

CA-13

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY
AND COMPLIANCE DIVISION
Energy Branch

RESOLUTION E-3400
December 21, 1994

R E S O L U T I O N

RESOLUTION E-3400. SOUTHERN CALIFORNIA WATER COMPANY
(BEAR VALLEY ELECTRIC DISTRICT) REQUEST TO CHARGE FOR
INDIVIDUAL TARIFF SHEETS AND COMPLETE RATE BOOKS.

BY ADVICE LETTER 154-E, FILED APRIL 22, 1994.

SUMMARY

1. By Advice Letter (A.L.) 154-E, Southern California Water Company - Bear Valley Electric District (SCWC) requests authority to include in its tariffs a charge for individual tariff sheets and complete rate books. Southern California Gas Company (SoCal Gas) was authorized to make such charges in 1993. SCWC and several other energy utilities have followed SoCal Gas' example by filing requests to charge for tariffs and advice letters.
2. This resolution grants SCWC's request

BACKGROUND

1. Currently, SCWC provides free copies of its tariffs, tariff books, and advice letters to anyone requesting them. This advice letter, if approved, would continue the free service to customers and applicants for service. The utility would charge other parties a fee for individual tariff sheets and complete rate books. Free copies of advice letter filings and related tariff sheets would continue to be available to all parties listed in Section III.G of General Order 96-A. (G.O. 96A)
2. Section III.G. of G.O. 96-A states that the following groups or individuals shall receive a copy of pertinent advice letter filings and related tariff sheets free of charge:
 - a. Competing utilities either privately or publicly owned.
 - b. Adjacent utilities either privately or publicly owned.
 - c. Utilities, either privately or publicly owned, having requested such notification.
 - d. Other interested parties having requested such notification.

3. By Resolution G-3025, dated January 22, 1993, SoCal Gas was granted authority to charge for tariff sheets, advice letter filings, and related documents and to credit revenues from these charges to Other Operating Revenue. SCWC and several other energy utilities subsequently filed advice letter requests for similar authority.

4. The determination of necessity that specific charges must be included in tariffs was made in Resolution T-14593. That Resolution referred to Section 489 of the Public Utilities Code for the legal requirements of including specific charges in utility tariffs.

NOTICE

1. Public notification of this filing has been made by placing it on the Commission calendar and by mailing copies of the filing to other utilities, governmental agencies, and to all interested parties who requested such notification.

PROTESTS

1. The Commission Advisory and Compliance division (CACD) has received no protests to this advice letter.

DISCUSSION

1. G.O. 96-A sets forth the form and procedure for advice letter filings for the energy, telecommunications, and water utilities. Section III.G. of G.O. 96-A lists the classes which are to receive notice or copies of advice letter filings, but is silent on the matter of fees. Section VIII.A of G.O. 96-A states that tariffs are to be available for public inspection, but does not address distribution of copies of effective tariff sheets.

2. The utility states that requests for tariff sheets, rate books, and rate book updates have increased substantially

3. SCWC's requested charges are intended to offset reproduction and mailing expenses. The list of proposed charges is as follows:

Single Tariff Sheet	\$0.20
Complete Tariff Book	\$50.00

4. The utility also proposes that all revenues collected from these charges would be credited to Other Operating Revenue.

5. In Resolution G-3025, CACD recognized that many requests for tariff material fall outside the scope of normal utility operations. Such requests include, but are not limited to: (1) college students' research for term papers or theses, (2) research by lawyers or paralegals in anticipation of litigation, (3) market

surveys by various industrial groups, and (4) commercial enterprises which use the information for profit activities. The costs of satisfying these requests are a burden on the utility's ratepayers unless some compensation is obtained from the source of the request.

6. In order to remove this burden from ratepayers and at the same time continue to allow access to utility tariffs, CACD proposed recommendations in Resolution G-3025 which SCWC has incorporated into its filing. The tariff sheets submitted with A.L. 154-E specify that those parties listed in Section III.G of G.O. 96-A will continue to receive advice letter filings and related tariffs at no charge. Customers and applicants for service will be provided with applicable rate schedules or rules at no charge. Specific charges for tariff sheets and books are included in the proposed tariff sheets of Advice Letter 154-E. SCWC agrees that all revenues from the sale of tariff sheets and books should be credited to Other Operating Revenue. SCWC proposes to review and update the charges periodically.

5. Performing the work of reproducing and mailing tariff sheets and advice letters incurs expenses by the utility. To the extent that this service is performed for ratepayers or individuals with an interest in the utility's filings with the Commission, the cost of the service is borne by the ratepayers as a legitimate expense. To individuals without such an interest and who do not bear the cost component in rates, it is reasonable to impose compensatory charges for such services. Thus, it is not a violation of Section 453 of the Public Utilities Code to impose such charges as the utility proposes.

6. In its filing, SCWC makes the statement that a Commission Resolution is not needed to authorize its advice letter filing, on the grounds that it will not increase or decrease any rate or charge, cause the withdrawal of service, nor conflict with any schedules or rules. Under the provisions of G.O. 96A, a filing that satisfies the parameters cited by SCWC could go into effect upon 40 days notice. However, this is not the offering of a new service, but instead is the imposition of charges for a service that has heretofore been provided at no charge. On this basis, the filing is a rate increase for which a Commission Resolution is required.

7. CACD has reviewed this advice letter filing and believes it to be consistent with the Commission's General Orders and with the Public Utilities Code. The proposed charges for individual tariff sheets are the same as charged by this Commission, and the charges for copies of a complete tariff book have been reviewed and appear reasonable. CACD therefore recommends that the Commission authorize the filing.

FINDINGS

1. The number of requests for SCWC's advice letters and tariff sheets have increased substantially in recent years.
2. Charging for the reproduction, mailing and associated labor is not a violation of Section 453 of the Public Utilities Code.
3. SCWC should continue to provide, free of charge, copies of pending advice letters and related tariff sheets to all parties noted in Section III.G. of G.O. 96-A. Also, for a customer or applicant for service, requests for all applicable rate schedules or rules should continue to be provided free of charge.
4. Interested parties, as specified by Section III.G. of G.O. 96-A, include, but are not limited to, parties who enter an appearance in, or are a party to the Commission's proceedings.
5. Because costs of production of advice letters and tariff sheets are recovered in the utility's base rates, all revenues received from tariff sales should be credited to Other Operating Revenue.
6. SCWC's Advice Letter filing 154-E would result in the imposition of charges for a service heretofore provided at no charge. This constitutes an increase in charges and therefore requires Commission authorization.

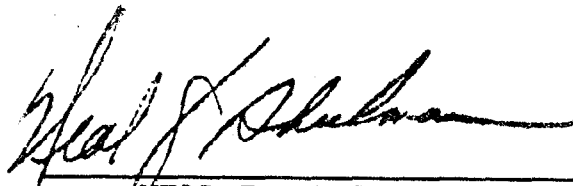
December 21, 1994

THEREFORE, IT IS ORDERED that:

1. Southern California Water Company is authorized to charge for providing copies of tariff sheets and rate books at the rates proposed in Advice Letter 154-E.
2. All revenues collected from tariff sheet and rate book sales shall be credited to Other Operating Revenue.
3. Southern California Water Company Advice Letter 154-E and all its accompanying tariff sheets shall be marked effective as of the date of this Resolution.

This Resolution is effective today.

I hereby certify that this Resolution was adopted by the Public Utilities Commission at its regular meeting on December 21, 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