

ORIGINAL

Decision No. 1552

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application	:	
of the PACIFIC GAS AND ELECTRIC	:	
COMPANY for an Order approving a	:	Application No. 1140.
certain agreement entered into be-	:	
tween said Pacific Gas and Elec-	:	
tric Company and Charles H. Sawyer.	:	

Charles P. Cutten, for Applicant.

LOVELAND, Commissioner.

O P I N I O N

In this application, the Pacific Gas and Electric Company applies to the Commission for the approval of a certain contract entered into between applicant, the Pacific Gas and Electric Company, and Charles H. Sawyer.

As set forth in the application and supported by testimony at the hearing, said Charles H. Sawyer applied to the Pacific Gas and Electric Company for an extension of applicant's electrical distribution line to the premises of said Charles H. Sawyer and for electrical service therefor. The distance which applicant, the Pacific Gas and Electric Company, would be compelled to extend its electrical distribution line, was greater than applicant felt that it should extend free of charge, with which opinion said Charles H. Sawyer coincided.

A contract or agreement was, therefore, entered into between Pacific Gas and Electric Company and said Charles H. Sawyer, by the terms of which the Pacific Gas and Electric Company agreed to extend its electrical distribution line to the premises of said Charles H. Sawyer and to serve said Charles H. Sawyer with electrical energy, upon condition that the monthly payment to the Pacific Gas and Electric Company by said Charles H. Sawyer for such service should not be less than \$7.00 per month.

The contract or agreement also provides that if other customers of the Pacific Gas and Electric Company are hereafter served from the electrical distributing line which is to be built under the agreement for the purpose of serving said Charles H. Sawyer, the amounts paid <sup>by</sup> such other consumers shall be credited to the amount to be paid by said Charles H. Sawyer under the agreement and shall reduce said amount to be paid by Charles H. Sawyer to the amount of such credits, except in cases where it shall be necessary for the Pacific Gas and Electric Company to make an additional extension of more than 100 feet to reach said additional consumers. JEM

A copy of the contract or agreement was filed with the application and said Charles H. Sawyer was present at the hearing and agreed to the conditions of the contract.

The reason that the Pacific Gas and Electric Company desires that the Commission approve of the contract or agreement in question is that the minimum payment of \$7.00 per month for electrical energy served to said Charles H. Sawyer will be a departure from the published rates of the Pacific Gas and Electric Company.

I find that, under all of the circumstances of the case, the agreement or contract between the Pacific Gas and Electric Company and Charles H. Sawyer is a fair and equitable one and should receive the approval of this Commission.

I also call attention to the fact that a matter similar to this in many respects and embodying the same principle to be decided here has been before the Commission in Case No. 451 and decided by the Commission under Decision No. 974 (Charles LeRoy Butler versus Pacific Gas and Electric Company, Volume 3, Decisions of the Railroad Commission of the State of California, page 629), with which decision the decision in this case is in accord.

The matter comprehended in this application was brought

into the record in Cases Nos. 477 and 550 (combined for hearing) and will finally be determined by the Order in those cases, but I see no reason why it cannot be considered independently at this time and disposed of temporarily, pending the final decision in Cases Nos. 477 and 550.

I recommend the following Order:-

ORDER

The Pacific Gas and Electric Company having applied to this Commission for an Order approving a certain agreement entered into between said Pacific Gas and Electric Company and Charles H. Sawyer, and the Commission having found the terms and conditions of said contract or agreement equitable and reasonable and that the same should be temporarily approved, pending the final disposition of the decisions in Cases Nos. 477 and 550, by this Commission;

IT IS HEREBY ORDERED: That the said Pacific Gas and Electric Company and the said Charles H. Sawyer be and they are hereby authorized to enter into such contract or agreement, as set forth in the copy filed with the application, and that the departure by the Pacific Gas and Electric Company from its published rates, resulting from said contract or agreement, is hereby approved, such permission and approval subject, however, to the final determination and decision in Cases Nos. 477 and 550.

The foregoing Opinion and Order are hereby approved and ordered filed as the Opinion and Order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 2<sup>nd</sup>

day of June, 1914.

A. D. Loveland

Alex Gordon

Max Shelen

Commissioners.