

AP

Decision No. 87017

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's Own Motion into the Adequacy and Reliability of the Energy and Fuel Requirements and Supply of the Electric Public Utilities in the State of California.

Case No. 9581
(Filed July 3, 1973)

Investigation on the Commission's own motion into the natural gas supply and requirements of gas public utilities in the State of California.

Case No. 9642
(Filed December 18, 1973)

Investigation on the Commission's own motion into the establishing of priorities among the types of categories of customers of every electrical corporation and every gas corporation in the State of California and among the uses of electricity or gas by such customers.

Case No. 9884
(Filed March 11, 1975)

ORDER MODIFYING DECISION NO. 86932

On February 1, 1977, the Commission issued Decision No. 86932 whereby each respondent gas utility was ordered to file appropriate tariffs incorporating certain prohibitions, conservation, and curtailments.

Immediate action on the part of all of the business and residents of California in reducing their consumption of natural gas was needed in order to respond to the critical need for energy in other parts of the United States. Californians have responded to this challenge and reduced their consumption of natural gas. California distributors are making available significant quantities of natural gas to the states of Georgia, Mississippi, Louisiana, South Carolina, Texas, Pennsylvania, Ohio, New York, West Virginia, New Jersey, and Kentucky.

Stringent conservation of this precious natural resource is incumbent on all of us. The California gas utilities are encouraged to continue this effort among all of their customers to make every effort on the conservation of natural gas.

Because of extensive public involvement in year-round swimming programs and activities in California, including, but not limited to, educational instruction, scholastic competitive events (and related training), and other swimming requirements that are primarily of benefit to the maintenance or restoration of health (e.g., senior citizens or retirement community swimming programs), the Commission finds that Appendix A of Decision No. 86932 should be revised to reasonably accommodate such programs. While we might otherwise prohibit the gas heating of all outside pools without solar systems and pool covers, if we were today to abruptly require that such organizations maintaining outside pools have solar systems with pool covers, it could unnecessarily create a hardship that is not in the public interest. However, we urge that all such organizations and pool owners commence arrangements to acquire pool covers and solar systems, and this decision should serve as a warning that gas supply problems may become so acute that solar systems and outdoor covers will become essential for all outdoor pools heated with natural gas. We expect both the utilities and swimming pool related industries to continue to educate the public about the need for pool equipment and solar heat sources that promote the conservation of natural gas.

The Commission finds and concludes that Appendix A of Decision No. 86932, which sets out standards for the use of natural gas to heat swimming pools, should be modified to accommodate swimming programs that are essentially educational or health related.

IT IS ORDERED that:

1. The prohibition "(e) Swimming Pool Heating", as shown in Appendix A, page 2 of 2, item (e) Swimming Pool Heating of Decision No. 86932, should be modified to read as follows:

(e) Swimming Pool Heating

Natural gas should not be caused or permitted to be used for the purpose of swimming pool heating, except when the pool temperature is maintained at the coolest temperature compatible with pool usage and one of the following conditions is met:

- (1) The pool is primarily used for educational swimming instruction, competitive swimming events, or training associated with such competitive events.
- (2) The pool is primarily used for the maintenance or restoration of health pursuant to an organized or medically directed health oriented swimming program, including senior citizens or retirement community swimming programs.
- (3) The pool is covered when not used for swimming.
- (4) The primary source of heat is a solar heater with a standby natural gas heater.

2. Within five days after the effective date of this order, each respondent gas utility shall file a modification to Tariff Rules Nos. 14.1 or 23.1 consistent with this order. Such filing shall be made in accordance with General Order No. 96-A and shall be effective as of the date of filing.

In all other respects, the order in Decision No. 86932 remains in full force and effect.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 23rd day of FEBRUARY, 1977.

Robert Balcer
President

Donald Ross

Richard D. Howell
Commissioners

Commissioner William Symons, Jr., being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.