

Decision 96-06-020 June 6, 1996

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
SOUTHERN CALIFORNIA GAS COMPANY for)
Authority to Revise its Rates)
Effective April 1, 1994, in its)
Biennial Cost Allocation Proceeding.)
(U 904 G))

Application 93-09-006
(Filed September 1, 1993)

ORIGINAL

OPINION

Toward Utility Rate Normalization (TURN) seeks an award of compensation in the amount of \$8,197 for its contribution to Decision (D.) 96-02-073, which approved a settlement of the issues in Phase IV of this Southern California Gas Company (SoCalGas) Biennial Cost Allocation Proceeding (BCAP). TURN asserts that the settlement adopted TURN's position in whole or in significant part on both of the issues considered in Phase IV. TURN was found eligible for compensation in this proceeding by an Administrative Law Judge (ALJ) ruling dated November 9, 1993.

TURN alleges that its accomplishments with respect to D.96-02-073 have easily met and surpassed the minimum requirements for establishing a substantial contribution. Both of the issues considered and resolved in Phase IV were before the Commission only because TURN raised them. The Phase IV issues regarding the revenue shortfalls resulting from core-to-noncore migration were first raised when TURN noted that SoCalGas had apparently ceased making entries to the Economic Practicability Revenue Shortfall (EPRS) account in September of 1993, rather than continuing to record the revenue shortfalls resulting from core migration on an ongoing basis. TURN also raised what became the second issue in Phase IV, namely SoCalGas' lack of compliance with the Commission's capacity brokering decisions with regard to the amount of

interstate pipeline capacity reserved for core subscription customers.

The parties were able to reach a settlement on the underlying substantive matters in dispute. A "Joint Motion for Order Adopting Stipulation and Settlement Agreement" was filed by SoCalGas, TURN, and others on November 3, 1995. That agreement adopted TURN's position on the core migration revenue shortfall issue in its entirety. The \$34.2 million of shortfalls that had accrued since September of 1993 were transferred, with interest, to the EPRS account for allocation to customer classes in accordance with the principles adopted in D.94-12-052. The effective result of this action will be to reduce core rates by at least \$6.8 million (the 20% noncore share of the \$34.2 million shortfall) when the EPRS is reflected in rates in the next SoCalGas BCAP proceeding. The settlement also adopted TURN's position regarding the appropriate reservation of pipeline capacity for core subscription customers, with adjustments retroactive to January 1, 1995. This will result in core customers paying slightly less for interstate pipeline capacity and noncore customers paying slightly more, through an increase in the ITCS account.

Thereafter, the Commission issued D.96-02-073, approving the settlement in its entirety and thereby effectively adopting TURN's position on both of the substantive issues originally in dispute.

Clearly TURN made a substantial contribution to D.96-02-073. TURN requests an award of compensation in the amount set forth below:

Attorney/Witness Fees

M. P. Florio

7.25 hours x \$260 (1995-96) = \$1,885
14.50 hours x \$250 (1994-95) = \$3,625

T. L. Mueller

7.00 hours x \$185 (1995-96) = \$1,295
7.00 hours x \$160 (1994-95) = \$1,120

Subtotal = \$7,925

<u>Other Reasonable Costs</u>		
Photocopying expenses	=	\$ 196
Postage costs	=	\$ 51
Telephone and fax charges	=	\$ 13
Attorney expenses	=	\$ 12
Subtotal	=	\$ 272
TOTAL	=	\$8,197

As set forth above, we conclude that TURN has substantially contributed to D.96-02-073. We will grant the requested amount of \$8,197. TURN's request is reasonable. TURN has met all the requirements of PU Code § 1804(c), and therefore is entitled an award of \$8,197 as compensation for this proceeding.

Findings of Fact

1. TURN has been found eligible for compensation in this proceeding.
2. TURN has made a substantial contribution to D.96-02-073.
3. TURN's request for an award of \$8,197 as compensation for its substantial contribution is reasonable.

Conclusion of Law

TURN has met the requirements of PU Code § 1804, is eligible for compensation, and is entitled to an award of \$8,197.

ORDER

IT IS ORDERED that that Toward Utility Rate Normalization (TURN) is awarded \$8,197 in compensation for its contribution to Decision (D.) 96-02-073. Southern California Gas Company shall, within 30 days after the effective date of this order, pay TURN

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\$8,197, plus interest at the rate earned on prime, three-month commercial paper, as reported in the Federal Reserve Statistical Release G.13, with interest beginning July 5, 1996 and continuing until full payment is made.

This order is effective today.

Dated June 6, 1996, at San Francisco, California.

P. GREGORY CONLON
President
JESSIE J. KNIGHT, JR.
HENRY M. DUQUE
JOSIAH L. NEEPER
Commissioners

Commissioner Daniel Wm. Fessler,
being necessarily absent,
did not participate.