

ITEM

Decision No. 17802.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
SPRING VALLEY WATER COMPANY,)
a corporation, for an order author-)
izing the granting to Great Western)
Power Company of California, a cor-)
poration, of a right of way over cer-)
tain lands of said Spring Valley)
Water Company.)

ORIGINAL

Application No. 13356

McCutchen, Olney, Mannon and Greene, for applicant.

BY THE COMMISSION:

OPINION AND ORDER

Spring Valley Water Company asks permission to sell and grant to Great Western Power Company of California a right of way across some of its lands situate in San Mateo County.

A copy of the agreement by which the right of way is to be granted is filed in this proceeding as "Applicant's Exhibit A". Under the provisions of the agreement the Great Western Power Company of California can use the right of way only for power and telephone line right of way purposes. The proposed right of way has an approximate length of nine and seven tenths miles. Great Western Power Company of California has agreed to pay for the right of way the sum of forty dollars per pole for each and every pole placed or erected upon the right of way. In the event that the Great Western Power Company of California does not comply with the terms and conditions of the agreement, the right of way reverts to Spring Valley Water Company, its successors and assigns.

The agreement further provides that all wires strung upon the poles erected by the Great Western Power Company of California shall at all times have a clearance of not less than twenty-five feet above the natural level of the ground. While we will authorize the execution of the agreement filed in this proceeding as Applicant's Exhibit "A", it is expected that any power or telephone line erected on the right of way by Great Western Power Company of California will be constructed in conformity with the Commission's General Order No. 64.

The Commission having considered applicant's request and being of the opinion that this is a matter in which a public hearing is not necessary and that this application should be granted, as herein provided, therefore,

IT IS HEREBY ORDERED that Spring Valley Water Company may grant and sell the right of way referred to in this application, to Great Western Power Company of California, and execute an agreement substantially in the same form as the agreement filed in this proceeding as Applicant's Exhibit "A", provided that all power or telephone lines erected on said right of way, shall be erected, constructed and maintained so as to comply with the Commission's General Order No. 64.

DATED at San Francisco, California, this 23^d day of December, 1926.

H. B. Brundage

O. L. Seaman

Frank J. ...

Thos. ...

Commissioners.