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Decision 95-12-001

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Milton Louis Grinstead,

Complainant,

vs.

Pacific Gas & Electric Company,

Defendant.

Case 92-09-024  
(Filed September 14, 1992)

**ORIGINAL**

ORDER CORRECTING CLERICAL ERROR

The Commission was informed that a line has been inadvertently omitted on page 2, footnote 1, in Decision 95-10-050.

Under Resolution A-4661,

IT IS ORDERED that the error is corrected as shown on the attached page.

This order is effective today.

Dated December 4, 1995, at San Francisco, California.

/s/ WESLEY FRANKLIN  
WESLEY FRANKLIN  
Executive Director

application must fail on numerous grounds. To the extent that this application seeks to revive the claim for expenses and fees asserted and rejected by us in D.94-07-065, it is untimely. The statutory period for seeking rehearing here or review in the Supreme Court of a decision which we issued on July 20, 1994 has long since expired. As a bid for intervenor compensation the application is irregular owing to the failure to comply with eligibility determination provision of Section 1804 of the Public Utilities Code as amended. And, it is untenable given our review of the provisions of Article 5 of that Code which govern the qualification for, computation and award of, intervenor's fees and expenses. As we shall explain, an individual ratepayer who commences a fact specific grievance against a utility subject to our jurisdiction is, if the claim is determined to be meritorious, entitled to relief. However, such a ratepayer is not an "intervenor" and has no eligibility for the award of fees or expenses as established by the Legislature's enactment of statutes now chaptered as Article 5 of the Public Utilities Code.

The Administrative Law Judge assigned to consider the present application concluded that a compensation claim for work performed and expenses incurred prior to July 20, 1994, was absolutely barred by the

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and Electric Company concerning his qualification for time of use rates. In addition we are asked to award \$28,328.49 for the professional service of and expenses incurred by complainant's attorney.