

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY
AND COMPLIANCE DIVISION
Energy Branch

RESOLUTION E-3122
December 9, 1988

R E S O L U T I O N

RESOLUTION NO. E-3122. SAN DIEGO GAS & ELECTRIC COMPANY (SDG&E). ORDER AUTHORIZING REVISION OF ELECTRIC TARIFF RULES NO. 1, DEFINITIONS AND NO. 19, SUPPLY TO SEPARATE PREMISES AND RESALE, FOR THE PURPOSE OF CLARITY AND CONFORMITY WITH THE TARIFF RULES OF OTHER ELECTRIC UTILITY COMPANIES

ADVICE LETTER 746-E, FILED SEPTEMBER 15, 1988
AND ADVICE 746-E-A, FILED NOVEMBER 8, 1988

SUMMARY

1. SDG&E requests authorization to revise Electric Rule 19, Supply to Separate Premises and Resale, in order to restructure the rule for the purpose of making it more easily understood.
2. In addition, SDG&E requests authorization to revise Electric Rule 1, Definitions, by modifying the definition of "Premises" and the addition of definitions of "Multi-Family Accommodation", "Mobilehome" and "Mobilehome Parks" for clarity and ease of administration.
3. These revisions to the rules are contained on Cal. PUC Sheets 6193-E to 6201-E, inclusive, as presented by Advice Letter 746-E and subsequently superceded and replaced by Cal. PUC Sheets 6225-E to 6233-E, inclusive, as presented by Advice Letter 746-E-A.
4. This resolution grants SDG&E's request for the rule modifications.

BACKGROUND

1. The existing Electric Rule 1 has been in effect since August 24, 1985 and defines such terms as "Customer", "Premises", "Residential Dwelling Unit",.....etc.
2. The existing Electric Rule 19 has also been in effect since August 24, 1985 and is composed of three sections: Section A, Separate Metering; Section B, Service to Privately-Owned Marinas or Small Craft Harbors; and Section C, Other Uses or Premises.

3. The purpose of this filing is to revise the tariff rules for clarification and to be consistent with the tariff rules of other electric utility companies as they apply to mobilehomes and mobilehome parks.

4. A similar rule provision, as regards to Residential Vehicle (RV), Residential Vehicle Parks, and Residential RV Parks is currently being addressed by Pacific Gas & Electric (PG&E) and Southern California Edison (SCE) Company in compliance with Commission Decision 88-09-025 in Case 86-01-004 and Case 86-02-002. SDG&E was not a party to this proceeding and thus is not addressing the issue of RVs and RV Parks at this time. After approval of the PG&E and SCE filings, SDG&E will file a subsequent advice letter filing to address the RV issue.

DISCUSSION

1. This filing proposes four main sections to Rule 19: Section A, Separate Metering; Section B, Furnishing and Metering of Electricity; Section C, Testing and Maintenance of Submeters and Submeter Systems; and Section D, Other Uses and Premises. Section B is subdivided into four subsections entitled: 1. Residential Service, 2. Non-Residential Service, 3. Marinas and Small Craft Harbors and 4. Service Provided to Residential Submetered Tenants Excluding Marinas.

2. The changes that SDG&E is proposing to Rule 19 are similar to, and consistent with, changes previously approved for PG&E and contained in their presently effective Rule 18, Supply to Separate Premises and Submetering of Electric Energy.

3. The definition of "Premises" currently contained in Electric Rule 1 refers to a parcel of real property undivided, ... by a dedicated street, highway or other public thoroughfare. The revision to this definition includes "...dedicated or undedicated street, ...". (underlining added).

4. In addition to the above modification, Rule 1 is revised to include the definition of "Mobilehome", "Mobilehome Park" and "Multi-Family Accommodations. This is in accordance with the definitions given in Decision 88-09-025.

PROTESTS

1. On October 7, 1988, the Commission Advisory and Compliance Division (CACD) received a protest from the law offices of Biddle & Hamilton, representing the Western Mobilehome Association (WMA).

2. WMA objected to two of the proposed new definitions in Rule 1 as filed by SDG&E. In the definition of Mobilehome Park, SDG&E stated, in part: "...This law only applies to a mobilehome that requires a permit to be moved on a street or highway and does not include a recreational vehicle. WMA protests that this statement is contrary to the Recreational Vehicle Park Occupancy Law, which provides for tenants residing in recreational vehicles in recreational vehicle parks for nine months or more out of each year.

3. In the proposed definition of Residential Dwelling Unit, SDG&E does not include mobilehomes as units which provide complete single family living facilities in which the occupant normally cooks meals, eats, sleeps, and carries on the household operations incident to domestic life. WMA points out that mobilehomes and recreational vehicles are both being used for such purposes and thus should all be included in the proposed definition of residential dwelling unit.

4. The protest filed by WMA was reviewed by both the Commission Staff and by the Utility and as a result, a supplemental filing was made on November 8, 1988, which amended the original filing in order to address the points raised by WMA. This supplemental filing responds to WMA's objections. This supplemental filing has been reviewed by Biddle & Hamilton and by WMA and no further objection has been received.

5. The CACD and the Consumer Affairs Branch (CAB) have reviewed these filings and believe that the tariff sheets presented by Advice letter 746-E-A are reasonable in that they now conform with the tariffs of other utilities by providing access to baseline allowances to customers who previously were not eligible for such rate structure.

6. The Utility alleges, and the CACD concurs, that this filing will not increase any rate or charge, conflict with other schedules or rules, nor cause the withdrawal of service. It is the utility's contention that no cost information is required for this filing and thus none has been prepared.

7. No protests other than noted above have been received by the CACD.

FINDINGS

1. SDG&E's request to revise Electric Rules 1 and 19, as discussed above is just and reasonable.

2. The proposed revisions to SDG&E's Electric tariff rules, as presented by Advice letter 746-E-A, clarify the existing

tariff language and brings it in conformance with the existing tariff rules of other utility companies.

3. The filing of Advice Letter 746-E-A supercedes Advice letter 746-E and cancels all tariff sheets filed with the earlier filing.

4. SDG&E should be instructed to review its Gas tariff rules to determine if similar modifications are required to clarify those tariffs.

5. Public notification of these filings have been made by mailing copies of each filing to other utilities, governmental agencies and to all interested parties who requested such notification.

THEREFORE, IT IS ORDERED that:

1. San Diego Gas & Electric Company is authorized by Section 490 of the Public Utilities Code to revise Electric Rules 1 and 19, as presented by Advice Letter 746-E-A.
2. The advice letter supplement and accompanying tariff sheets shall be marked to show that they were authorized for filing by Resolution E-3122 and that the effective date of such filing shall be 40 days after the date of filing of Advice Letter 746-E-A, namely December 18, 1988.
3. San Diego Gas & Electric Company shall review its Gas tariff rules to determine if similar rule revisions are appropriate for those tariffs and to file within 60 days of the effective date of this resolution an advice letter to make any necessary revisions to the Gas tariff rules.
4. This resolution is effective today.

I hereby certify that this Resolution was adopted by the Public utilities Commission at its regular meeting on December 9, 1988. The following Commissioners approved it:

STANLEY W. HULETT
President
DONALD VIAL
FREDERICK R. DUDA
G. MITCHELL WILK
JOHN B. OHANIAN
Commissioners



Executive Director