

smc

Decision No. 88048 OCT 25 1977

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of SOUTHERN CALIFORNIA)
EDISON COMPANY for review and)
consideration of Time-of-Day Pricing)
Tariffs pursuant to order in Decision)
No. 85559 in Case No. 9804.)

Application No. 56408
(Filed April 13, 1976)

ORDER DENYING REHEARING AND RECONSIDERATION
OF DECISION NO. 87744

Petitions for rehearing and reconsideration of Decision No. 87744 have been filed by General Motors Corporation, Airco, Inc. and Monsanto Company. The Commission has carefully considered these petitions and each and every allegation contained therein and is of the opinion that good cause for granting rehearing and reconsideration has not been shown. Therefore,

IT IS ORDERED that rehearing and reconsideration of Decision No. 87744 is hereby denied.

The effective date of this decision is the date hereof.

Dated at San Francisco, California this 25th day of OCTOBER, 1977.

*I will file dissent
William Symons, Jr.*

President

Verizon L. Stinson

Richard R. Gould

Clair T. DeBrial
Commissioners

Commissioner Robert Batinovich, being necessarily absent, did not participate in the disposition of this proceeding.

A. 56408 - D. - Southern California Edison:
Time-of-Day Pricing
ORDER DENYING REHEARING

COMMISSIONER WILLIAM SYMONS, JR., Dissenting

I would grant rehearing. The petitioners correctly point out that the Commission failed to make findings on "... all issues material to the order ...", as we are required to do under Public Utilities Code Section 1705, to wit: the economic impact of the new rate schedule. This issue was clearly before the Commission, as indicated by the extensive testimony introduced by the parties on this issue, and the language in the opinion at page 19:

"In Conformance with House Resolution No. 123, this Commission in this proceeding will consider the effect of time-of-day rates on the ability of the steel industry in this state to continue to operate in a competitive manner, and the effect of those rates on employment levels within that industry, and generally throughout the state, and will give equal consideration in setting the time-of-day rates to the need for the conservation of energy resources and the effect of those rates on the economic health of the state and on levels of unemployment."

Yet, the necessary finding is lacking.

Nor is it adequate to sweep the issue under the rug by asserting that the issue has been decided in the Commission's initial investigation into rate redesign Case No. 9804. As Decision No. 85559 (March 16, 1976) in that case stated at Finding No. 32, the Commission would "... continue carefully to examine the economic consequences of its ratemaking policies in future proceedings."

The California Public Utilities Commission's reputation and duty as an expert regulatory agency demands more than this head-in-the-sands approach.

San Francisco, California
October 25, 1977

William Symons, Jr.
WILLIAM SYMONS, JR.
Commissioner