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Decision No. 87515 June 28, 1977

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 or 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 EXTENDING TIME

In Ordering Paragraph 2 of Decision No. 87192 dated April 12, 1977 we ordered:

- "2. Respondent gas utilities shall file within 60 days after the effective date of this order proposed separate special rates designed for municipal, school, and commercial swimming pools, and other recreational uses of natural gas."

On June 13, 1977 Pacific Gas and Electric Company (PG&E) filed a petition for modification and clarification of Ordering Paragraph 2 of Decision No. 87192.

PG&E states that since Decision No. 87192 does not discuss what is meant by "other recreational uses of natural gas", it is subject to several possible interpretations. PG&E points out that it may have been the Commission's intention to restrict the term "recreational use" to uses related to swimming pools or given a broad interpretation to a multitude of uses not intended to be subject to a special rate.^{1/}

Because of the confusion, PG&E requests that the phrase "and other recreational uses of natural gas" be stricken from Ordering Paragraph 2 or, in the alternative, defined so as to apply only to those uses directly connected with municipal, school, and commercial swimming pools.

In addition, since the response to Ordering Paragraph 2 must be filed by July 1, 1977, PG&E requests suspension for the time for filing until a reasonable date after the date of ruling on this petition.

On June 14, 1977 Southern California Gas Company (SoCal) filed a petition for clarification and partial stay of Decision No. 87192 as related to Ordering Paragraph 2. It is alleged that, as a result of Ordering Paragraph 2, SoCal has attempted to gather the necessary customer data and to determine a method by which rates could be designed and that after exhaustive investigation it was concluded that due to the complexity of physical facilities related to municipal, school, and commercial swimming pool heating service no practical method can be devised without the introduction of the most gross discrimination.

^{1/} The Standard Industrial Classification Manual, 1972 Edition, contains an extensive list of recreational uses of natural gas.

It is also alleged that in many cases the direct measurement of the gas and/or energy used for the heating of pools is impossible. In some cases measurement would require either very costly repiping and structural alterations by the customer or the siting of subtracting meters by the utility. In the latter case measurement would be made at low pressure and would require excessively large, costly meters. Additionally the siting of meters at fully developed facilities, while still providing ready access to the utility, introduces other obstacles for which there are limited solutions.

Finally, SoCal states that efforts to prudently design rates free of undue discrimination have been frustrated by the many complex circumstances related to separate treatment of existing municipal, school, and commercial swimming pools, and other recreational uses of gas and that Decision No. 87192 is unclear as to the Commission's intent regarding what is includable under the category of "other recreational uses of gas".

Having considered all of the allegations in the petitions, we conclude that the requests to stay the filing required by Ordering Paragraph 2 of Decision No. 87192 are reasonable and should be granted.

With respect to the meaning of the phrase "other recreational uses of natural gas", we thought it was clear that since Decision No. 87192 made reference only to swimming pools, it applied only to uses directly connected with municipal, school, and commercial swimming pools. Accordingly, Ordering Paragraph 2 need not be amended.

Findings and Conclusions

1. Ordering Paragraph 2 of Decision No. 87192 ordered respondent gas utilities to file within 60 days after the effective date of the order proposed separate special rates designed for municipal, school, and commercial swimming pools and other recreational uses of natural gas.

2. Swimming pools were the subject of Decision No. 87192 and all references to uses of natural gas were in connection with swimming pools.

3. Ordering Paragraph 2 of Decision No. 87192 need not be amended.

4. The collection and analysis of necessary data to formulate meaningful rates for municipal, school, and commercial swimming pools are time consuming and complex.

5. The request for an extension of time to file the proposed swimming pool tariffs are reasonable and should be granted.

IT IS ORDERED that the date for filing proposed rates required by Ordering Paragraph 2 of Decision No. 87192 is extended from July 1, 1977 to November 1, 1977.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 27th
day of JUNE, 1977.

Rolot Batyauil
President
William Sproull
Vernon L. Sturgeon
Michael D. Hoyle
Commissioners