

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Joseph T. Kelliher, Chairman;  
Nora Mead Brownell, and Suedeen G. Kelly.

Southern California Edison Company

Docket No. ER06-186-001

ORDER GRANTING REQUEST TO NOT SUBMIT COMPLIANCE FILING  
AND GRANTING REQUEST FOR CHANGE IN EFFECTIVE DATE

(Issued May 30, 2006)

1. In this order, we grant Southern California Edison Company's (Edison) request for a change in the effective date and its request that it need not submit a compliance filing.

**Background**

2. By order issued on January 9, 2006, the Commission accepted and suspended for five months Edison's proposed revisions to its Transmission Owner (TO) Tariff, to become effective June 10, 2006, subject to refund, and established hearing and settlement judge procedures.<sup>1</sup>

3. On February 8, 2006, Edison filed a request for rehearing, arguing, as relevant here, that the Commission should make the proposed revisions effective on June 4, 2006 rather than June 10, 2006.<sup>2</sup> Edison states that its retail rates include seasonal (winter and summer) differentials and that the winter to summer season change occurs each year on the first Sunday in June (for 2006, that day is June 4, 2006). Edison contends that, if it has to revise its transmission rates as of June 10, 2006 rather than June 4, 2006, it will incur expenses associated with "validation and system testing of the new rates in the retail billing system."<sup>3</sup> In addition, Edison argues that, because its monthly bills are

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<sup>1</sup> *Southern California Edison Co.*, 114 FERC ¶ 61,018 (2006) (January 9 Order).

<sup>2</sup> Edison Request for Rehearing at 2-3, 25-26. Edison separately argued that the Commission should not have suspended its proposed revisions for five months. *Id.* at 2, 19-25. This order does not address that issue, but rather given Edison's request for expedited action as described below, addresses only the request for a June 4, 2006 effective date. The length of the suspension period will be addressed, assuming that the case does not settle in the meantime, in a subsequent order.

<sup>3</sup> *Id.* at 26.

“pro-rated,” a rate change implemented on June 10, 2006 will result in “triple pro-rationing” and “customer confusion” resulting, in turn, in “tens of thousands of billing inquiries to [Edison’s] customer call center, as well as several hundred thousand dollars in increased postage costs as this additional billing period detail requires an additional page to be printed and mailed.”<sup>4</sup> In order to minimize “these types of implementation issues and problems,” Edison states that it makes every attempt to implement multiple retail rate changes on the same date and to implement other rate changes concurrent with the seasonal rate revisions (which, as noted above, will take place on June 4, 2006).

4. In addition, Edison asks for expedited clarification of the January 9 Order, noting that, while the Commission did not order a compliance filing, the Commission also rejected Edison’s proposal for a 50-basis point adder for what Edison characterizes as its joining and remaining a member of the California Independent System Operator Corporation.<sup>5</sup> Edison states that given that the 50-basis point adder is not a separate rate component and that removing it from Edison’s rates would require a recalculation, and that a compliance filing was not called for, Edison intends to put its proposed rates (including the 50-basis point adder) into effect on June 10, 2006 (or June 4, 2006, should the Commission grant Edison’s request for a June 4, 2006 effective date described above). Edison asks that, if the Commission intended a different result, the Commission provide clarification expeditiously.<sup>6</sup>

5. On May 5, 2006, Edison filed a motion seeking expedited action on its request for clarification. Edison notes that, since the filing of its request for rehearing, the parties to the proceeding have reached a settlement in principle. In light of this settlement in principle, a compliance filing recalculating Edison’s rates with the 50-basis point adder is unnecessary and would complicate a proceeding the parties have settled; Edison asks that the Commission expeditiously rule that Edison need not submit a compliance filing. Edison adds that it is authorized to state that neither Trial Staff nor any of the active parties oppose this motion.<sup>7</sup>

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<sup>4</sup> *Id.*

<sup>5</sup> See January 9 Order, 114 FERC ¶ 61,018 at P 15. Edison, we note, seeks rehearing of the Commission’s rejection of its 50 basis point adder. Edison Request for Rehearing at 2, 7-18. This order does not address that issue, but rather given Edison’s request for expedited action as described below, addresses only the request for a June 4, 2006 effective date. The 50-basis point adder will be addressed, assuming that the case does not settle in the meantime, in a subsequent order.

<sup>6</sup> *Id.* at 3, 27.

<sup>7</sup> Edison also reiterates its request that it be allowed a June 4, 2006 effective date rather than the June 10, 2006 effective date that the Commission adopted in the January 9 Order. Edison Motion at 2 n.1.

**Discussion**

6. We will grant Edison's request that it be allowed a June 4, 2006 effective date in the comparatively unique circumstances of this case. The Commission's decision as to what date to allow as the effective date is discretionary,<sup>8</sup> and Edison is seeking an effective date that is only 6 days earlier than that originally adopted by the Commission in the January 9 Order and has demonstrated that a departure from our usual policy of not re-examining an effective date is warranted on the facts of this case.<sup>9</sup> Accordingly, we will allow a June 4, 2006 effective date in this case.<sup>10</sup>

7. In addition, in the present circumstances, given that the parties have reached a settlement in principle, we agree that Edison need not submit a compliance filing.

The Commission orders:

(A) Edison's request that it be allowed a June 4, 2006 effective date is hereby granted.

(B) Edison's request that it need not submit a compliance filing is hereby granted.

By the Commission.

( S E A L )

Magalie R. Salas,  
Secretary.

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<sup>8</sup> See *West Texas Utilities Co.*, 18 FERC ¶ 61,189 at 61,375 (1982) (noting that in determining the suspension period and thus the effective date the Commission has "administrative flexibility" to respond to the particular facts of each case).

<sup>9</sup> Cf. *Yankee Atomic Electric Co.*, 60 FERC ¶ 61,316 at 62,095-96 (1992) (allowing effective date 8 days earlier than originally adopted given case-specific circumstances found to warrant unusual Commission action).

<sup>10</sup> We also note that regardless of the effective date, June 4, 2006 or June 10, 2006, the rates will be in effect subject to refund.