

OCT 10 1996

Decision 96-10-006 October 9, 1996

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking into
Natural Gas Procurement and System
Reliability Issues.

R.88-08-018
(Filed August 10, 1988)

Order Instituting Rulemaking on the
Commission's own motion to change
the structure of gas utilities'
procurement practices and to propose
refinements to the regulatory
framework for gas utilities.

ORIGINAL
R.90-02-008
(Filed February 7, 1990)

OPINION

This decision denies intervenor compensation to School Project for Utility Rate Reduction and Regional Energy Management Coalition (jointly, SPURR/REMAC) because, as a governmental agency, SPURR/REMAC is not a "customer" as defined by Public Utilities (PU) Code Section 1802(b).

Background

This proceeding has addressed several issues relating to gas industry restructuring. Among other things, we have addressed issues relating to the aggregation of small customer loads for purposes of purchasing natural gas in competitive markets. SPURR/REMAC has participated in this proceeding on issues relating to such "core aggregation" programs.

Requirements for Awards of Compensation

Intervenors who seek compensation for their contributions in Commission proceedings must file requests for compensation pursuant to PU Code §§ 1801-1812. Among other things, the

Commission must find that the intervenor is eligible for compensation pursuant to the PU Code. Only "public-utility customers" are eligible for compensation for participation in Commission proceedings. PU Code § 1802(b) finds that customers eligible for compensation do not include governmental agencies or "any entity that, in the commission's opinion, was established or formed by a local government entity for the purpose of participating in a commission proceeding."

On September 4, 1996, the Commission issued D.96-09-040 in response to SPURR/REMAC's Notice of Intent to Claim Compensation in R.94-04-031. D.96-09-040 found that SPURR/REMAC is not eligible for compensation in Commission proceedings because it is not a "customer" as defined by PU Code § 1802(b) because it is a governmental agency. In this proceeding, SPURR/REMAC does not state that its status has changed. We therefore assume SPURR/REMAC is a governmental agency and therefore not eligible for compensation under PU Code § 1802(b).

Finding of Fact

D.96-09-040 found that SPURR/REMAC is not eligible for compensation in Commission proceedings because it is not a "customer" as defined by PU Code § 1802(b).

Conclusion of Law

The Commission should deny SPURR/REMAC's request for compensation.

ORDER

IT IS ORDERED that the request of School Project for Utility Rate Reduction and Regional Energy Management Coalition, dated May 28, 1996, for intervenor compensation for its participation in this proceeding is denied.

This order is effective today.

Dated October 9, 1996, at San Francisco, California.

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