

Decision No. _____

BEFORE THE RAILROAD COMMISSION
OF THE STATE OF CALIFORNIA.

---000---

In the Matter of the Application of)
SOUTHERN PACIFIC COMPANY, CENTRAL)
PACIFIC RAILWAY COMPANY and PACIFIC)
GAS AND ELECTRIC COMPANY for an order)
of the Railroad Commission authorizing)
and approving a proposed agreement with)
reference to water rates in Placer)
County.)

ORIGINAL

Application No. 3478.

Decision No. 5089-

THEBLEN, Commissioner.

O P I N I O N .

On July 27, 1917, the Railroad Commission made and filed its opinion and order in Application No. 1831, being application of Pacific Gas and Electric Company for an order establishing the rates to be charged by it to consumers of water in Placer County other than irrigation consumers. Referring to water delivered by Pacific Gas and Electric Company to Southern Pacific Company at various points on the latter' Company's right of way in Placer County, the opinion reads in part as follows:

"The delivery of water by the Pacific Company (Pacific Gas and Electric Company) to the Southern Pacific Company at its various railroad stations in Placer County involves considerations different from those obtaining as to other customers. For some time the two companies have been trying to agree on proposed rates to be submitted to the Railroad Commission for approval. To date, no such agreement has been reached. The matter of the rates to be charged by the Pacific Company to the Southern Pacific Company will be held in abeyance and will hereafter be established."

The parties have now agreed on the rates to be charged by Pacific Gas and Electric Company for all the water sold to Southern Pacific Company and have filed their petition herein asking that the Railroad Commission make its order authorizing the parties to execute an agreement in substantially the form

of the instrument filed together with the petition and approving the rates, terms and conditions as set forth in the proposed agreement.

The draft of agreement specifies the rate to be charged by Pacific Gas and Electric Company for water sold to Southern Pacific Company at the following points: Forebay, Towle, Gold Run, Cape Horn, West Applegate, East Applegate, Bowman, Auburn, Nevada Street; Auburn, Old Station; Newcastle, Penryn; Lincoln Avenue; Penryn, Old Station; Loomis and Rocklin.

The rates thus agreed upon are reported by the Commission's Hydraulic Division to be reasonable.

The form of the proposed agreement contains a number of provisions which are more appropriate to a private contract entered into between private parties than to a rate filed by a public utility, but it will not be necessary to consider these matters herein for the reason that the Railroad Commission's authority to the execution of this contract is not necessary and that the order herein will be limited to the filing by Pacific Gas and Electric Company of the rates specified in the proposed agreement.

It will, of course, be understood that the execution of the proposed agreement by the parties thereto will not in any way preclude the State, through its properly constituted authorities, from hereafter supervising and regulating the utility in all respects specified by law with reference to its service of water in Placer County.

I submit the following form of order:

O R D E R .

Good cause appearing,

IT IS HEREBY ORDERED that Pacific Gas and Electric Company be and the same is hereby authorized to file with the Railroad Commission its rates for water to be sold by it to Southern Pacific Company and Central Pacific Railway Company in Placer County, as specified in form of agreement between Pacific Gas and Electric Company, Southern Pacific Company and Central Pacific Railway Company, filed together with the petition herein, these rates to be subject to the power of the Railroad Commission to change, alter or amend the same at any time.

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 31st day of January, 1918.

Max Thelen
W. D. Boardman
W. E. Gordon
Edwin O. Edgerton

Commissioners.