82-02-67
(Filed February 26, 1982)

ORDER OF DISMISSAL

On February 26, 1982 Pacific Gas and Electric Company (PG&E) requested authority to load fuel oil from its Moss Landing and Morro Bay marine terminal facilities. The permit to store oil at these facilities was granted by the California Coastal Zone Conservation Commission subject to approval by the California Public Utilities Commission for any resale or retransfer to any user other than PG&E.

By letter dated January 28, 1983 PG&E requested authority to withdraw the application without prejudice. The reasons stated for withdrawing the application are:

"First, to satisfy the Commission's need for assurance of the environmental safety of the planned re-transfer, PGandE has been seeking California Coastal Commission approval of a revised Oil Spill Contingency Plan. A final draft of the plan was submitted to the Coastal Commission in October of last year. PGandE still awaits Coastal Commission action on this plan.

"Second, further uncertainty was introduced into the Application's progress by CPUC staff suggestions that any re-transfer authorization would have to be limited by the number of ships, cargo sizes or the duration of re-transfer operations. Uncertainty about what limitations would be imposed and how those limitations would relate to the Oil Spill Contingency Plan further complicated an already complex analysis of the feasibility of re-transfer from Moss Landing."

PG&E states that when economic and inventory conditions dictate, it will refile an application to load oil from the Moss Landing facility. ✓

We conclude that the request to withdraw the application without prejudice should be granted.

IT IS ORDERED that Application 82-02-67 is dismissed without prejudice.

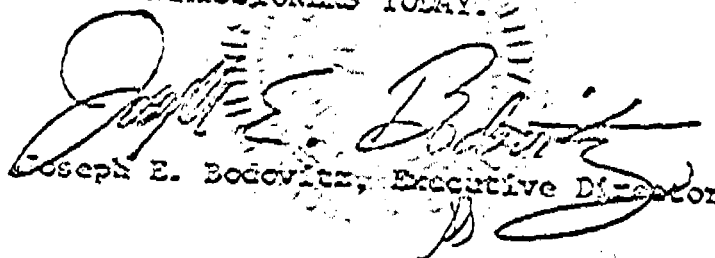
This order becomes effective 30 days from today.

Dated March 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

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"Second, further uncertainty was introduced into the Application's progress by CPUC staff suggestions that any re-transfer authorization would have to be limited by the number of ships, cargo sizes or the duration of re-transfer operations. Uncertainty about what limitations would be imposed and how those limitations would relate to the Oil Spill Contingency Plan further complicated an already complex analysis of the feasibility of re-transfer from Moss Landing."

PG&E states that when economic and inventory conditions dictate, it will refile an application to offload oil from the Moss Landing facility. SS

We conclude that the request to withdraw the application without prejudice should be granted.

IT IS ORDERED that Application 82-02-67 is dismissed without prejudice.

This order becomes effective 30 days from today.

Dated MAR 16 1983 at San Francisco, California.

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