

Decision 93202 JUN 16 1981

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own motion into the regulation of employment practices of PACIFIC TELEPHONE AND TELEGRAPH COMPANY, PACIFIC GAS AND ELECTRIC COMPANY, GENERAL TELEPHONE COMPANY, 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, CP NATIONAL CORPORATION, SOUTHWEST GAS CORPORATION, CITIZENS UTILITIES COMPANY OF CALIFORNIA, and CONTINENTAL TELEPHONE COMPANY OF CALIFORNIA.

Case 10308  
(Filed April 12, 1977)

INTERIM ORDER DENYING PETITION TO MODIFY DECISION 92573

San Diego Gas & Electric Company (SDG&E) has filed a petition to modify Decision (D.) 92573 which requires respondent utilities to furnish copies of responses to the staff data request dated July 18, 1980 to parties satisfying certain conditions who request copies. Similar requests were made as alternatives to various petitions for rehearing of D.92573. Rehearing was denied on June 2, 1981.

SDG&E maintains that Ordering Paragraphs 2 and 3 which require the utilities to furnish copies place a burden on SDG&E to respond. SDG&E states that its filed response consists of five separate documents containing approximately nine inches of material. SDG&E does not believe that it should be required to expend the labor and reproduction cost necessary to provide copies of these documents to parties in the proceeding when the information is available at the Commission's offices.

SDG&E points out that the Commission has an established procedure under General Order 66C for examining and obtaining public records. SDG&E recommends that the Commission follow this procedure in making the information available to parties to the proceeding rather than requiring the utilities to provide the material.

SDG&E indicates that it is willing to maintain at its corporate offices a complete copy of the response, available for inspection and copying during normal business hours provided the preconditions set out in D.92573 have been met by the party desiring to inspect the material and providing that the requesting party pays the labor and reproduction costs of copying the information.

We are not convinced that the burden of reproduction placed on the utilities by our order in D.92573 outweighs the benefit to the participating parties of having the material available to them to ensure informed participation in this proceeding. Accordingly, we will deny the petition for modification. In doing so we point out that we have required the parties to make a specific request of each utility whose response to the data request they wish to have furnished. We doubt seriously that all parties will ask all respondents for copies, and, therefore, the burden on any single respondent should not be so great that it would require modification of D.92573. Further, utilities routinely recover costs of labor and reproduction for regulatory purposes in rates as a cost of doing business, while interested parties must normally pay costs of participating in Commission proceedings out of their own pockets. In a proceeding such as this one, in which we hope to have vigorous and knowledgeable participation by interested parties, it would be inequitable to burden them with costs for the very material necessary for that participation.

Therefore, good cause not having been shown,  
IT IS ORDERED that the petition of San Diego Gas & Electric  
Company to modify D.92573 is denied.

This order becomes effective 30 days from today.

Dated JUN 16 1981, at San Francisco, California.

John E. Boyer President  
William H. ...  
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...  
... Commissioners