

LEM

Decision No. 25082

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
SIERRA PACIFIC POWER COMPANY,  
a corporation, TRUCKEE PUBLIC UTILITY  
DISTRICT, a public utility district  
in unincorporated territory organized  
under the laws of the State of Cali-  
fornia for an order authorizing Sierra  
Pacific Power Company to sell to said  
Truckee Public Utility District an  
electric distribution system in the  
Town of Truckee, State of California;  
and for an order amending the certifi-  
cate of public convenience and necessity  
of Sierra Pacific Power Company to pro-  
vide for the sale by it of electric  
energy to the Southern Pacific Company  
within the boundaries of Truckee Public  
Utility District, being within the Town  
of Truckee.

ORIGINAL

Application No. 18305

Orrick, Palmer & Dahlquist, by C.M. Jenks,  
for Sierra Pacific Power Company;

T. L. Chamberlain, for Truckee Public  
Utility District.

BY THE COMMISSION:

O P I N I O N

In this application the Sierra Pacific Power Company asks permission to sell to Truckee Public Utility District the properties described in Exhibit No. 1 filed in this proceeding; and further asks the Commission to modify its order in Decision No. 19982 dated July 3, 1928 in Application No. 14556 (Vol. 32, Opinions and Orders of the Railroad Commission, page 72) so as to permit said Sierra Pacific Power Company to sell electrical

energy to the Southern Pacific Company and its subsidiary and affiliated corporations in the Town of Truckee.

Pursuant to the authority granted in Decision No. 24536 dated February 29, 1932, as amended by Decision No. 24594 dated March 21, 1932, Sierra Pacific Power Company acquired the properties of Truckee Electric Light and Power Company. Since then Truckee Public Utility District and Sierra Pacific Power Company have entered into an agreement, (Exhibit C), under the terms of which the Sierra Pacific Power Company will sell to the District some of the properties which it acquired from the Truckee Electric Light and Power Company. The properties which it asks permission to sell to the District consist of all poles, pole lines, circuits, installed insulators, installed distribution transformers, installed cross-arms and installed service from poles to customer's buildings, and all the franchises, physical properties, real and personal, business and goodwill, of the Sierra Pacific Power Company, together with all rights, privileges and easements connected therewith, incident to and/or a part of its business within the boundaries of Truckee Public Utility District which the Sierra Pacific Power Company acquired from Truckee Electric Light and Power Company, expressly excepting, however, the following:-

58 installed meters  
275 meters in stock  
The power house and all property situated therein.  
The storeroom and all property situated therein.  
The power house dwelling and all property situated therein.  
Property, if any, acquired from the Truckee Electric Light and Power Company which is situated in grantor's substation at Truckee.  
Any land surrounding upon which the hereinabove mentioned power house, storeroom, and power house dwelling are situated.

It is agreed between the parties that no property or rights are included in the agreement of sale that were not acquired by the Sierra Pacific Power Company from the Truckee Electric Light and Power Company. It is further understood between the parties that the power line from the Sierra Pacific Power Company's sub-station to the yards of the Southern Pacific Company and its subsidiary and affiliated corporations and all equipment used therein and all necessary rights of way therefor, together with the right to serve said Southern Pacific Company and its subsidiary and affiliated corporations, are excepted from the conveyance and are reserved to Sierra Pacific Power Company.

The testimony shows that the District is paying for the properties which it is acquiring from the Sierra Pacific Power Company substantially the same amount which that company paid to the Truckee Electric Light and Power Company.

The Railroad Commission by Decision No. 19982 dated July 3, 1928, declared that public convenience and necessity require and will require the exercise by Sierra Pacific Power Company of the rights and privileges granted in Ordinance No. 226 (should be 126) of the County of Nevada in that portion of Nevada County lying east of the summit of the Sierra Nevada Mountains, but expressly excluding the Town of Truckee, except to such degree as may be necessary to deliver power to the Truckee Electric Light and Power Company and the Truckee Public Utility District. The Sierra Pacific Power Company now asks the Commission to modify its declaration so as to read-

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA  
HEREBY DECLARES that public convenience and necessity require and will require the exercise by Sierra Pacific Power Company of the rights and privileges granted under Ordinance No. 126 of the County of Nevada in that portion of Nevada County lying east of the summit of the Sierra Nevada Mountains but expressly excluding the territory within the Town of Truckee, except to such degree as may be necessary to deliver power to Truckee Public Utility

District and to Southern Pacific Company and its subsidiary and affiliated corporations.

No one appeared at the hearing protesting the granting of this application.

We believe that the granting of this application is in the public interest in that it will obviate the maintenance of two electrical distributing systems in the Town of Truckee.

ORDER

The Commission having been asked to enter its order, as indicated in the foregoing opinion and having considered the evidence submitted at the hearing had on this application and being of the opinion that this application should be granted, therefore,

IT IS HEREBY ORDERED, that the Sierra Pacific Power Company may on or before October 15, 1932 sell and transfer to the Truckee Public Utility District the properties described in the indenture filed in this proceeding on August 18, 1932, such sale and transfer to be made under the terms and conditions of the agreement filed in this proceeding as Exhibit "C".

IT IS HEREBY FURTHER ORDERED, that the Commission's order in Decision No. 19982 dated July 3, 1928 in Application No. 14556 be, and the same is hereby, changed to read as follows:-

"THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require and will require the exercise by Sierra Pacific Power Company of the rights and privileges granted under Ordinance No. 126 of the County of Nevada in that portion of Nevada County lying east of the summit of the Sierra Nevada Mountains but expressly excluding the territory within the Town of Truckee except to such degree as may be necessary to deliver power to Truckee Public Utility District and to Southern Pacific Company and its subsidiary and affiliated corporations."

IT IS HEREBY FURTHER ORDERED, that within thirty(30) days after the sale and transfer of the properties herein authorized, Sierra Pacific Power Company shall file with the Commission a certified copy of the indenture under the terms of which it sold or transferred to the Truckee Public Utilities District the properties, to which reference is made herein.

DATED at San Francisco, California, this 22<sup>nd</sup> day of August, 1932.

C. L. Sawyer

Leon A. Wiley

M. A. Cunn

W. B. Harris

Fred G. Albrecht

Commissioners.