

ORIGINAL

Decision No. 92573 JAN 6 1981

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's)
 own motion into the regulation of)
 employment practices of THE PACIFIC)
 TELEPHONE AND TELEGRAPH COMPANY,)
 PACIFIC GAS AND ELECTRIC COMPANY,)
 GENERAL TELEPHONE COMPANY OF)
 CALIFORNIA, SOUTHERN CALIFORNIA GAS)
 COMPANY, SAN DIEGO GAS & ELECTRIC)
 COMPANY, SOUTHERN CALIFORNIA EDISON)
 COMPANY, CALIFORNIA WATER SERVICE)
 COMPANY, SOUTHERN CALIFORNIA WATER)
 COMPANY, SIERRA PACIFIC POWER)
 COMPANY, SOUTHERN PACIFIC)
 TRANSPORTATION COMPANY, WESTERN)
 PACIFIC RAILROAD COMPANY, THE)
 ATCHISON, TOPEKA AND SANTA FE)
 RAILWAY COMPANY, PACIFIC POWER &)
 LIGHT COMPANY, CP NATIONAL)
 CORPORATION, SOUTHWEST GAS)
 CORPORATION, CITIZENS UTILITIES)
 COMPANY OF CALIFORNIA, and)
 CONTINENTAL TELEPHONE COMPANY OF)
 CALIFORNIA,)

Case No. 10308
(Filed April 12, 1977)

Respondents.

INTERIM ORDER DENYING MOTION

On September 1, 1980 Pacific Power & Light Company (PP&L) filed a motion requesting that the Commission reconsider its June 17, 1980 order adding PP&L as a respondent to the above-captioned investigation and requesting that PP&L now be dismissed as a respondent and, sending a ruling on the motion, staying the requirement to respond to the staff data request.

PP&L asserts that the benefits which the Commission might derive from its participation in this case will be insignificant

and will be far outweighed by the unwarranted costs that will be imposed upon PP&L and ultimately on its California ratepayers. PP&L employs a total of 115 employees in California and asserts that the extent of its operations in this State is so limited that any information which PP&L may furnish will be of little value in any assessment of the utility industry's employment and procurement practices. For the year ended December 31, 1979, PP&L's total sales in California amounted to 4.3 percent of the company's total sales, its employees represented only 2.5 percent of the company's total work force, and its electric plant in service was 3.9 percent of the company's total, with sales in California being 3.8 percent of the company's total.

PP&L states that its records are not organized to identify the extensive information requested in the staff data request dated July 18, 1980 by individual service states and that it will be required to incur considerable costs, including commitment of company personnel, computer time, and support staff, to comply with the request. PP&L notes that in the five California counties in which it does business there is only one minority business enterprise of which the company is aware or which is listed in the California Minority Business Enterprises Directory (Source Publications, Inc., 1980).

PP&L points out that its employment and procurement policies for assuring equal opportunity and affirmative action are and continue to be monitored by U.S. Department of Labor's Office of Federal Contract and Compliance Programs, the Equal Employment Opportunity Commission, and various state fair employment agencies.

Discussion

In Decision No. 92224 dated September 3, 1980 and Decision No. 92049 dated July 15, 1980, we dismissed the utilities furnishing

water service and the railroad transportation utilities as respondents in this proceeding. We did this, in both cases, for ease of administration and for consistency in treatment of the utilities falling into each class, only a few of which had been named as respondents.

We are not faced with similar considerations with respect to PP&L. PP&L was added as a respondent by our Decision No. 91963 for exactly the opposite reasons - we did and do believe it desirable to include all energy and major telephone utilities as respondents in this proceeding and some had not been named in our original order instituting investigation in this matter.

Because we intend to bind all energy and major telephone utilities by our orders in this proceeding we are going to deny PP&L's motion for dismissal as a respondent. We are, however, persuaded that requiring PP&L to respond to the staff data request dated July 18, 1980 would be unduly burdensome given the limited scope of its operations and the geographic location of its service territory in California. Accordingly, we will excuse PP&L from the requirement to respond to the staff data request.

IT IS ORDERED that:

1. The motion of Pacific Power & Light Company (PP&L) for dismissal as a respondent in this matter is denied.

2. PP&L is excused from the requirement to respond to the staff data request dated July 18, 1980.

The effective date of this order shall be thirty days after the date hereof.

Dated JAN 6 1981, at San Francisco, California.

John S. Bruno
President
Richard W. Swartz
Leonard M. Janis

Commissioners