

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Copy for:

RESOLUTION NO. G-1760

Orig. and Copy  
to Secretary

R E S O L U T I O N

UTILITIES DIVISION  
BRANCH/~~SECTION~~: Gas  
DATE: June 17, 1975

Director  
Numerical File  
Alphabetical File  
Accounting Officer

**SUBJECT:** Order Authorizing Special Contract Under Conditions  
Deviating From Filed Tariffs

**WHEREAS:** PACIFIC GAS AND ELECTRIC COMPANY by Advice Letter No. 713-G, filed May 15, 1975, having requested authorization under Section XA of General Order No. 96-A and Sections 454 and 532 of the Public Utilities Code to carry out the terms of a contract with Carnation Company Can Division covering a gas main extension and supply of interruptible gas to customer's gas equipment in Riverbank under conditions that deviate from filed tariffs, and

**WHEREAS:** The agreement deviates from filed tariffs in that the cost of construction will be borne by the customer without allowing one year's estimated revenue to be deducted from the advance as provided under Rule No. 15, and

**WHEREAS:** The agreement further deviates from filed tariffs by requiring the customer to pay a monthly cost-of-ownership charge equal to 1% of any non-refunded advance for a period of sixty months, and

**WHEREAS:** The reason for such deviations is because sale of interruptible gas to this customer will result in no additional revenue to the utility from this class of service, and

**WHEREAS:** Refunds will be made in accordance with Rule No. 15 only if the customer is willing to accept a reduction in the hourly rate of flow proportionate to that of the refund to the advance, and

**WHEREAS:** Carnation has filed a formal complaint with the Commission in Case No. 9854, which is still pending, protesting charges by the utility, and

**WHEREAS:** Carnation has instructed PGandE to proceed with the construction of said facilities without waiting for Commission ruling in Case No. 9854, because of the need to have the facilities in operation in time for the harvest season, and

**WHEREAS:** Approval or denial of this request will be without prejudice to Carnation's right to protest charges, and

**WHEREAS:** The additional gas requested is in excess of 200 Mcfd but alternate fuels are unacceptable because of the direct-fire process of customer's can coating ovens, and