

Decision 97-03-066                      March 31, 1997

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

**ORIGINAL**

Application of the Utility Reform            )  
Network for Rehearing and Immediate        )  
Stay of Resolution G-3205.                    )  
\_\_\_\_\_)

Application 97-03-039  
(Filed March 24, 1997)

**ORDER STAYING RESOLUTION NO. G-3205**  
**AND SHORTENING TIME FOR RESPONDING TO APPLICATION**  
**FOR REHEARING**

**Summary**

By Resolution No. (R) G-3205, we approved with modification Advice Letter (AL) 1987-G, by PG&E. The Resolution ordered a one-time refund in gas rates due to overcollection in the PGA account together with an increase to core customers of 22% and for large commercial customers of 31%.

The Utility Reform Network (TURN) has filed an application for immediate stay of that order and for rehearing. They allege that notice and an opportunity to be heard were not provided as required by GO 96-A and PU Code § 454 because the Resolution resulted in an order not requested or contemplated by the parties to AL 1897-G.

In view of the fact that the rate changes become effective April 1, 1997, TURN's request for stay has merit. TURN argues that because the order changing rates is to become effective April 1, this undermines their ability to seek meaningful rehearing. We will therefore stay Resolution G-3205 effective today. We will further shorten the time for responding to TURN's application to seven days from today.

Notice of this matter did not appear on the Commission's public agenda; however an emergency exists because the circumstances as alleged in the Application for Rehearing constitute a threat of the public health, safety and welfare which justifies our action today under Government Code § 11125.3 and 11125.5(b)(1).

**IT IS ORDERED** that:

1. Resolution No. G-2305 is stayed pending further order of the Commission.
2. Interested parties shall respond to the Application by TURN no later than noon on April 7, 1997. A courtesy copy of those responses shall be personally served on the Office of the General Counsel.

This order is effective today.

Dated March 31, 1997, at San Francisco, California.

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