

Decision No. 92169 AUG 18 1980

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own motion into possible electrical energy supply shortages of electric public utilities resulting from the shutdown of certain nuclear generating facilities and emergency measures to provide for necessary mutual assistance.

ORIGINAL

OII No. 43
(Filed April 30, 1979)

ORDER DENYING REHEARING AND MODIFYING
DECISION NO. 91751

On June 4, 1980, a petition for rehearing of Decision No. 91751 was filed by Southern California Edison Company (Edison). We have reviewed and carefully considered each and every allegation of error contained in that petition. Although we are of the opinion that good cause for granting rehearing Decision No. 91751 has not been shown, we do find that modification of the decision is required in order to clarify our directive concerning revision of Edison's Tariff Schedule TOU-8-I. The Commission is of the opinion that the notice and opportunity to be heard on this issue was inadequate to support an order or finding requiring revision of the tariff or, at this time, to forestall implementation of Edison's three-stage conservation and load reduction plan in the absence of such revision. It should be understood that while Edison's plan may take effect based on the tariff as presently written, amendment of the plan in accordance with any subsequent Commission order relating to TOU-8-I will be required.

THEREFORE, IT IS ORDERED that the second paragraph of page 21 of Decision No. 91751 shall be modified as follows:

"The staff further contends that these five customers are receiving preferential rates and, therefore, should be interrupted when necessary to preserve the integrity of any major utility system in California. While we believe that

the present wording of Edison's Tariff Schedule TOU-8-I is not in keeping with the intent of the statewide load reduction plan, we also recognize that this tariff, as presently worded, was in effect and referred to in Edison's approved 1979 plan and that because of the absence of specific notice of this issue, other testimony on the appropriate language of TOU-8-I may be elicited. We will therefore consider holding further hearings in a separate proceeding to resolve this significant issue. The proceeding will be designed to allow and encourage participation by the utilities, the staff, and interested parties in order to develop a record upon which a uniform standard can be established to define the procedures and circumstances under which a utility's interruptible customers will be interrupted during a Stage II alert."

IT IS FURTHER ORDERED that the following finding of fact shall be added to Decision No. 91751:

"19a. Although the propriety of Edison's Tariff Schedule TOU-8-I has been called into question, approval of the three-stage conservation and peak reduction plan submitted by Edison pursuant to this decision should not be made contingent on revision of that tariff. The Commission will consider separate proceedings to resolve this issue."

IT IS FURTHER ORDERED that rehearing of Decision No. 91751, as modified above, is denied.

The effective date of this order is the date hereof.

Dated AUG 19 1980, at San Francisco, California.

Commissioner Richard D. Gravelle, being necessarily absent, did not participate in the disposition of this proceeding.

John E. Bryan
President

Vernon L. Sturgeon

Clara J. Dade
James J. Smith
Commissioners