

Decision 00-12-052 December 21, 2000

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Pacific Gas and Electric Company to Identify and Separate Components of Electric Rates, Effective January 1, 1998 (U 39 E).

Application 96-12-009
(Filed December 6, 1996)

Application of San Diego Gas and Electric Company (U 902 M) for Authority to Unbundle Rates and Products.

Application 96-12-011
(Filed December 6, 1996)

In the Matter of the Application of Southern California Edison Company (U 388 E) Proposing the Functional Separation of Cost Components for Energy, Transmission and Ancillary Services, Distribution, Public Benefit Programs and Nuclear Decommissioning, to be Effective January 1, 1998 in Conformance With D.95-12-036 as Modified by D.96-01-009, the June 21, 1996 Ruling of Assigned Commissioner Duque, D.96-10-074, and Assembly Bill 1890.

Application 96-12-019
(Filed December 6, 1996)

OPINION ON PETITION FOR MODIFICATION

Summary

The Joint Petition of Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas and Electric Company (Joint Petitioners or utilities) for modification of Decision (D.) 97-08-056 is granted. Joint Petitioners are relieved of the obligations created by that decision to collect

information about the air emissions profiles of various generation resources and to provide such information to their customers.

Background

Ordering Paragraph (OP) 13 of D.97-08-056 directed each of the utilities to collect data necessary to provide customers with information about the air emission profiles of various generation resources, and to notify their customers of the availability of this information on a quarterly basis. Joint Petitioners filed this petition for relief from OP 13 after determining that the necessary information is not available as had been anticipated by the Commission. The Utility Reform Network, Utility Consumers Action Network, Environmental Defense Fund, and the Office of Ratepayer Advocates (Joint Respondents) filed a joint response to the petition. Joint Petitioners filed a reply.

Discussion

When we issued D.97-08-056, we intended to provide, to the subset of customers that would find it useful, information about air emissions of various generation resources. When we directed the utilities to collect such information and periodically pass it on to customers, we did so with the understanding and expectation that the California Power Exchange (PX) and the California Independent System Operator (ISO) would be the sources of such information. However, we recognized that those entities might not track the required information. We provided that if that were the case, the utilities should notify the Executive Director of their inability to provide the information to their customers.

The utilities so notified the Executive Director by letter dated December 22, 1998. By letter dated January 6, 1999, the Executive Director directed the utilities to inform him by June 1, 1999 whether air quality emissions data had become

available by that time, and, if not, whether and when the ISO or the California Energy Commission (CEC) planned to provide the data. On June 1, 1999, the utilities advised the Executive Director that Pacific Gas and Electric Company, on behalf of the utilities, had contacted the PX, ISO, and CEC and determined that none of those entities track air emission profile data, or planned to do so in the future. In response, by letter dated June 10, 1999, the Executive Director advised the Joint Petitioners to file a petition for modification of D.97-08-056 if they sought relief from the obligation and not merely an extension of time to comply with the order.

Joint Petitioners have chronicled their efforts to obtain data about air emissions profiles of generation sources from the PX and the ISO, as well as the CEC. We are persuaded that the information that we hoped would be available when we issued D.97-08-056 is not produced by any of these entities in a manner that would allow the utilities to provide useful emissions information to their customers.

We continue to believe that providing consumers with reliable information about the environmental consequences of resource choices that may be available to them could yield consumer and public benefits. However, we find no purpose in requiring the utilities to collect information from the PX and the ISO that those entities do not produce. Accordingly, we will relieve the utilities of the obligations created by OP 13 of D.97-08-056.

Joint Respondents do not take issue with the utilities' assertions regarding the unavailability of data and the utilities' consequent inability to comply with Ordering Paragraph 13. Joint Respondents do, however, urge the Commission to pursue alternative means of informing consumers about resource mixes underlying their electricity purchases and the associated environmental

consequences of those purchases. Joint Respondents recommend further proceedings on this matter, commencing with Commission workshops bringing together interested persons and appropriate state agencies.

The suggestion for Commission-led workshops has merit, and we note that the Joint Petitioners generally agree with it. Nevertheless, we are not in a position to commit additional Commission resources to facilitate workshops on air emissions at this time, nor will we keep this proceeding open for this purpose. The Commission has reallocated available resources to respond to recent upheavals in the electricity market and to process major energy utility general rate cases in the near future. We have little choice but to defer consideration of how to better inform customers on the emissions profiles of resources underlying their purchasing decisions.

Comments on Draft Decision

The draft decision was mailed to the parties in accordance with Pub. Util. Code § 311(g)(1) and Rule 77.7 of the Rules of Practice and Procedure. Joint Petitioners filed comments which support the draft decision.

Findings of Fact

1. The PX, ISO, and CEC each informed Pacific Gas and Electric Company, on behalf of Joint Petitioners, that they do not track air emission profile data, and that they do not plan to do so in the future.
2. Joint Petitioners have made reasonable efforts to comply with OP 13 of D.97-08-056, but are unable to achieve full compliance because the data that the Commission anticipated would be collected from the PX and the ISO are not available from those entities or from the CEC.

Conclusions of Law

1. Joint Petitioners should be relieved of their obligations to collect air emissions profiles data and to provide such data to their customers.
2. These consolidated proceedings should be closed.
3. This decision should be effective immediately.

O R D E R

IT IS ORDERED that:

1. Decision 97-08-056 is modified by deleting Conclusion of Law 32 and Ordering Paragraph 13.
2. Application (A.) 96-12-009, A.96-12-011, and A.96-12-019 are closed.

This order is effective today.

Dated December 21, 2000, at San Francisco, California.

LORETTA M. LYNCH
President
HENRY M. DUQUE
JOSIAH L. NEEPER
RICHARD A. BILAS
CARL W. WOOD
Commissioners