

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY
AND COMPLIANCE DIVISION
Energy Branch

RESOLUTION E-3163
September 7, 1989

R E S O L U T I O N

RESOLUTION E-3163. SAN DIEGO GAS & ELECTRIC COMPANY AUTHORIZED TO REVISE THE STREET LIGHTING TARIFF SCHEDULES AS THEY APPLY TO JOINTLY-OWNED INSTALLATIONS, ET. AL.

BY ADVICE LETTER 770-E, FILED JUNE 14, 1989.

SUMMARY

1. By Advice Letter 770-E, filed June 14, 1989, San Diego Gas & Electric Company (SDG&E) requests authorization to revise the Street Lighting tariff Schedules LS-1 and LS-2, which pertain to utility-owned and customer-owned installations, respectively.
2. If authorized, Schedule LS-2 will be opened to service on utility-owned poles served by overhead secondary service; concurrently, the jointly-owned portions of Schedule LS-1, Class C will be closed to new customers and the special facilities charges on LS-1, Class C use will be deleted.
3. This resolution grants SDG&E's request.

BACKGROUND

1. SDG&E initially proposed the revisions contained in this filing as part of its 1989 General Rate Case Application A. 87-12-003, and addressed the proposals in the hearings that subsequently took place. However, these revisions were not reflected in Decision 88-12-065. This is apparently a case of omission rather than rejection. Based on the hearings, SDG&E believes these changes to be non-controversial. Therefore SDG&E is renewing its request to incorporate these tariff changes.

NOTICE

1. Public notification of this filing has been made by mailing copies of the advice letter to other utilities, governmental agencies and to all interested parties who requested such

notification. Notice of the advice letter filing was published in the Public Utilities Commission's (CPUC) calendar.

2. In addition to the above notification SDG&E has contacted the municipalities which have jointly-owned facilities and notified them of these proposed changes.

PROTESTS

1. No protests have been received.

DISCUSSION

Special Condition 1.a.(2). of Schedule LS-1

1. Special Condition 1.a.(2)., Jointly-owned Installations, of Schedule LS-1 applies to facilities where the utility owns and maintains the street light fixture. The fixture is mounted on standards and brackets owned by the customer who also provides and maintains the underground service conductor to the pole.

2. Service to jointly-owned installations is generally at the Class A rates, which are the lowest rates of Schedule LS-1. One of the revisions proposed in this advice letter closes this lower rate provision to all new installations as of August 1, 1989.

3. This Special Condition was added at the beginning of SDG&E's street light conversion program to assist customers in converting their existing street light system to High Pressure Sodium Vapor (HPSV). Only two municipalities took advantage of this Special Condition. SDG&E is currently serving only 110 lights.

4. The problem of determining responsibility and liability for jointly-owned installations often result in confusion and delays in providing maintenance.

Special Condition 1.b.(2): of Schedule LS-1

5. Special Condition 1.b.(2). currently states: "Class C rates also apply to installations made in accordance with Schedule LS-4, prior to June 10, 1979." This reference to Schedule LS-4 is obsolete since that schedule was merged with Schedule LS-1 by Decision 90405, dated June 5, 1979.

6. Schedule LS-4 was applicable to utility-owned ornamental lighting. Decision 90405 eliminated the ornamental lighting schedule, due to conservation awareness, and merged all

applicable service into Schedule LS-1. The utility is allowed to charge lower rates for the higher efficient HPSV lamps than for less efficient lamps.

7. This Special Condition is modified to delete reference to Schedule LS-4 and redefines the provision to provide for advance payment by the developer.

8. LS-1C installations are used primarily by developers of condominiums where Home Owners Associations (HOA) will be the ultimate customers. The HOAs do not have any input into the type of facilities that are installed.

9. The intent of revising the special facilities provision is to require the developer to pay the cost of decorative street lights at the outset of work.

10. In addition to these tariff revisions, SDG&E plans to put a cap on its investment in street lighting facilities by "freezing" the investment at the current cost per unit in order to stabilize the LS-1C rate. The developer will be required to provide Contributions In Aid of Construction (CIAC) when the total cost of installation rises above the fixed investment as established by this cap.

11. The revised Special Condition 1.b.(2), specifically requires that the developer pay to the utility the amount in excess of the fixed investment of such facilities.

Special Condition 1.c. of Schedule LS-1

12. Special Condition 1.c. will be deleted, thereby eliminating the special facilities charges that are now used to recover the excess investment.

13. The purpose of this proposed revision is to establish a cap on SDG&E's investment in standard electric street lighting fixtures thereby stabilizing the LS-1C rate structure, and allowing SDG&E to improve its relationship with municipal and private customers.

14. The main problem with jointly-owned installations is the question of responsibility for on-going maintenance which is why most municipal customers avoided it in the first place. Additionally there is a question of liability in the event of an incident such as an automobile accident where the light is not working and there is a car/pole accident and a lawsuit is involved. With joint-ownership, these issues get very complicated.

Special Condition 2 of Schedule LS-2

15. Schedule LS-2 will be modified by the addition of a new Special Condition 2, Customer Installation on Utility Poles, which will read: "Service to street lights owned by governmental agencies will be allowed on utility-owned poles, served from overhead secondary service, where-in the governmental agency owns all street lights within its jurisdiction and has entered into a Pole Attachment Agreement with the utility. Installation of all new street lights will be performed by the governmental agency or its contractor, subject to inspection by the utility."

16. Approval of this revision to Schedule LS-2 will allow governmental agencies to install lights on SDG&E poles, in certain cases. In practice, this was approved by the CPUC in Decision 85-08-088, which authorized the sale of street lights to the City of San Diego.

17. The Commission Advisory and Compliance Division (CACD) of the CPUC has reviewed this filing, including a review of the proceedings in A.87-12-003, the resultant Decision (D)88-12-085. CACD also conferred with the assigned ALJ. CACD concurs with SDG&E's assessment that the issues in this filing are non-controversial.

18. The utility alleges, and CACD agrees, that this filing will not increase any existing rate or charge, except as noted, conflict with other schedules or rules, nor cause the withdrawal of service.

19. SDG&E initially requested that this filing become effective on August 1, 1989, in order to avoid pro-ration of bills and thereby alleviate potential customer confusion.

20. Due to the approval date of this resolution, CACD recommends that this revision date should be changed to cover service rendered on and after September 1, 1989, which will be billed during October. This will serve the same purpose of avoiding the proration of bills.

FINDINGS

1. The issues of this filing were initially addressed during the proceedings of A.87-12-003 with no points of contention being raised. The resultant Decision (D.88-12-085) omitted deciding on this matter.

2. No protests have been filed against this advice letter.

3. The proposed revisions to Schedule LS-1 will help protect the financial and operational interests of existing street lighting customers, such as municipalities and home owners associations.
4. The proposed revision to Schedule LS-2 will allow governmental agencies to install street lights on utility-owned poles as previously approved by the CPUC in a prior decision.
5. This filing will help SDG&E standardize its street lighting schedules with no adverse impact on existing customers.
6. For all of the above reasons, this filing should be approved as presented, with the exception of the revision to the effective date.

THEREFORE IT IS ORDERED that:

1. San Diego Gas & Electric Company is instructed to file substitute tariff sheets to Advice Letter 770-E for the purpose of changing the effective date of the revisions to the street lighting schedules from August 1, 1989 to September 1, 1989.
2. Upon receipt of such substitute tariff sheets San Diego Gas & Electric Company shall be authorized under the provisions of Section 454 of the Public Utilities Code to place such sheets into effect for service rendered on and after September 1, 1989.
2. Advice Letter 770-E and revised substitute tariff sheets shall be marked to show that they were approved for filing by this Resolution E-3163.
3. The effective date of this resolution is today.

I hereby certify that this resolution was adopted by the California Public Utilities Commission at its regular meeting on September 7, 1989. The following Commissioners approved it:

G. MITCHELL WILK
President
FREDERICK R. DUDA
STANLEY W. HULETT
JOHN B. OHANIAN
PATRICIA M. ECKERT
Commissioners

Wesley Franklin
WESLEY FRANKLIN
Acting Executive Director