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ORIGINAL

Decision No. \_\_\_\_\_

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's )  
 own motion into the effect of the )  
 enactment of the Revenue Act of )  
 1978 on the rates of the )  
 California public utilities and )  
 transportation companies subject )  
 to the ratemaking power of the )  
 Commission named in Appendices A )  
 and B attached hereto. )

OII No. 33  
 (Filed December 12, 1978)

ORDER TERMINATING  
STAY OF DECISION NO. 90316

By Decision No. 90540, issued on June 19, 1979, we granted a partial stay of Decision No. 90316, as to Pacific Gas and Electric Co. (PG&E) only, in response to PG&E's request that the order be stayed pending administrative and judicial review. By Decision No. 90693, issued on August 14, 1979, we denied PG&E's petition for rehearing of Decision No. 90316 but continued the stay of ordering paragraphs 1 and 5 thereof, as to PG&E, until further order of this Commission. PG&E subsequently filed a petition for a writ of review in the California Supreme Court (Pacific Gas & Electric Co v. Public Util. Comm., S.F. No. 24066). By an order filed on January 17, 1980, that Court denied PG&E's petition. That order is now final. Administrative and judicial review of Decision No. 90316 is now complete. Therefore,

IT IS HEREBY ORDERED that PG&E shall, within sixty days from the effective date of this order, refund to its electric ratepayers the overcollections found to have occurred by Decision No. 90316 in the form of a one-time negative surcharge (credit). The period of such overcollections is from January 1, 1979 to January 1, 1980, the date the electric rates authorized by Decision No. 91107 went into effect.

Because PG&E's current electric rates reflect the 46% income tax rate, ordering paragraph 1 of Decision No. 90316 is moot as to PG&E.

The effective date of this order is the date hereof.

Dated MAR 4 1980, at San Francisco, California.

John E. Bryson  
President  
Thomas L. Strickman  
Michael D. Wood  
Lawrence W. Jensen  
Commissioners

Commissioner Claire T. Dedrick, being necessarily absent, did not participate in the disposition of this proceeding.