

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA



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ARCO Products Company, Mobil Oil Corporation, and Texaco Refining and Marketing, Inc.,

Complainants,

vs.

Santa Fe Pacific Pipeline, L.P.,

Defendant.

And Related Matters.

Case 97-04-025
(Filed April 7, 1997)

Case 00-04-013
Case 06-12-031
Application 00-03-044
Application 03-02-027
Application 04-11-017
Application 06-01-015
Application 06-08-028

**APPLICATION OF SFPP, L.P.
FOR LIMITED REHEARING OF DECISION 12-03-026**

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Date: April 12, 2012

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**APPLICATION OF SFPP, L.P.
FOR LIMITED REHEARING OF DECISION 12-03-026**

Pursuant to Public Utilities Code (Pub.Util.Code) §§ 1731-1736 and Rule 16.1 of the Commission’s Rules of Practice and Procedure, SFPP, L.P. (“SFPP”) applies for limited rehearing of decision 12-03-026, issued on March 13, 2012, solely for the purpose of correcting an apparent typographical error in Ordering Paragraph 9(k). The Commission may grant rehearing “if in its judgment sufficient reason is made to appear” (Pub.Util.Code § 1731(b)(1))—and in particular, if “the commission is of the opinion that the original order or decision or any part

thereof is in any respect unjust or unwarranted, or should be changed.” *Id.* § 1736. SFPP respectfully submits that Ordering Paragraph 9(k) of D.12-03-026 should be changed so that the ordering paragraphs accurately reflect the Commission’s analysis.

SFPP submitted a request for correction under Rule 16.5 on the same point on March 19, 2012, but the Commission has not yet responded to that request. SFPP submits this petition only in an abundance of caution. If the correction in SFPP’s March 19, 2012 request for correction is made, SFPP will withdraw this petition.

ERROR SPECIFIED

Ordering Paragraph 9(k) of D.12-03-026 erroneously references Ordering Paragraph 1 of D.11-05-045, and should be corrected to reference Ordering Paragraph 2.

DISCUSSION

In D.12-03-026, the Commission (among other things) reexamined aspects of D.11-05-045 that had resulted in an order of refunds and adjustments as set forth in Ordering Paragraph 2 of that decision. In particular, the Commission twice directed that “[r]efunds ordered pursuant to D.11-05-045 shall be stayed, subject to adjustment, pending a determination on the limited rehearing.” D.12-03-026, at 19, 20. In apparent accord with that analysis, Ordering Paragraph 9(k) of D. 12-03-026 reads:

k. Ordering Paragraph Number 1 on page 42 is deleted and on rehearing as ordered herein the Commission shall determine whether any refunds and adjustments made pursuant to Ordering Paragraph Number 1 shall remain in place or whether further Commission action is required.

Ordering Paragraph 1 of D.11-05-045, however, has nothing to do with refunds.

It provides:

1. SFPP, L.P.’s Sepulveda Line is a public utility dedicated to utility service.

Ordering Paragraph 2 of D.11-05-045, in contrast, does order refunds:

2. SFPP, L.P. must refund to all customers, within 90 days, the excess component in rates. SFPP, L.P. shall file a Tier 1 advice letter insert following within 30 days of the effective date of this decision.

The reference in Ordering Paragraph 9(k) of D.12-03-026 to Ordering Paragraph 1 of D.11-05-045 appears to be a typographical error that substituted the number “1” for the number “2”. Nothing in D.12-03-026 reflects any intent by the Commission to vacate its conclusion about the status of the Sepulveda Line as a utility, while the text of Ordering Paragraph 9(k) of D. 12-03-026 explicitly references the refunds and adjustments that are the subject of Ordering Paragraph 2 of D. 11-05-045.

Accordingly, Ordering Paragraph 9(k) of D.12-03-026 and should be corrected to reference Ordering Paragraph 2 of D.11-05-045.

CONCLUSION

The petition for limited rehearing of D.12-03-026 should be granted for the purpose of correcting the reference in Ordering Paragraph 9(k) of D.12-03-026.

Respectfully submitted this 12th day of April, 2012 at San Francisco, California.

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