

L/mal\*\*

Mailed:  
11/19/96

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's )  
 own motion and Order to Show Cause )  
 to determine if Pacific Gas & Electric )  
 should be held in violation of Gas )  
 Tariff Rule 16 for failure to provide )  
 trenching at no cost within the )  
 allowance of 100 feet. )

**F I L E D**  
**PUBLIC UTILITIES COMMISSION**  
**OCTOBER 25, 1996**  
**SAN FRANCISCO OFFICE**  
**I.96-10-033**

ORDER INSTITUTING INVESTIGATION  
ORDER TO SHOW CAUSE AND NOTICE OF HEARING

Upon the reading and consideration of the Affidavit of Kevin P. Coughlan attached hereto and good cause appearing therefor,

IT IS HEREBY ORDERED that Pacific Gas and Electric Company (PG&E), a public utility certificated by and subject to the regulations of the Public Utilities Commission of California, appear and show cause before Administrative Law Judge Rosenthal, in the Commission Courtroom, 505 Van Ness Avenue, San Francisco, CA 94102, on February 19 & 20, 1997, at 9:30 a.m. PG&E is ordered to show cause why PG&E, or any officer of PG&E under whose direction and control Mrs. Marlene McFall of San Andreas, California has been denied gas service to her new house unless she agrees to pay the cost for gas service trenching, should not be adjudged in contempt of this Commission for violation of Gas Tariff Rule 16 (effective on July 1, 1995), which requires the utility to pay for trenching within the allowance of 100 feet when installing gas service.

At this hearing, PG&E shall make available any and all officers of PG&E under whose direction and control Mrs. McFall was denied gas service, to answer under oath questions concerning the above stated violations.

IT IS FURTHER ORDERED that PG&E present to the Commission at the aforementioned time and place a list of applicants and charges made to applicants by PG&E for gas service trenching as set out below.

IT IS FURTHER ORDERED that PG&E present to the Commission at the aforementioned time and place a list of applicants and charges made to applicants by PG&E for trenching both within and beyond the 100 feet allowance since the effective date of this tariff rule change, July 1, 1995. PG&E should also present to the Commission at the aforementioned time and place a list of applicants and charges made to applicants by PG&E for trenching both within and beyond the 100 feet allowance prior to July 1, 1995. A copy of such lists shall be made available by PG&E to the Commission's Energy Branch of the former Advisory and Compliance Division ten days prior to the aforementioned hearing date.

PG&E should be prepared to show cause at the aforementioned time and place if any cause there be why the Commission should not punish PG&E and/or its officers for any failure on PG&E's part to comply with Gas Tariff Rule 16, or to comply with trenching tariff rules that existed prior to Rule 16, as to the applicants on the above-ordered lists.

IT IS FURTHER ORDERED that PG&E and the above described officers further appear and show cause at the aforementioned time and place if any cause there be why the Commission should not punish for such contempt as it may find by fining PG&E, and the above named officers, as described in Public Utilities Code Sections 2107, 2108, and 2113, for PG&E's refusal to comply with Gas Tariff Rule 16 with regard to Mrs. McFall and as to any of the applicants included in the above-ordered lists, and for each day that PG&E fails or failed to install gas service for Mrs. McFall or any of the applicants on the above-ordered lists, including any necessary trenching within the allowance of 100 feet without charge to the customer.

IT IS FURTHER ORDERED that the Executive Director of this Commission shall cause a true copy of the Affidavit of Kevin P. Coughlan along with a copy of this order to be personally served upon PG&E, and upon Mr. Steven L. Kline, Vice President, Regulation at PG&E. Service by mail shall be undertaken for all other parties.

This order is effective today.

Dated October 25, 1996, at Sacramento, 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.

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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AFFIDAVIT OF KEVIN P. COUGHLAN

Kevin P. Coughlan, being duly sworn, deposes and says that:

1. I am employed as a Program Manager by the Public Utilities Commission of the State of California (Commission), and my business address is 505 Van Ness Avenue, San Francisco, California 94102. I have held my current position of Chief of the Energy Branch, Commission Advisory and Compliance Division (CACD), since January 1992.

2. The purpose of this affidavit is to provide a factual recital to the Commission regarding Pacific Gas and Electric Company's (PG&E) refusal to comply with its Gas Tariff Rule 16. Specifically, PG&E has refused to bear its responsibility for paying the cost of trenching for the first 100 feet of a gas service extension, as required by Tariff Rule 16, Sections D(2) (a), E(3), and E(5) (a).

3. On December 7, 1994, the Commission issued Decision (D.) 94-12-026 in Order Instituting Rulemaking (OIR) on the Commission's own motion to consider the line extension rules of electric and gas utilities (R.92-03-050). PG&E is a respondent in that proceeding. Ordering Paragraph 7 of D.94-12-026 states:

"The utilities shall submit new gas main and electric line extension and service rules and standard form contracts by March 31, 1995. The tariffs shall be effective on July 1, 1995."

4. In compliance with D.94-12-026, PG&E filed Advice Letter 955-G on March 31, 1995 and Advice Letter 955-G-A on June

27, 1995 which contained Rule 16-Gas Service Extensions (see Attachment D). The tariff sheets accompanying PG&E Advice Letter 955-G-A became effective July 1, 1995.

5. On February 6, 1996, Ms. Elaine Wong, Sr. Tariff Analyst at PG&E, sent a letter to Mrs. Marlene McFall in response to Mrs. McFall's questions regarding gas service to her home. In the February 6 letter Ms. Wong stated that Mrs. McFall would "...be responsible for the cost of trenching because there is no allowance given for trenching." A copy of that letter was sent to Mr. John Dutcher of the Commission's Energy Branch (see Attachment A for a copy of Ms. Wong's letter sent by facsimile to John Dutcher on March 26, 1996).

6. On March 27, 1996, I sent a letter to Mr. Steven L. Kline, Vice President, Regulation at PG&E (see Attachment B). I stated in the letter that I considered PG&E's interpretation of Mrs. McFall's trenching cost responsibility for gas service extension to be out of compliance with Gas Tariff Rule 16. I noted that Gas Tariff Rule 16 requires PG&E, not the applicant, to pay for trenching costs within the allowance of 100 feet. I asked PG&E to make the necessary adjustments to Mrs. McFall's account in light of that rule. In addition, I asked PG&E for a listing of other applicants, and charges made to applicants, for trenching both within and beyond the 100 foot allowance since July 1, 1995. PG&E has since provided me with a list of those applicants. PG&E is currently gathering the information on the overcharges for these customers.

7. On April 15, 1996, Mr. Kline responded to my March 27, 1996 letter (see Attachment C). The letter does not address PG&E's lack of compliance with the currently effective tariff with regard to Mrs. McFall or any other applicant. It does, however, state that PG&E's interpretation of Gas Tariff Rule 16 is different than CACD's. It provides as the basis for this difference that PG&E's intention during the OIR proceeding was "...to pay for no more than 100 feet of pipe...All other costs would be the applicant's responsibility." The letter also discusses PG&E's intention to file a Petition for Modification of D.94-12-026 no later than by April 30, 1996. One aspect of this

modification is to address the gas trenching responsibility of Gas Tariff Rule 16.

8. Contrary to the statement made in PG&E's letter of February 6, 1996 that "...there is no allowance given for trenching," Tariff Rule 16 clearly places the responsibility for trenching costs on PG&E, as noted below:

"...PG&E will furnish, install (or pay for), own and maintain the Service Facilities including trenching, as applicable after Applicant meets all the requirements to receive service... Applicant may elect to provide the trench. If Applicant chooses to perform the trenching, it must also secure permits from governmental authority having jurisdiction. If Applicant qualifies for an Extension Service allowance, PG&E will provide Applicant with a reimbursement or credit for the PG&E's project-specific-estimated cost-per-foot of trench." (Tariff Rule 16 D(2) (a). (See Attachment D); emphasis added.)

9. Under Sections E(3) and E(5) (a) of Tariff Rule 16, PG&E, not the Applicant, is held responsible for the cost of trenching within the allowance of 100 feet (see Attachment D).

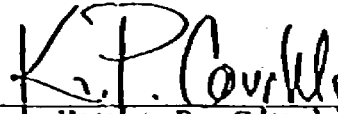
10. I have verified that Southern California Gas Company (SoCalGas) and Southwest Gas Company (SWG) are in compliance with their counterpart tariffs of PG&E's Gas Tariff Rule 16. For SoCalGas, it is Tariff Rule 21; for SWG, it is Tariff Rule 16.

11. The San Diego Gas & Electric Company's (SDG&E's) practices for charging customers for the trenching of the first 100 feet of gas line extension are the same as PG&E's, i.e. SDG&E charges the service Applicant for the trenching. Based upon my discussions with SDG&E, it is my understanding that SDG&E has agreed to revise its practices to be in conformance with its Gas Tariff Rule 16 and that it will refund any charges that it has collected from customers for trenching the first 100 feet of line extension.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

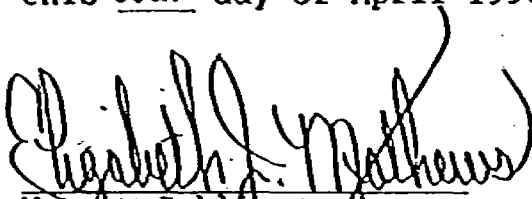
I.96-10-033

Executed this 30th day of April 1996, at San Francisco,  
California.



Kevin P. Coughlan  
Chief - Energy Branch  
Commission Advisory and Compliance Division

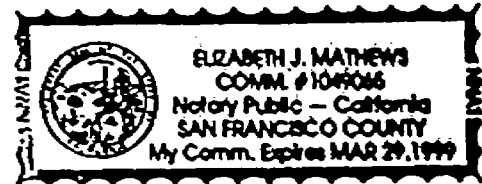
Subscribed and sworn before me  
this 30th day of April 1996.



Notary Public  
Elizabeth J. Mathews, 505 Van Ness Avenue, Rm. 5300  
San Francisco, CA 94102

Notary Public in and for the  
City and county of San Francisco

My Commission expires: March 29, 1999



h9.

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original to..... or their attorneys of record.

Dated \_\_\_\_\_, at San Francisco, California.

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number of the service list on which your name appears.

\* \* \* \* \*

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074 or TDD# (415) 703-2032 five working days in advance of the event.



Marlene McFall  
February 6, 1996  
Page 2

I have reviewed your project with Jerry Brown. You have requested that PG&E perform the trenching and we have provided you with a cost for this work. If you wish, you may have a contractor perform the trenching. Jerry Brown will continue to coordinate providing gas service to your home.

If you have any questions, please call me at (415) 973-8151 or Jerry Brown at (209) 738-8671.

Sincerely,

*Elaine Wong*

ELAINE WONG  
Sr Tariff Analyst

EHW/pfm

cc: John Dutcher, Energy Branch, California Public Utilities Commission  
Jerry Brown  
Ray Cavañero

bcc: Tony Adams  
Don Hellier  
Service Planning Staff

END OF ATTACHMENT A

STATE OF CALIFORNIA

PETE WILSON, Governor

## PUBLIC UTILITIES COMMISSION

SAN FRANCISCO AVENUE  
SAN FRANCISCO, CA 94102-3298

March 27, 1996

Steven L. Kline  
Vice President, Regulation  
Pacific Gas and Electric Company  
77 Beale Street  
San Francisco, California 94102

Dear Mr. Kline:

This is in response to a February 6, 1996 PG&E letter from Elaine Wong, Senior Tariff Analyst to Mrs. Marlene McFall of San Andreas, California about gas service trenching under your Rule 16. In that letter Ms. Wong states that:

Under Section E.3 of Gas Rule 16--Allowances, PG&E will provide an allowance of 100 feet of pipe as measured from the point of connection (meter) to the Distribution line."

Ms. Wong states that the applicant would be responsible for the cost of all of the trenching because there is no allowance given in the Tariff for trenching.

We differ on this issue of who pays for the trenching. Section E.5.a. states that:

**PAYMENTS.** Applicant is responsible to pay PG&E the following non-refundable costs, as applicable under this rule and in advance of PG&E commencing its work:

a. **EXCESS SERVICE LENGTH.** PG&E estimated installed cost (including trenching (emphasis added) and appurtenant facilities such as fitting, valves, etc.) for the excess service length beyond the allowance (emphasis added).

We must interpret Tariff Rule Section E.5.a. as stating that trenching within the allowance (100 feet) is paid by PG&E, not the applicant. While Section E.3. speaks to the allowance for 100 feet of pipe, its silence about trenching responsibility should not be construed as being the responsibility of the applicant. The responsibility of payment by the applicant is clearly articulated in Section E.5.a.

CACD considers your interpretation to be out of compliance with Gas Tariff Rule 16. Please make the necessary adjustments to Mrs. McFall's account.

I.96-10-033

Steven L. Kline, PG&E  
March 27, 1996

In addition, please provide me a listing of applicants and charges made to applicants for trenching both within and beyond the 100 feet allowance since the effective date of this tariff rule change, July 1, 1995. If these customers were also erroneously charged for trenching of the first 100 feet of extension, please make adjustments to their accounts.

If you have any questions you may call me at 703-2408.

Very truly yours,

  
Kevin P. Coughlan, Chief - Energy Branch  
Commission Advisory and Compliance Division

cc: Elaine Wong, Sr. Tariff Analyst

END OF ATTACHMENT B

Pacific Gas and Electric Company

77 Beale Street  
San Francisco, CA 94105  
Mail Code 810A  
P.O. Box 770000  
San Francisco, CA 94177  
415/973-3344 Fax 415/973-7666

Suzen L. Kline  
Vice President  
Regulation

April 15, 1996



Mr. Kevin P. Coughlan  
Energy Branch Chief  
Commission Advisory and Compliance Division  
California Public Utilities Commission  
505 Van Ness Avenue, Room 3102  
San Francisco, CA 94102

Re: Mrs. Marlene McFall  
Letter dated March 27, 1996

Dear Mr. Coughlan:

This is in response to your letter dated March 27, 1996, regarding gas service trenching responsibility under gas Rule 16--Gas Service Extensions.

PG&E agrees with your acknowledgment that the Commission Advisory and Compliance Division and PG&E have different interpretations as to which party pays for trenching within the allowance defined in Rule 16 (100 feet).

PG&E believes that this disparity is a result of the uniform utility tariff sheets that were part of the Stipulation and Settlement Agreement proffered by the Settlement Parties and as such were adopted as part of Commission Decision 94-12-026, dated December 7, 1994, in OIR 92-03-050. Unfortunately, the *pro forma* tariff sheets were not specifically tailored towards a particular utility but were written in a generic style to encompass all of the utilities' uniform terms and conditions, as well as its variations.

PG&E's intention throughout the OIR proceeding was that it would pay for no more than 100 feet of pipe, as stated under Section E.3 of the gas service extension rules (Decision 94-12-026, Appendix B). All other costs would be the applicant's responsibility. Because the *pro forma* tariffs included all of the utilities' terms and conditions, PG&E's current tariffs include its intended allowance provisions and the other utilities intended provisions.

The Joint Respondents<sup>1</sup> will be filing a Petition for Modification to Decision 94-12-026 no later than April 30, 1996. The purpose of the Petition for

<sup>1</sup> The Joint Respondents are made up of PG&E, Southern California Edison Company, San Diego Gas and Electric, Southern California Gas Company, and Southwest Gas Company.

Mr. Kevin P. Coughlan  
April 15, 1996  
Page 2



Modification is to submit cosmetic revisions to the uniform gas and electric extension rules and to address the gas trenching responsibility in gas Rule 16, among other things. PG&E fully expects that the Joint Respondents will prevail in the Petition for Modification.

PG&E would like to provide gas service to Mrs. Marlene McFall and does not want such service to be delayed. PG&E hereby proposes that Mrs. McFall deposit \$1,081.90, the disputed amount, payable to the California Public Utilities Commission, until this issue is resolved. Gas Rule 10--*Disputed Bills* provides for this type of deposit. This will permit the gas service for Mrs. McFall to be installed without delay. PG&E will contact Mrs. McFall this week to propose this arrangement to her.

The list of applicants and charges made to them for trenching you requested will be sent under separate cover by Friday, April 19. Because PG&E does expect the tariff clarifications to be made as a result of the proposed Petition for Modification, it believes that it would be inappropriate to make any adjustments to applicants' accounts, as it would possibly be required to readjust the accounts after the decision. PG&E is willing to discuss with CACD a suitable method for dealing with these accounts until a decision is issued in the proposed Petition for Modification. PG&E believes that the provisions of gas Rule 10 afford applicants and PG&E a fair solution. It is PG&E's current practice to provide all applicants requesting service under gas Rule 16 with a copy of the rule. If after reading the rule, the customer disputes the trenching charges, PG&E will inform the applicant that it must put the disputed amount on deposit with the Commission.

Please contact John Clarke at (415) 973-3652 to discuss PG&E's recommendation.

Sincerely,

*Steven L. Kline* /SFC  
Vice President - Regulation

END OF ATTACHMENT C



GAS RULE 16--GAS SERVICE EXTENSIONS

(N)

**APPLICABILITY.** This rule is applicable to both (1) PG&E's Service Facilities that extend from PG&E's Distribution Main facilities to the Service Delivery Point, and (2) the service related equipment required of Applicant on Applicant's Premises to receive gas service. (Capitalized items are defined in Section I.)

**A. GENERAL**

1. **DESIGN.** PG&E will be responsible for planning, designing, and engineering its Service Facilities and Service Lateral facilities using PG&E's standards for design, materials, and construction.
2. **SERVICE FACILITIES.** For the purposes of this rule, PG&E's Service Facilities shall consist of (a) connection fittings, (b) service pipe, (c) valves, (d) regulators, (e) metering equipment, and (f) other PG&E-owned service related equipment.
3. **OWNERSHIP OF FACILITIES.** Service Facilities installed under the provisions of this rule shall be owned, operated and maintained by PG&E. Applicant shall own, operate, and maintain facilities beyond the Service Delivery Point.
4. **PRIVATE LINES.** PG&E shall not be required to connect Service Facilities to or serve any Applicant from gas facilities that are not owned, operated and maintained by PG&E.
5. **SPECIAL OR ADDED FACILITIES.** Any special or added facilities PG&E agrees to install at the request of Applicant, will be installed at Applicant's expense in accordance with Rule 2--Description of Service.
6. **TEMPORARY SERVICE FACILITIES.** Facilities installed for temporary service or for operations of speculative character or questionable permanency shall be made in accordance with the fundamental installation and ownership provisions of this rule, except that all charges and refunds shall be made under the provisions of Rule 13--Temporary Service.
7. **CONTRACTS.** Applicant requesting service may be required to execute a written contract prior to PG&E performing its work to establish service. Such contract shall be in the form on file with the California Public Utilities Commission (Commission).

(N)

(Continued)



GAS RULE 16--GAS SERVICE EXTENSIONS

(N)

(Continued)

A. GENERAL (Cont'd.)

8. **DISTRIBUTION MAIN EXTENSIONS.** Whenever PG&E's distribution system is not complete to the point designated by PG&E where the Service Lateral is to be connected to PG&E's distribution system, the extension of Gas Main facilities will be installed in accordance with Rule 15--Gas Main Extensions.
9. **RIGHTS-OF-WAY.** Rights-of-way or easements may be required by PG&E to install Service Facilities on Applicant's property to serve only the Applicant.
  - a. **SERVICE FACILITIES.** If the Service Facilities must cross property owned by a third party to serve the Applicant, PG&E may, at its option, install such Service Facilities after appropriate rights-of-way or easements, satisfactory to PG&E, are obtained without cost to PG&E; or
  - b. **MAIN EXTENSIONS.** If PG&E's facilities installed on Applicant's property, or third-party property, will be or are designed to serve adjacent property, then PG&E may, at its option, install its facilities under Rule 15 after appropriate rights-of-way or easements, satisfactory to PG&E, are obtained without cost to PG&E.
  - c. **CLEARANCES.** Any necessary rights of way or easements for PG&E's facilities shall have provisions to maintain legal clearances from adjacent structures.

(N)

(Continued)

Advice Letter No. 1895-G-A  
 Decision No. 94-12-026

18307

Issued by  
 Steven L. Kline  
 Vice President  
 Regulation

Date Filed JUN 21 1995  
 Effective JUL 01 1995  
 Resolution No. \_\_\_\_\_



GAS RULE-16--GAS SERVICE EXTENSIONS

(N)

(Continued)

A. GENERAL (Cont'd.)

10. ACCESS TO APPLICANT'S PREMISES. PG&E shall at all times have the right to enter and leave Applicant's Premises for any purpose connected with the furnishing of gas service (meter reading, inspection, testing, routine repairs, replacement, maintenance, emergency work, etc.) and the exercise of any and all rights secured to it by law, or under PG&E's tariff schedules. These rights include, but are/is not limited to:

- a. The use of a PG&E-approved locking device, if customer desires to prevent unauthorized access to PG&E's facilities;
- b. Safe and ready access for PG&E personnel, free from unrestrained animals;
- c. Unobstructed ready access for PG&E's vehicles and equipment to install, remove, repair or maintain its facilities; and
- d. Removal of any and all of its property installed on customer's Premises after the termination of service.

11. SERVICE CONNECTIONS. Only personnel duly authorized by PG&E are allowed to connect or disconnect service pipe to or from PG&E's Distribution Main, remove meters, remove PG&E-owned Service Facilities, or perform any work upon PG&E-owned existing facilities.

B. METERING FACILITIES

1. GENERAL

- a. METER ALL USAGE. PG&E will meter delivery of all gas energy, unless otherwise provided for by PG&E's tariff schedules or by other applicable laws.
- b. METER LOCATION. All PG&E meters and associated metering equipment shall be located at some protected location on Applicant's Premises as approved by PG&E.

(N)

(Continued)





**GAS RULE 16--GAS SERVICE EXTENSIONS**

(N)

(Continued)

**B. METERING FACILITIES (Cont'd.)**

2. **NUMBER OF METERS.** PG&E normally will install only one meter for a single-family residence or a single nonresidential enterprise on a single Premises, except:
- a. When otherwise required or allowed under PG&E's tariff schedules;
  - b. At the option of and as determined by PG&E, for its operating convenience, consistent with its engineering design; or,
  - c. When required by law or local ordinance.
  - d. When additional services are granted by PG&E.

A single meter is required for each single enterprise operating in one building or a group of buildings, or other development on a single Premises, such as, but not limited to, a commercial business, school campus, industrial manufacturer, or recreational vehicle parks, unless otherwise approved by PG&E. (See Rule 18-- Supply to Separate Premise and Submetering of Gas for more information.)

3. **MULTIPLE OCCUPANCY.** In a building with two or more tenants, or where PG&E furnishes more than one meter on the same Premises, PG&E's meters normally shall be grouped at one central location, or as otherwise specified by PG&E, and each meter position shall be clearly and permanently marked by Applicant, customer, or owner of the Premises to indicate the particular unit, occupancy, or load supplied by it.
- a. **RESIDENTIAL.** PG&E will individually meter gas service to every residential unit in a residential building, or group of buildings, or other development on a single Premise with multiple tenants, such as, but not limited to, apartment buildings, mobile home parks, etc., except as may be otherwise specified in Rule 18 and applicable rate schedules.
  - b. **NON-RESIDENTIAL.** PG&E will individually meter gas service to each tenant in a non-residential building or group of buildings or other development on a single Premise with multiple tenants or enterprises, (such as, but not limited to, an office building or shopping center complex). Alternative metering arrangements, as determined by PG&E, may be allowed only as specified in Rule 18 and applicable rate schedules.

(N)

(Continued)



**GAS RULE 16--GAS SERVICE EXTENSIONS**

(N)

(Continued)

**C. SERVICE LATERAL FACILITIES**

1. **GENERAL LOCATION.** The location of the Service Lateral facilities shall extend:
  - a. **FRANCHISE AREA.** From the point of connection at the Distribution Main to Applicant's nearest property line abutting upon any street, highway, road, or rights-of-way, along which it already has, or will install Distribution Main; and,
  - b. **PRIVATE PROPERTY.** A further extension on private property, along the shortest, most practical and available route (clear of obstructions) as necessary to reach a Service Delivery Point designated by PG&E.
2. **NUMBER OF SERVICE LATERALS.** PG&E will not normally provide more than one Service Lateral, including associated facilities, for any one building or group of buildings, for a single enterprise on a single Premises, except:
  - a. **TARIFF SCHEDULES.** Where otherwise allowed or required under PG&E's tariff schedules; or,
  - b. **PG&E CONVENIENCE.** At the option of and as determined by PG&E, for its operating convenience, consistent with its engineering design, or when replacing an existing service; or,
  - c. **ORDINANCE.** Where required by ordinance or other applicable law, for such things as gas powered fire pumps, etc.
  - d. PG&E may charge for additional services provided under this paragraph, as special facilities or as added facilities.
3. **BRANCH SERVICE.** For additional approved Service Delivery Points to serve another Applicant on the same or adjoining Premises, PG&E may install a branch service at the option of PG&E, and will grant allowances under the conditions as set forth in Section E.
4. **OTHER SERVICE CONNECTIONS.** Where Applicant or customer requests another type of service connection, such as stub services, curb meters and vaults, or service from transmission mains, PG&E will consider each such request and will grant appropriate allowances as it may determine.

(N)

(Continued)

Advice Letter No. 1895-G-A  
Decision No. 94-12-026

18277

Issued by  
Steven L. Kline  
Vice President  
Regulation

Date Filed JUN 21 1995  
Effective JUL 01 1995  
Resolution No. \_\_\_\_\_



**GAS RULE 16--GAS SERVICE EXTENSIONS**

(N)

(Continued)

**C. SERVICE LATERAL FACILITIES (Cont'd.)**

5. **UNUSUAL SITE CONDITIONS.** In cases where Applicant's building is located a considerable distance from the available Distribution Main, or where there is an obstruction or other deterrent obstacle or hazard, such as plowed land, ditches, or inaccessible security areas between PG&E's Distribution Main and the building or facility to be served would prevent PG&E from prudently installing, owning, and maintaining its Service Facilities, PG&E may at its discretion, modify the normal Service Delivery Point location. In such cases, the Service Delivery Point shall be at such other location on Applicant's property as may be mutually agreed upon; or, alternatively, the Service Delivery Point may be located at or near Applicant's property line, as close as practical to the available Distribution Main.

**D. RESPONSIBILITIES FOR NEW SERVICE FACILITIES**

1. **APPLICANT RESPONSIBILITY.** In accordance with PG&E's design, specifications, and requirements for the installation of Service Facilities, subject to PG&E's inspection and approval, Applicant is responsible for:

a. **SERVICE LATERAL FACILITIES.**

- 1) **CLEAR ROUTE.** Applicant shall provide (or pay for) a route on any private property that is clear of obstructions which would inhibit the construction of the Service Facilities.
- 2) **SUBSTRUCTURES.**
  - a) Furnishing, installing, owning, and maintaining all support pads, meter or regulator vaults or other Substructures on Applicant's Premises;
  - b) Furnishing and installing any Substructures in PG&E's Franchise Area (or rights-of-way, if applicable) as necessary to install Applicant's Service Lateral; and,
  - c) Conveying ownership to PG&E upon its acceptance of those Substructures not on Applicant's Premises.

(N)

(Continued)

Advice Letter No. 1895-G-A  
Decision No. 94-12-026

18276

Issued by  
Steven L. Kline  
Vice President  
Regulation

Date Filed JUN 21 1995  
Effective JUL 01 1995  
Resolution No.



GAS RULE 16--GAS SERVICE EXTENSIONS

(N)

(Continued)

D. RESPONSIBILITIES FOR NEW SERVICE FACILITIES (Cont'd.)

1. APPLICANT RESPONSIBILITY. (Cont'd.)

a. SERVICE LATERAL FACILITIES. (Cont'd.)

3) PROTECTIVE STRUCTURES. Furnishing, installing, owning, and maintaining all necessary Protective Structures, as specified by PG&E, for PG&E's facilities on Applicant's Premises.

b. APPLICANT'S FACILITY DESIGN AND OPERATION. Applicant shall be solely responsible to plan, design, install, own, maintain and operate facilities and equipment beyond the Service Delivery Point in order to properly receive and utilize the type of gas service available from PG&E. Refer to Rule 2 for a description, among other things, of:

1) The available service delivery pressures and the technical requirements and conditions to qualify for them,

2) Heating values of natural gas, and

3) Delivery volume adjustments due to altitude.

c. REQUIRED SERVICE EQUIPMENT. Applicant shall, at its sole liability, risk and expense, be responsible to furnish, install, own, maintain, inspect and keep in good and safe condition, all facilities of any kind or character on Applicant's Premises, that are not the responsibility of PG&E, but are required by PG&E for Applicant to receive service. Such facilities shall include, but are not limited to gas pipe, valves, regulators, appliances, fixtures, and apparatus of any kind or character. Detailed information on PG&E's service equipment requirements will be furnished by PG&E.

(N)

(Continued)



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Pacific Gas and Electric Company  
San Francisco, California

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Original Cal. P.U.C. Sheet No.  
Cal. P.U.C. Sheet No.

17165-G

GAS RULE-16--GAS SERVICE EXTENSIONS

(N)

(Continued)

**D. RESPONSIBILITIES FOR NEW SERVICE FACILITIES (Cont'd.)**

**1. APPLICANT RESPONSIBILITY. (Cont'd.)**

d. **LIABILITY.** PG&E shall incur no liability whatsoever, for any damage, loss or injury occasioned by:

- 1) Applicant-owned equipment or Applicant's transmission and delivery of energy; or,
- 2) The negligence, omission of proper shut-off valves or other protective and safety devices, want of proper care, or wrongful act of Applicant, or any agents, employees, or licensees of Applicant, on the part of Applicant installing, maintaining, using, operating, or interfering with any such pipes, valves, regulators, or apparatus.

e. **FACILITY TAMPERING.** Applicant shall provide a suitable means acceptable to PG&E for placing its seals on meters and related equipment. All PG&E-owned meters shall be sealed only by PG&E's authorized employees and such seals shall be broken only by PG&E's authorized employees. However, in an emergency, PG&E may allow a public authority, or other appropriate party to break the seal. Any unauthorized tampering with PG&E-owned seals or equipment, or connection of customer-owned facilities to PG&E's service pipe at any time, is prohibited, and is subject to the provisions of Rule 11--Discontinuance and Restoration of Service for unauthorized use.

f. **LARGE METERING INSTALLATIONS ON CUSTOMER'S PREMISES.** If it is necessary to have a large, specifically designed, PG&E-owned metering and related equipment installed on Applicant's Premises to serve Applicant, Applicant shall be responsible for complying with the following general provisions:

- 1) **REQUIRED SPACE.** Applicant shall provide space, including working space, on Applicant's Premises, at a location approved by PG&E, for a metering installation, including any necessary regulators, pipes and valves.

(N)

(Continued)

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GAS RULE 16--GAS SERVICE EXTENSIONS

(N)

(Continued)

D. RESPONSIBILITIES FOR NEW SERVICE FACILITIES (Cont'd.)

1. APPLICANT RESPONSIBILITY. (Cont'd.)

f. LARGE METERING INSTALLATIONS ON CUSTOMER'S PREMISES.  
(Cont'd.)

2) ROOM OR VAULT. Where Applicant requests and PG&E approves the installation of the meter(s) or regulator(s) in a vault or room on Applicant's Premises, rather than PG&E's standard outdoor installation:

a) The room or vault on Applicant's Premises shall be furnished, installed, owned, and maintained by customer, and shall meet PG&E's specifications for such things as access, ventilation, drainage, etc.

b) If space cannot be provided on Applicant's Premises for the installation of a meter and regulator, a vault may be installed, at Applicant's expense, in the street area near property line. It shall be Applicant's responsibility to install such vault, if not restricted by the governmental authority having jurisdiction, and Applicant shall convey ownership of the vault to PG&E upon its acceptance. These additional facilities shall be treated as special facilities under the provisions of Rule 2.

c) If PG&E's installed cost for the meter or regulator in the room or vault is more costly than the standard outdoor installation, the additional costs shall be paid by Applicant as special facilities.

g. BUILDING CODE REQUIREMENTS. Any service equipment and other service related equipment owned by Applicant, as well as any vault, room, enclosure, shall conform with applicable laws, codes, and ordinances of all governmental authorities having jurisdiction.

(N)

(Continued)

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**GAS RULE 16--GAS SERVICE EXTENSIONS**

(N)

(Continued)

**D. RESPONSIBILITIES FOR NEW SERVICE FACILITIES (Cont'd.)**

**1. APPLICANT RESPONSIBILITY. (Cont'd.)**

**h. REASONABLE CARE.** Applicant shall exercise reasonable care to prevent PG&E's Service Lateral, meters and other facilities owned by PG&E on Applicant's Premises from being damaged or destroyed, and shall refrain from interfering with PG&E's operation of the facilities and shall notify PG&E of any obvious defect. Applicant may be required to provide and install suitable protection (barrier posts, etc.) as required by PG&E.

**2. PG&E RESPONSIBILITY**

**a. INSTALL SERVICE FACILITIES.** PG&E will furnish, install (or pay for), own and maintain the Service Facilities including trenching, as applicable after Applicant meets all requirements to receive service.

Applicant may elect to provide the trench. If Applicant chooses to perform the trenching, it must also secure permits from the governmental authority having jurisdiction. If Applicant qualifies for an Extension Service allowance, PG&E will provide Applicant with a reimbursement or credit for PG&E's project-specific estimated cost-per-foot of trench.

**b. GOVERNMENT INSPECTION.** PG&E will establish gas service to Applicant following notice from the governmental authority having jurisdiction that the customer-owned facilities have been installed and inspected in accordance with any applicable laws, codes, ordinances, rules, or regulations, and are safe to pressurize.

**3. INSTALLATION OPTIONS.**

**a. PG&E PERFORMED WORK.** Where requested by Applicant and mutually agreed upon, PG&E may perform that portion of the new service extension work normally the responsibility of Applicant according to Section D.1, provided Applicant pays PG&E its total estimated installed cost.

**b. APPLICANT PERFORMED WORK.** Applicant may elect to use competitive bidding to install that portion of the new Service Facilities normally installed and owned by PG&E, in accordance with the same provisions outlined in Rule 15.

(N)

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Pacific Gas and Electric Company  
San Francisco, California

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GAS RULE 16--GAS SERVICE EXTENSIONS

(N)

(Continued)

E. ALLOWANCES AND PAYMENTS BY APPLICANT

1. GENERAL. PG&E will provide the Service Lateral extension without charge provided PG&E's total estimated installed cost or length (excluding service pressure regulators, and meters) does not exceed the allowances as determined from permanent, bona-fide loads to be served by the extension within a reasonable time as determined by PG&E.
2. BASIS FOR ALLOWANCES. Allowances shall be granted to an Applicant for Permanent Service or to Residential Applicants as follows:
3. ALLOWANCES. PG&E will provide a Service Lateral Extension allowance for residential and non-residential of 100 feet of pipe as measured from the point of connection to the Distribution Line. For service pipe larger than 2 inches in diameter, PG&E will charge the actual cost per foot, less the cost for a 1-inch service, for a distance equal to the allowed free footage.
4. SEASONAL, INTERMITTENT, AND INSIGNIFICANT LOADS. When Applicant requests service for loads that are expected to have low or minimal energy usage, such as loads that are seasonal, intermittent, insignificant, or used only for emergency purposes, the allowances stated above shall not apply. Further, Applicant shall pay PG&E its total estimated costs for the service.
5. PAYMENTS. Applicant is responsible to pay PG&E the following non-refundable costs, as applicable under this rule and in advance of PG&E commencing its work:
  - a. EXCESS SERVICE LENGTH. PG&E estimated installed cost (including trenching and appurtenant facilities such as fittings, valves, etc.) for the excess service length beyond the allowance.

(N)

(Continued)

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GAS RULE 16--GAS SERVICE EXTENSIONS

(N)

(Continued)

E. ALLOWANCES AND PAYMENTS BY APPLICANT (Cont'd.)

5. PAYMENTS (Cont'd.)

- b. TAX. Any payments or contribution of facilities by Applicant are taxable Contributions in Aid of Construction (CIAC) and shall include an Income Tax Component of Contribution (ITCC) for state and federal tax at the rate provided in PG&E's Preliminary Statement.
- c. OTHER. PG&E's total estimated cost for any work it performs that is Applicant's responsibility, or performs for the convenience of Applicant.

F. EXISTING SERVICE FACILITIES

1. SERVICE REINFORCEMENT.

- a. PG&E-OWNED. When PG&E determines that its existing Service Facilities require replacement the existing Service Facilities shall be replaced as new Service Facilities under Section D.
- b. APPLICANT-OWNED. The customer shall replace or reinforce that portion of the Service Lateral which the customer will continue to own, subject to the provisions of Section D for new services.

(N)

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GAS RULE 16--GAS SERVICE EXTENSIONS

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(Continued)

F. EXISTING SERVICE FACILITIES (Cont'd.)

2. SERVICE RELOCATION OR REARRANGEMENT.

- a. **PG&E CONVENIENCE.** When, in the judgment of PG&E, the relocation or rearrangement of a service is necessary for the maintenance of adequate service, or for the operating convenience of PG&E, PG&E normally will perform such work at its own expense, except as provided in Sections F.2.b and F.4.
- b. **APPLICANT CONVENIENCE.** Any relocation or rearrangement of PG&E's existing Service Facilities, at the request of Applicant (aesthetics, building additions, remodeling, etc.) and agreed upon by PG&E, the work shall be performed in accordance with Section D, except that Applicant shall pay PG&E its total estimated costs.

In all instances, PG&E shall remove the existing facilities rendered idle by the relocation, or rearrangement.

3. **IMPAIRED ACCESS AND CLEARANCES.** Whenever PG&E determines that:

- a. **ACCESS.** Its existing Service Lateral facilities have become inaccessible for inspections, operating, maintenance, meter reading, or testing; or,
- b. **CLEARANCE.** A hazardous condition exists, or any of the required clearances between the existing Service Facilities and any object become impaired, under any applicable laws, ordinances, rules, regulations of PG&E or of public authorities, then the following applies:

(N)

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GAS RULE 16--GAS SERVICE EXTENSIONS

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(Continued)

F. EXISTING SERVICE FACILITIES (Cont'd.)

3. IMPAIRED ACCESS AND CLEARANCES. (Cont'd.)

c. CORRECTIVE ACTION. Applicant or owner shall, at Applicant's or owner's expense, either correct the access or clearance infractions, or pay PG&E its total estimated cost to relocate its facilities to a new location which is acceptable to PG&E. Applicant or owner shall also be responsible for the expense to relocate any equipment which Applicant owns and maintains. Failure to comply with corrective measures within a reasonable time may result in discontinuance of service.

4. DAMAGED FACILITIES. When PG&E's facilities are damaged by Applicant customer, third party, or any of their agents, the repair will be made by PG&E at the expense of the party responsible for the damage. Applicants are responsible for repairing their own facilities.

5. SUBDIVISION OF PREMISES. When PG&E's Service Facilities are located on private property, and such private property is subsequently subdivided into separate Premises, with ownership transferred to other than Applicant or customer, the subdivider is required to provide PG&E with adequate rights of way, satisfactory to PG&E, for its existing facilities, and to notify property owners of the subdivided Premises of the existence of the right-of-way.

When adequate rights-of-way are not granted as a result of the property subdivision, PG&E shall have the right, upon written notice to the current customer, to discontinue service without obligation or liability. The existing owner, Applicant or customer shall pay to PG&E the total estimated cost of any required relocation of PG&E's facilities. A new gas service will be re-established in accordance with the provisions of Section D for new services and the provisions of any other applicable PG&E rules.

(N)

(Continued)

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GAS RULE-16--GAS SERVICE EXTENSIONS

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(Continued)

G. PERIODIC REVIEW. PG&E will periodically review the factors it uses to determine its residential allowances and unit cost stated in this rule. If such review results in a change of more than five percent (5%), PG&E will submit a tariff revision proposal to the Commission for review and approval. Such proposed changes shall be submitted no sooner than six (6) months after the last revision.

H. EXCEPTIONAL CASES. When the application of this rule appears impractical or unjust to either party or the ratepayers, PG&E or Applicant may refer the matter to Public Utilities Commission for a special ruling or for the approval of special conditions which may be mutually agreed upon.

I. DEFINITIONS FOR RULE 16

APPLICANT: A person or agency requesting PG&E to supply Gas Service.

DISTRIBUTION MAIN: PG&E's gas mains, which are operated at distribution pressure and which are designed to supply three or more services.

EXCAVATION: All necessary trenching, backfill, and other digging as required to install extension facilities, including furnishing of any imported backfill material and disposal of trench spoil as required, surface repair and replacement, landscape repair and replacement.

FRANCHISE AREA: Public streets, roads, highways, and other public ways and places where PG&E has a legal right to occupy under franchise agreements with governmental bodies having jurisdiction.

INSIGNIFICANT LOADS: These are small operating loads, such as log lighters, barbecues, outdoor lighting, etc.

INTERMITTENT LOADS: Loads requiring significant capacity, but have low energy usage, such as but not limited to, steam cleaning boilers, gas engines for emergency use, kilns for hobbies, etc.

(N)

(Continued)

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GAS RULE 16--GAS SERVICE EXTENSIONS

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I. DEFINITIONS FOR RULE 16 (Cont'd.)

**PREMISES:** All of the real property and apparatus employed in a single enterprise on a integral parcel of land undivided, (excepting in the case of industrial, agricultural, oil field, resort enterprises, and public or quasi-public institutions, by a dedicated street, highway or other public thoroughfare or a railway). Automobile parking lots constituting a part of and adjacent to a single enterprise may be separated by an alley from the remainder of the premises served.

**PROTECTIVE STRUCTURES:** Fences, retaining walls (in lieu of grading), barriers, posts, barricades and other structures as required by PG&E.

**SERVICE DELIVERY POINT:** Where PG&E's Service Lateral is connected to Applicant's pipe (house line), normally adjacent to the location of the meter(s).

**SERVICE LATERAL:** The pipe, valves meters, regulators, and associated equipment extending from the point of connection at the Distribution Main to the Service Delivery Point, which is normally on Applicant's Premises.

**SUBSTRUCTURES:** The surface and subsurface structures which are necessary to contain or support PG&E's gas facilities. This includes, but is not limited to, equipment vaults and boxes, required sleeves for street crossings, and enclosures, foundations or pads for surface-mounted equipment.

(N)

END OF ATTACHMENT D

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