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October 11, 2005

Advice No. 3537  
(U 904 G)

Public Utilities Commission of the State of California

**Subject: Purchase of Cuyama-Casitas Pipeline**

**Purpose**

In compliance with the Settlement Agreement applicable to Southern California Gas Company (SoCalGas) approved by Decision (D.) 04-12-015, SoCalGas hereby submits for filing with the California Public Utilities Commission (Commission) this advice letter setting forth the terms of the purchase of the Cuyama-Casitas Pipeline<sup>1</sup> and reflecting the effect on rates of removing the cost of the previous lease in rates and including the cost of the purchase in rate base.

**Background**

The Cuyama-Casitas Pipeline is a system of gas pipeline facilities extending from the San Joaquin Valley to the coastal areas of Ventura County and connecting with Mandalay electric generation station on the Ventura County coast.

On September 17, 1992, SoCalGas and ARCO, subsequently acquired by British Petroleum, signed an agreement under which SoCalGas would lease the pipeline for a term of 15 years. SoCalGas filed Application No. (A.) 93-03-069 on March 29, 1993 after ARCO provided final approval of the lease.

D.94-07-061 approved SoCalGas' application for approval of the lease and authorized the inclusion in rates of that portion of the costs of the lease related to the operational benefits that the lease provides. The upper range of these benefits was estimated as \$750,000 per year. SoCalGas is allowed to recover this amount in rates, adjusted each year either by changes in the Consumer Price Index or by the use of other indexes or incentive formula that the Commission may develop as part of an incentive-based regulatory program. This amount is to be prorated for any year in which the lease is in effect for less than the entire

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<sup>1</sup> The sellers of the Cuyama-Casitas Pipeline are two different British Petroleum (BP) subsidiaries, Cuyama Pipeline Company and Casitas Pipeline Company, and BP Pipelines (North America) Inc., who is the guarantor entity.

year. SoCalGas shareholders were required to bear all costs of the lease above \$750,000 per year plus escalation.

On December 2, 2004, the Commission issued D.04-12-015 and adopted the Settlement Agreement, with modifications, in SoCalGas' revenue requirements phase (Phase I) of its Cost of Service (COS) application for Test Year 2004. The Settlement Agreement states at footnote 2 on page 15:

The revenue requirement adopted by this Settlement includes a portion, consistent with prior Commission decision, of the cost to SoCalGas of leasing the ARCO Cuyama-Casitas pipeline. SoCalGas has discussed with ORA the potential that SoCalGas may purchase that pipeline. This Settlement provides that if SoCalGas purchases this pipeline, it shall file an advice letter with the Commission detailing the terms of the purchase and reflecting the effect on rates of removing the cost of the lease in rates and including the cost of the purchase in rate base, provided that reflecting this change in ownership shall not increase the revenue requirement adopted herein.

#### **Terms of Purchase of Cuyama-Casitas Pipeline**

Pursuant to the confidentiality requirements of the Asset Purchase Agreement, the terms of the Agreement are incorporated herein as Attachment B and are being supplied only to the Commission staff. SoCalGas requests this information remain confidential under the provisions of General Order No. 66-C and California Public Utilities Code Section 583.

#### **Effect on Rates**

The "ownership" revenue requirement (return, taxes, interest and depreciation) is in excess of \$1.6 million per year (see Attachment C for further details). The amount currently in rates from the COS decision for the lease costs is \$961,234 (\$750,000 plus inflation since 1994). Because the ownership costs exceed the lease costs already in rates, there is no change in revenue requirement per the "cap" in the COS Settlement Agreement described above.

Pursuant to the confidentiality requirements of the Asset Purchase Agreement, the information provided in Attachment C is being supplied only to the Commission staff. SoCalGas requests this information remain confidential under the provisions of General Order No. 66-C and California Public Utilities Code Section 583.

#### **Effective Date**

This filing will not result in a rate change nor deviate from or conflict with any current rate schedule or rule. In addition, this filing will not cause the withdrawal of any service currently provided by SoCalGas.

SoCalGas believes that this filing is subject to Energy Division disposition and therefore respectfully requests that this filing become effective on November 10, 2005, which is thirty (30) calendar days after the date filed.

**Protests**

Anyone may protest this advice letter to the California Public Utilities Commission. The protest must state the grounds upon which it is based, including such items as financial and service impact, and should be submitted expeditiously. The protest must be made in writing and received within 20 days of the date this advice letter was filed with the Commission. There is no restriction on who may file a protest. The address for mailing or delivering a protest to the Commission is:

CPUC Energy Division  
Attention: Tariff Unit  
505 Van Ness Avenue  
San Francisco, CA 94102

Copies of the protest should also be sent via e-mail to the attention of both Jerry Royer ([jjr@cpuc.ca.gov](mailto:jjr@cpuc.ca.gov)) and Honesto Gatchalian ([jnj@cpuc.ca.gov](mailto:jnj@cpuc.ca.gov)) of the Energy Division. A copy of the protest shall also be sent via both e-mail and facsimile to the address shown below on the same date it is mailed or delivered to the Commission.

Attn: Sid Newsom  
Tariff Manager - GT14D6  
555 West Fifth Street  
Los Angeles, CA 90013-1011  
Facsimile No. (213) 244-4957  
E-Mail: [snewsom@semprautilities.com](mailto:snewsom@semprautilities.com)

**Notice**

In accordance with Section III.G of General Order No. 96-A, a copy of this advice letter is being sent to the parties listed on Attachment A to this advice letter, which includes interested parties in A.02-12-027 (COS).

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Attachments

# CALIFORNIA PUBLIC UTILITIES COMMISSION

## ADVICE LETTER FILING SUMMARY ENERGY UTILITY

MUST BE COMPLETED BY UTILITY (Attach additional pages as needed)

Company name/CPUC Utility No. **SOUTHERN CALIFORNIA GAS COMPANY/ U 904 G**

Utility type:

ELC     GAS  
 PLC     HEAT     WATER

Contact Person: Sid Newsom

Phone #: (213) 244-2846

E-mail: snewsom@semprautilities.com

### EXPLANATION OF UTILITY TYPE

ELC = Electric    GAS = Gas  
PLC = Pipeline    HEAT = Heat    WATER = Water

(Date Filed/ Received Stamp by CPUC)

Advice Letter (AL) #: 3537

Subject of AL: Purchase of Cuyama-Casitas Pipeline

Keywords (choose from CPUC listing): Agreements, Compliance, Contracts, Transmission Lines

AL filing type:  Monthly  Quarterly  Annual  One-Time  Other \_\_\_\_\_

If AL filed in compliance with a Commission order, indicate relevant Decision/Resolution #:

Decision No. 04-12-015

Does AL replace a withdrawn or rejected AL? If so, identify the prior AL No

Summarize differences between the AL and the prior withdrawn or rejected AL<sup>1</sup>: N/A

Resolution Required?  Yes  No

Requested effective date: 11/10/05                      No. of tariff sheets: None

Estimated system annual revenue effect (%): N/A

Estimated system average rate effect (%): N/A

When rates are affected by AL, include attachment in AL showing average rate effects on customer classes (residential, small commercial, large C/I, agricultural, lighting).

Tariff schedules affected: None

Service affected and changes proposed<sup>1</sup>: None

Pending advice letters that revise the same tariff sheets: N/A

**Protests and all other correspondence regarding this AL are due no later than 20 days after the date of this filing, unless otherwise authorized by the Commission, and shall be sent to:**

**CPUC, Energy Division**

**Attention: Tariff Unit**

**505 Van Ness Avenue**

**San Francisco, CA 94102**

**[jjr@cpuc.ca.gov](mailto:jjr@cpuc.ca.gov) and [jnj@cpuc.ca.gov](mailto:jnj@cpuc.ca.gov)**

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<sup>1</sup> Discuss in AL if more space is needed.

**ATTACHMENT A**

**Advice No. 3537**

**(See Attached Service Lists)**

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