

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY
AND COMPLIANCE DIVISION
Energy Branch

RESOLUTION E-3394
November 9, 1994

R E S O L U T I O N

RESOLUTION E-3394. SAN DIEGO GAS & ELECTRIC COMPANY
REQUESTS AN EFFECTIVE DATE FOR ITS ELECTRIC VEHICLE
EXPENSE MEMORANDUM ACCOUNT.

BY ADVICE LETTER 906-E, FILED ON MARCH 1, 1994.

SUMMARY

1. San Diego Gas & Electric Company (SDG&E) filed Advice Letter 906-E for an Electric Vehicle Expense Memorandum Account (EV Account) on March 1, 1994. This filing was authorized by Interim Decision 94-02-012 (D.94-02-012). The utility filed the requisite advice letter on March 1, 1994 and requested that the filing be made effective on February 3, 1994, the date that D.94-02-012 was issued. SDG&E's request is inconsistent with the order in D.94-01-012, which specifies an advice letter filing to establish the account.
2. Advice letters may go into effect on regular notice, which is the fortieth calendar day after the filed date. However, SDG&E requested an earlier effective date. Also, the decision expressed intent to allow the utility to participate in the program at the earliest possible date. The earliest potential effective date is March 1, 1994, the date the advice letter was filed. The provisions of General Order 96A provide for early effective dates upon Commission approval.
3. This Resolution denies SDG&E's requested effective date of February 3, 1994. Instead, the utility is authorized to place its advice letter into effect on March 1, 1994.

BACKGROUND

1. By Application 93-11-002, SDG&E sought Commission approval of its electric vehicle programs. By D.94-02-012, issued on February 3, 1994, SDG&E was authorized to file an advice letter establishing an EV Account.
2. When it filed its Advice Letter 906-E on March 1, 1994, SDG&E cited the Decision and requested that the Advice Letter be

made effective as of February 3, 1994, the effective date of the Decision.

NOTICE

1. The Advice Letter was noticed in accordance with Section III of the Commission's General Order 96-A by publication in the Commission Calendar and distribution to SDG&E's advice filing service list.

PROTESTS

1. No protests have been received by the Commission Advisory and Compliance Division (CACD) for this Advice Letter filing.

DISCUSSION

1. By its advice letter, SDG&E requests February 3, 1994 as the effective date of the tariffs that would establish an EV Account. This is the date that D.94-02-012 was issued.

2. The language of the order was as follows:

"It is ordered that San Diego Gas & Electric Company may file an advice letter establishing an Electric Vehicle Expense Memorandum Account in which the company can record electric vehicle program costs, not to exceed a total of \$530,000, within the limits set forth in this opinion."

3. The Commission Advisory and Compliance Division (CACD) has reviewed SDG&E's request for an advice letter effective date of February 3, 1994. The order in D.94-02-012 specified that the utility's advice filing would establish the account. An effective date prior to the date of filing would be inconsistent with the Commission order. CACD therefore recommends that SDG&E's request for an effective date of February 3, 1994 be denied.

4. The Commission's General Order 96A is the default rule applicable to advice letter filings. Based on the general order, advice letter filings are precluded from going into effect in less than 40 days. However, for good cause and upon a Commission order, an advice letter may go into effect on less than regular notice. Absent such an order, SDG&E's filing would go into effect on the fortieth (40th) calendar day after the filed date. The 40th day after filing of SDG&E's Advice Letter would be April 11, 1994.

5. The Decision included language which expressed intent to allow SDG&E to participate in the program at the earliest possible date. Conclusion of Law 2 in D.94-02-012 stated:

"In order to facilitate its efforts to participate in these multi-utility efforts at the earliest possible date, this order should be effective today."

6. SDG&E asks for an early effective date for its EV Account filing. This constitutes a request for short notice authority. Under the provisions of Sections III, IV and V of General Order 96A, the Commission may authorize effective dates upon less than regular notice. The text of D.94-02-012 establishes good cause for the earliest possible effective date for SDG&E's filing. CACD therefore recommends that SDG&E's advice letter be placed into effect on March 1, 1994, the date of filing and the earliest potential effective date.

FINDINGS

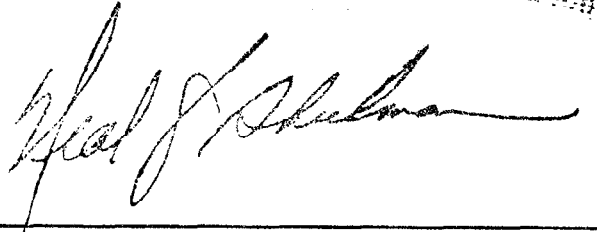
1. By Application 93-11-002, SDG&E sought Commission approval of its electric vehicle programs. SDG&E was authorized to file an advice letter establishing an Electric Vehicle Expense Memorandum Account by D.94-02-012, issued on February 3, 1994,
2. When it filed its Advice Letter 906-E on March 1, 1994, SDG&E cited D.94-02-012 and requested that the Advice Letter be made effective as of February 3, 1994, the effective date of the Decision.
3. The order in D.94-02-012 specified that the utility's advice filing would establish the account. An effective date prior to the date of filing would be inconsistent with the Commission order.
4. CACD recommends denial of SDG&E's request for an effective date of February 3, 1994.
5. The Commission's General Order 96A is the default rule applicable to advice letter filings. Based on the general order, advice letter filings generally go into effect in 40 days. However, for good cause and upon a Commission order, an advice letter may go into effect on less than regular notice. Absent such an order, SDG&E's filing would go into effect on the fortieth (40th) calendar day after the filed date. The 40th day after filing of SDG&E's Advice Letter would be April 11, 1994.
6. Interim Decision 94-02-012 expressed intent to allow SDG&E to participate in the program at the earliest possible date.
7. SDG&E's request for an early effective date for its EV Account filing constitutes a request for short notice authority. Under the provisions of Sections III, IV and V of General Order 96A, the Commission may authorize effective dates upon less than regular notice. The text of D.94-02-012 establishes good cause for the earliest possible effective date for SDG&E's filing.
8. March 1, 1994, the date of filing, is the earliest potential effective date for the SDG&E's advice letter. CACD recommends placing the filing into effect on that date by granting short notice authority.
9. No protests to the advice letter filing have been received.

November 9, 1994

THEREFORE, IT IS ORDERED that:

1. San Diego Gas & Electric Company's request to place Advice Letter 906-E into effect on February 3, 1994 is denied.
2. Short notice authority is granted to SDG&E to place Advice Letter 906-E into effect on March 1, 1994.
3. The tariff sheets of Advice Letter 906-E shall be marked with this resolution number and an effective date of March 1, 1994.
4. This Resolution is effective today.

I hereby certify that this Resolution was adopted by the Public Utilities Commission at its regular meeting on November 9, 1994. The following Commissioners approved it:



NEAL J. SHULMAN
Executive Director

DANIEL Wm. FESSLER
President
PATRICIA M. ECKERT
NORMAN D. SHUMWAY
P. GREGORY CONLON
JESSIE J. KNIGHT, Jr.
Commissioners