

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY AND
COMPLIANCE DIVISION
Energy Branch

RESOLUTION E-3243
September 25, 1991

R E S O L U T I O N

RESOLUTION E-3243. TAXABILITY OF CONTRIBUTIONS IN AID OF CONSTRUCTION AND ADVANCES IN AID OF CONSTRUCTION FOR CALIFORNIA CORPORATE FRANCHISE TAX PURPOSES, I.86-11-019.

BY PACIFIC GAS AND ELECTRIC COMPANY ADVICE LETTERS 1643-G/1352-E FILED ON APRIL 10, 1991, SAN DIEGO GAS & ELECTRIC COMPANY ADVICE LETTERS 809-E/750-G FILED ON APRIL 8, 1991, SIERRA PACIFIC POWER COMPANY ADVICE LETTER 216-E FILED ON MAY 28, 1991, SOUTHERN CALIFORNIA EDISON COMPANY ADVICE LETTER 901-E FILED ON APRIL 19, 1991, SOUTHERN CALIFORNIA GAS COMPANY ADVICE LETTER 2030 FILED ON MAY 23, 1991, SOUTHWEST GAS CORPORATION ADVICE LETTER 429 FILED ON MAY 15, 1991, AND SAN JOSE WATER COMPANY ADVICE LETTER 235 FILED ON MAY 30, 1991.

SUMMARY

The California Franchise Tax Board (FTB) issued Notice 91-2 (Notice) on May 21, 1991, which stated that Contributions in Aid of Construction (CIAC) and Advances in Aid of Construction (AIC) must be included in the gross income of a recipient regulated public utility. This approach conforms with that adopted by the federal government in the Tax Reform Act of 1986 (TRA). Prior to this Notice, California's position on the taxability of CIAC and AIC had not yet been fully determined.

On March 28, 1991, the FTB issued a Legal Ruling (LR) to San Diego Gas & Electric Company (SDG&E) regarding the taxability of CIAC and AIC. In this LR, the FTB withdrew a previous FTB LR which held that CIAC and AIC received by SDG&E would not be taxable for California Corporate Franchise Tax (CCFT) purposes. In response to the FTB LR, SDG&E, Southern California Gas Company (SoCal Gas), Southern California Edison Company (SCE), Pacific Gas and Electric Company, (PG&E), Southwest Gas Company (SWG), Sierra Pacific Power Company (SPPC), and San Jose Water Company (SJW) filed advice letters requesting authority to revise the income tax component of the contribution and advance gross-up factor reflected in their tariffs. (See Attachment A).

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Decision (D.) 87-09-026 authorized the methods by which the utilities may recover the tax imposed by the federal government on contributions and advances, by establishing a gross-up to be collected from the contributor. The clear intent of the decision was to leave the ratepayers indifferent to this tax. At the time D.87-09-026 was issued, California taxing authorities had not yet determined whether or not California would conform with the federal tax code on this issue. Because this was an unresolved issue, D.87-09-026 did not authorize a gross-up for California taxes. The Commission however stated:

"We will authorize all utilities to apply the same method they chose for the federal tax gross-up for California taxes, if and when imposed. Should California authorities impose a tax on contributions retroactive to January 1, 1987, we will authorize the utilities to collect that tax from ratepayers for the retroactive period ..."¹

PG&E's, SCE's, SoCal Gas's, SWG's, SPPC's, SJW's and SDG&E's advice letter(s) have been filed on a prospective basis, consistent with the intent and the methods adopted in D.87-09-026. This resolution approves all advice letters and allows the utilities to collect from contributors the additional gross-up for CCFT on CIAC and AIC, on a prospective basis, and provides protection for the ratepayer and the contributor. The additional CCFT gross-up will be collected subject to refund, and the utilities are encouraged in their legislative attempt to reverse the position of the FTB regarding the taxability of contributions and advances.

BACKGROUND

CIAC are any items contributed to a regulated public utility for the purpose of expansion, improvement, or replacement of the utility's facilities. AIC are advances which may be refundable in the future. Both CIAC and AIC represent a major source of capital needed by utilities to finance customer growth, particularly for water utilities.

In 1976, Congress enacted Internal Revenue Code (IRC) Section 118(b) which defined contributions as contributions to capital. Such contributions were deemed not taxable for federal purposes and were also not included in the taxpayer's rate base for ratemaking purposes. In October of 1986, the TRA was signed into law. It repealed the provisions of Section 118(b) and defined contributions

¹ Decision 87-09-026, page 76.

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to capital as specifically excluding CIAC and AIC received by a regulated public utility.

On November 14, 1986, the Commission instituted Investigation (I.) 86-11-019 to consider the ratemaking implications of the TRA. Phase 1 addressed CIAC and AIC. The major issue of this phase of the investigation was determining who should bear the burden of this new tax. D.87-09-026 placed the burden of the tax on the contributor or advancer, and was based on the premise that the person who causes the tax must pay the tax. This decision authorized the methods which utilities may adopt to recover the federal tax imposed upon CIAC and AIC pursuant to the TRA. "Method 5" was authorized as:

"...the principal method of recovering the tax, a method by which the contributor of the property or cash or the person making the advance pays the tax by paying, in addition to the contribution or advance, the present value of the future tax burden. Method 5 requires the utilities to advance part of the tax. For those small utilities which cannot afford to make the advance, the decision authorized Method 2, which permits them to collect the entire tax from the contributor or the advancer."²

The California history of the taxability of CIAC and AIC is not as clear. Assembly Bill (AB) 53 and Senate Bill (SB) 572, the bills which introduced conforming legislation to TRA, stated that CIAC and AIC had been considered contributions to capital for state purposes, and that California was not conforming to federal treatment. Thus, taxpayers assumed that CIAC and AIC were not taxable for CCFT purposes. SDG&E requested clarification on this issue from the FTB in a Request for Legal Ruling dated March 16, 1987. The FTB issued a LR to SDG&E on August 13, 1987, in which it stated:

"Franchise Tax Board, absent a change in case law or amendment to the California Revenue & Taxation Code, will continue to allow as exclusions from gross income amounts received by SDG&E which are contributions in aid of construction (with the exception of connection fees). For California tax purposes, excludible contributions will include any portions collected as federal tax reimbursements."³

² Decision 87-09-026, page 2.

³ Franchise Tax Board Legal Ruling to San Diego Gas & Electric Co., dated August 13, 1987, page 2.

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On March 28, 1991, the FTB issued a LR to SDG&E, which withdrew the previously issued ruling, stating that California had never conformed with the federal legislation classifying CIAC and AIC as contributions to capital. Therefore, the FTB interprets the lack of legislative conformance with TRA's treatment of IRC Section 118(b) as having no effect on the current status of California law.

On April 3, 1991, the FTB explained its position in a memorandum to the Honorable Wadie Deddeh, Chairman of the Senate Revenue and Taxation Committee:

"We have recently reviewed this area and have determined that California never conformed to the referenced federal statute, so these payments are and have been items of income for California franchise tax purposes. Our audit staff will be instructed to take appropriate action which may mean substantial assessments for some California regulated public utilities."⁴

On May 21, 1991, the FTB published Notice 91-2 (Notice), further clarifying its position in regard to the taxation of CIAC and AIC. In this Notice, the FTB stated that gross income of a corporation includes all income from whatever source derived unless an item is specifically excluded according to the IRC for federal purposes and the Revenue and Taxation Code for state purposes. The Notice further states that California never conformed statutorily to the previous federal exclusion delineated in IRC Section 118 and that California law contains no counterpart to this section. Revenue Ruling 75-557, issued in 1975, mandated that the tax consequences of payments made to a corporation are to be determined without distinction as to the status of the taxpayer as a regulated utility. In response to this ruling, federal legislation leading to IRC 118(b) was enacted, effective for those payments received on or after February 1, 1976. According to the FTB, because California never conformed to that legislation, such CIAC and AIC continued to be taxable for California purposes. Further, although the TRA reversed the federal position and included CIAC and AIC in the public utility's gross income, California had never conformed to this federal provision, and prior California law applies to these payments.

4 Memorandum from Gerald H. Goldberg, Executive Officer of the Franchise Tax Board, to Honorable Wadie Deddeh, Chairman of the Senate Revenue and Taxation Committee, dated April 3, 1991.

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ADVICE LETTER REQUESTS

In response to FTB's March 28, 1991, LR, SDG&E, SoCal Gas, SCE, PG&E, SWG, SPPC, and SJW filed advice letters requesting authority to revise the income tax component of the contribution and advance gross-up factor reflected in their tariffs.

All advice letters request prompt Commission approval in order to begin collecting the revised tax gross-up. All of the utilities use Method 5, as described in D.87-09-026, to compute the additional CCFT gross-up, except for SDG&E which uses the Maryland Method as defined in the decision. SDG&E requests a revised tax factor (gross-up) of 37%, which includes both the federal and state tax components. SoCal Gas requests a revised tax factor of 35%, SCE requests a revised tax factor of 34%, PG&E requests a revised gas tax factor of 35% and a revised electric tax factor of 34%, SWG requests a revised tax factor of 34%, SPPC requests a revised tax factor of 31%, and SJW requests a revised tax factor of 32.8% for CIAC and 33.2% for AIC.

NOTICE

PG&E, SCE, SPPC, SoCal Gas, SWG, SJW and SDG&E provided public notice by mailing copies of their respective advice letter(s) to other utilities, governmental agencies, and interested parties. Notice of the filings was also published in the Commission calendar.

PROTESTS

On May 15, 1991, the Division of Ratepayer Advocates (DRA) filed a protest to Advice Letter No. 2030 of SoCal Gas, Advice Letter No. 809-E and 750-G of SDG&E, and all other utilities with similar requests. DRA believes the impact on ratepayers could be substantial for two reasons:

1. Assessments made by the FTB will be for prior years (1987 through 1990), and D.87-09-26 provides authority for utilities to collect these assessments from ratepayers.
2. For those who make contributions and advances prospectively, the impact will be to increase the amount of payment, which, in the case of developers, will ultimately be reflected in the price of new real estate.

DRA is concerned that there is no legislative authority to tax CIAC and AIC for CCFT purposes and utilities should avail themselves of

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all administrative and legal means to challenge any FTB LRs which propose such treatment.

DRA believes that it is not the intent of the California State Legislature to tax CIAC and AIC. Although there is no specific statute excluding these items from California taxable income, it is clear that it was the intent of the drafters of AB 53 and SB 572 not to extend California's conformance with FIT law to the taxation of CIAC and AIC.

DRA proposes the following course of action in order to explore all relevant factors to resolve this issue:

1. Reopen I.86-11-019 for the purpose of conducting expedited workshops to:
 - a. Consider all available remedies which could be used to reverse the FTB's position that CIAC and AIC are taxable for CCFT purposes.
 - b. Consider whether it is appropriate, in order to protect ratepayers, to: (1) Allow utilities to collect from developers prospectively the additional CCFT on CIAC and AIC. (2) Track the CCFT collected in memorandum accounts. (3) Make the CCFT collected subject to refund depending upon whether the utilities are successful in reversing the position of the FTB regarding taxable CIAC and AIC.
2. Conduct formal hearings.

On May 3, 1991, the Building Industry Association of Southern California (BIASC) filed a protest to SCE's Advice Letter No. 901-E, stating that the FTB's LR was confined to SDG&E only and that it is BIASC'S opinion that the FTB's ruling on this matter is illegal and will be reversed. The BIASC is concerned that an additional gross-up will impact the affordability of new homes, which, in turn, could negatively impact the economy.

The California Cogeneration Council (CCC) filed protests to both PG&E's advice letter on May 8, 1991, and to SoCal Gas' advice letters on May 15, 1991. CCC believes these advice letters should be rejected by the Commission until PG&E and SoCal Gas establish that the SDG&E's LR applies to public utilities in general, since a LR applies only to the named taxpayer seeking the Legal Ruling. CCC also states that qualifying facility (QF) transfers of CIAC are exempted under federal law as non-taxable events. CCC is concerned that neither PG&E nor SoCal Gas has established that QF transfers of CIAC are similarly excluded under California law.

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On May 17, 1991, the California Building Industry Association (CBIA) formally endorsed the contents of DRA's protest, including DRA's recommended course for pursuing the issue of state taxation of CIAC and AIC. As a representative of the state's building industry, CBIA is greatly concerned by the apparent, and improper, intention of the FTB to assert that CIAC and AIC are includable as gross income and subject to state income tax.

RESPONSES

PG&E responded to CCC's protest on May 21, 1991, and stated that although the LR applies to the named taxpayer only, FTB's intent to apply this tax to CIAC and AIC received by all regulated public utilities is clear, as evidenced by the memorandum from the Executive Officer of the State Franchise Tax Board to the Chairman of the California Senate Revenue and Taxation Committee. PG&E also disputes CCC's assertion that QF transfers should be exempt. PG&E states that the Internal Revenue Service (IRS) rulings do not provide for an exemption from federal tax, but rather for a limited deferral for certain QF transfers. The Independent Energy Producers filed a Petition to Modify D.87-09-026 on this point, but this issue has not been resolved, despite workshops on the matter, and the gross-up collection for federal tax on QF transfers continues. Therefore, PG&E asserts that the utilities should be authorized to collect California tax gross-ups, subject to refund if the tax is ultimately found to be inapplicable. This approach would protect all parties: the utilities, the ratepayers, and the contributors.

SDG&E responded to DRA's protest on June 3, 1991, and stated that the company shares DRA's concerns relative to the actions of the FTB and that it is willing to participate in whatever workshops or discussions are deemed necessary. SDG&E asserted that since the revocation of March 28, 1991, specifically addresses SDG&E, its request must be approved. DRA believes that the retroactive application of prior year assessments (1987 - 1990) does not apply to SDG&E, given the initial FTB LR obtained by the company dated August 13, 1987. Agreeing with DRA, SDG&E states that the existence of that LR releases the utility from CCFT liability on CIAC and AIC payments until receipt of the revocation.

SCE filed its response to DRA's protest on June 10, 1991, and agreed that workshops may be helpful to consider factors relating to the collection of the tax component. However, SCE encouraged prompt approval of authorization to collect the tax component from the contributor, since this action will minimize the exposure of the general ratepayer to pay taxes on such contributions.

SoCal Gas filed its reply to CCC's and DRA's protests on July 1, 1991, and stated that it is clear that the FTB's position will apply to all utilities. In fact, SoCal Gas recently received a

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final FTB audit report reflecting FTB's intent to assert its position against SoCal Gas. Therefore, SoCal Gas believes it is prudent to collect the tax while it challenges FTB's position. To do otherwise would expose the ratepayers to risk. SoCal Gas also asserts that the QF exemption is irrelevant to Advice Letter No. 2030. CCC refers to an exemption regarding utilities which may apply to electric utilities, but not a gas utility such as SoCal Gas.

DISCUSSION

After analyzing the advice letters, the protests, and the responses, the Commission Advisory and Compliance Division (CACD) recommends approval of PG&E's, SCE's, SPPC's, SJW's, SoCal Gas's, SWG's, and SDG&E's advice letter(s) implementing the additional CCFT gross-up. The additional CCFT gross-up should be collected subject to refund, depending upon whether the utilities are successful in reversing the position of the FTB regarding taxable CIAC and AIC.

D.87-09-026 authorized refunds of the federal tax gross-up collected on CIAC and AIC if a) the gross-up collected is in excess of that authorized and b) the contribution or advance proves to be not subject to tax. Refunds were ordered to be made with interest computed at the average three month commercial paper rate as published in the Federal Reserve Bulletin. Any applicable refunds of the CCFT gross-up should be consistent with D.87-09-026.

CACD agrees with DRA that the impact on the ratepayers could be substantial should the FTB apply such assessments retroactively. D.87-09-026 allows the utilities to recover such taxes imposed retroactively from January 1, 1987, from the ratepayers. Although it is questionable whether the FTB's position on this issue will be upheld, CACD believes it is imperative that the general body of ratepayers be protected, as was the intent of D.87-09-026.

The utilities have been actively urging the legislature to oppose FTB's position. AB 1757 is currently before the legislature to reverse FTB's position. The utilities are encouraged to vigorously pursue such remedies. Workshops are not necessary at this time. Because FTB's stand could be negated, the collection of the additional gross-up should be collected subject to refund. The utilities should track all contributions and advances in order to refund the CCFT gross-up. DRA's protest should be denied, except for this issue.

CCC's protests to PG&E's Advice Letters Nos. 1643-G/1352-E and to SoCal Gas' Advice Letter No. 2030 should be similarly denied. The FTB's intent to apply this additional tax to all regulated public utilities is clear at this time. The taxability of QF transfers is

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still pending in the Petition to Modify D.87-09-026 and should be properly resolved in that forum.

SoCal Gas should file re-numbered Preliminary Statement pages, since the ones filed with Advice Letter 2030 were created prior to the finalization of the Order Instituting Rulemaking (R.) 90-02-008 procurement tariffs. Since these changes are being instituted after the implementation date (August 1, 1991) for the procurement process, these tariff sheets and sheet numbers must change.

Other Respondents to I.86-11-019⁵ should be directed to file appropriate tariffs revising their Income Tax Component of Contributions and Advances to incorporate the CCFT gross-up. The additional gross-up must be calculated using the same methodology used to compute the federal income tax (FIT) component.⁶ The tariff filings should be effective no sooner than 5 days after the filing date on not less than 30 days notice to the public.

FINDINGS OF FACT

1. CIAC and AIC are any items contributed to a public utility for the purpose of expansion, improvement, or replacement of the utility's facilities.
2. TRA repealed the provisions of IRC Section 118(b) which had considered CIAC and AIC to be contributions to capital. TRA considered such contributions to be gross income and therefore taxable.
3. The intent of the California Legislature in conforming to federal income tax law under the TRA has been unclear.
4. The FTB issued a LR to SDG&E, dated August 13, 1987, which stated that CIAC and AIC were not considered taxable for CCFT purposes.
5. The FTB reversed the 1987 LR in a new LR to SDG&E, dated March 28, 1991. The FTB also stated its position on the taxability of

5 Respondents to I.86-11-019 include electric, gas, heat, water, and telecommunications utilities including AT&T Communications of California but excluding radio telephone utilities, cellular resellers, and non-dominant inter-lata carriers. Transportation companies and oil pipeline utilities are excluded. (I.86-11-019, p.1 and p.2)

6 D.87-09-026, Ordering Paragraph-Number 6, page 78.

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CIAC and AIC in a memorandum sent to the Chairman of the Senate Revenue and Taxation Committee, dated April 3, 1991.

6. The FTB Notice, dated May 21, 1991, states that CIAC and AIC have always been considered a part of a regulated public utility's gross income and are therefore considered taxable.

7. Ordering Paragraph No. 6 of D.87-09-026 allowed the utilities to collect any California state tax imposed on CIAC, AIC, and/or the federal tax gross-up portion thereof from the ratepayers from the date the California tax is first announced, if the tax is retroactive to January 1, 1987.

8. The clear intent of D.87-09-026 was to leave ratepayers and utilities as indifferent as possible to the federal tax and its associated gross-up. The tax causer must bear the burden.

9. The advice letter filings by the utilities listed in Appendix A of this resolution were filed in response to the FTB's LR of March 28, 1991. The advice letters were filed to collect the additional CCFT gross-up on a prospective basis.

10. There may be Legislative options for ratepayers, contributors and utilities to reverse the FTB Notice and FTB LR as well as options for utilities which contest FTB assessments. Therefore, the additional gross-up should be collected subject to refund.

11. DRA's protest should be granted to the extent of collecting the additional CCFT gross-up subject to refund.

12. CCC's protest should be denied.

13. The requests by SDG&E, PG&E, SoCal Gas, SCE, SWG, SPPC, and SJW Water to revise their Income Tax Component of Contributions and Advances to incorporate the additional CCFT gross-up are reasonable and should be granted. It is reasonable that the additional gross-up should be collected subject to refund, as discussed in this Resolution. It is reasonable to require the utilities to track CIAC and AIC in the event the FTB's position on the taxability of CIAC and AIC is reversed.

14. It is reasonable to have other Respondents named in I.86-11-019 file appropriate tariffs revising the Income Tax Component of Contributions and Advances to incorporate the additional CCFT gross-up. Such filings should be filed within 30 days of the effective date of this Resolution, to be effective no sooner than 5 days after filing on no less than 30 days notice.

15. SoCal Gas should file re-numbered sheets for its Preliminary Statement and tariffs as discussed in this Resolution.

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16. It is reasonable that refunds of the CCFT gross-up collected on CIAC and AIC be consistent with D. 87-09-026. Interest on the refunds should be computed at the average three month commercial paper rate as published in the Federal Reserve Bulletin.

17. Refunds should be made with interest by those utilities which collected a CCFT gross-up on CIAC and AIC before the effective date of their tariffs.

18. Utilities should be required to refund with interest the CCFT gross-up amounts collected with CIAC and AIC which prove not to be subject to CCFT.

THEREFORE, IT IS ORDERED that:

1. The following advice letter (AL) requests to revise the utilities respective Income Tax Component of Contributions (CIAC) and Advances (AIC), gross-up, for California Franchise Tax (CCFT) purposes are approved and shall be effective on the date of this Resolution:

Pacific Gas & Electric Company's (PG&E) AL No. 1643-G/1352-E
San Diego Gas & Electric Company's (SDG&E) AL No. 809-E/750-G
Southern California Edison Company's (SCE) AL No. 901-E
Southwest Gas Corporation's (SWG) AL No. 429

2. San Jose Water Company's (SJW) AL No. 235 and Sierra Pacific Power Company's (SPPC) AL No. 216-E are approved and shall be effective upon 30 days notice.

3. Southern California Gas Company's AL No. 2030 is approved and shall be effective upon filing of the re-numbered tariff sheets as discussed in this Resolution.

4. The additional CCFT gross-up on CIAC and AIC shall be collected subject to refund with interest as there may be Legislative options to reverse the Franchise Tax Board (FTB) Notice 91-2, dated May 21, 1991, as well as options for utilities which contest FTB assessments.

5. PG&E, SDG&E, SCE, SWG, SoCal Gas, SJW, and SPPC shall track CIAC and AIC and the CCFT gross-up collected on these items in the event the FTB's position on the taxability of CIAC and AIC is reversed.

6. All Respondents named in the California Public Utilities Commission's (Commission) Order Instituting Investigation (I.) 86-11-019, except those named in this Resolution, shall file tariffs revising their Income Tax Component of Contributions and Advances to incorporate the additional CCFT gross-up. These filings shall

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be filed within 30 days of the effective date of this Resolution and will be effective no sooner than 5 days after filing on not less than 30 days public notice. The additional CCFT gross-up shall be collected subject to refund with interest, and the utilities shall track CIAC and AIC and the associated CCFT gross-up collected in the event the FTB'S position on the taxability of CIAC and AIC is reversed.

7. Applicable refunds of the CCFT gross-up collected shall be made with interest computed at the average three month commercial paper rate as published in the Federal reserve Bulletin.

8. All Utilities which have collected the additional CCFT gross-up prior to tariff approval, shall make refunds as follows:

- a. Refunds shall be completed within 90 days after the effective date of this Resolution.
- b. Interest shall be computed from the date of collection to the date of refund.
- c. Interest shall be computed at the average three month commercial paper rate as published in the Federal Reserve Bulletin.⁷

9. All utilities named respondents to I.86-11-019 shall report to the Commission Advisory and Compliance Division within 120 days after the effective date of this Resolution a summary of the CCFT gross-up collected on CIAC and AIC from March 28, 1991, until the effective date of their tariffs increasing the tax gross-up on CIAC and AIC for CCFT purposes, the associated CIAC and AIC and the refunds made, with dates and amounts.

7 I.87-09-026, Ordering Paragraph 8.e., page 79.

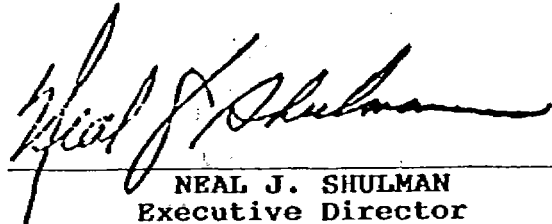
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10. The Executive Director shall serve a copy of this Resolution on all Respondents named in I. 86-11-019.

11. This Resolution is effective today.

I certify that this Resolution was adopted by the Public Utilities Commission at its regular meeting on September 25, 1991. The following Commissioners approved it:



NEAL J. SHULMAN
Executive Director

I abstain

G. MITCHELL WILK
Commissioner

PATRICIA M. ECKERT
President

JOHN B. CHANIAN
DANIEL Wm. FESSLER
NORMAN D. SHUMWAY
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ATTACHMENT A
 ADVICE LETTER FILINGS

ADVICE LETTER NUMBER	UTILITY	METHOD USED	GROSS-UP REQUESTED
1643-G	PG&E	Method 5	0.35%
1352-E	PG&E	Method 5	0.34%
809-E	SDG&E	Maryland	0.37%
750-G	SDG&E	Maryland	0.37%
216-E	SPPC	Method 5	0.31%
901-E	SCE	Method 5	0.34%
2030	SoCal Gas	Method 5	0.35%
429	SWG	Method 5	0.35%
235	SJW	Method 5 (CIAC)	0.32.8%
235	SJW	Method 5 (AIC)	0.33.2%