

ORIGINAL

Decision No. 8351BEFORE THE RAILROAD COMMISSION
OF THE STATE OF CALIFORNIA

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In the Matter of the Application of the
TUOLUMNE TRANSMISSION COMPANY, a corpora-
tion, SIERRA AND SAN FRANCISCO POWER COM-
PANY, a corporation, and PACIFIC GAS AND
ELECTRIC COMPANY, a corporation, for an
order of the Railroad Commission of the
State of California, authorizing the
Tuolumne Transmission Company to sell
and convey to Sierra and San Francisco
Power Company and Sierra and San Fran-
cisco Power Company to acquire all of
the property owned by the first named
applicant or used or intended to be
used in the transmission, distribution
and sale of electric energy; and author-
izing Pacific Gas and Electric Company
to pay for the properties to be acquired
by Sierra and San Francisco Power Com-
pany.

ApplicationNo. 6032

BY THE COMMISSION:

O P I N I O N

The Railroad Commission is asked to make its order
authorizing:

1. Tuolumne Transmission Company to sell,
transfer and convey to Sierra and San Francisco
Power Company free and clear of all liens and en-
cumbrances, all of the property of Tuolumne Trans-
mission Company in consideration of the payment to
it by Pacific Gas and Electric Company for the ac-

count of Sierra and San Francisco Power Company of the principal sum of \$13,600, together with interest thereon at the rate of six percent (6%) per annum from the 18th day of September, 1919, until said payment shall be made.

2. Sierra and San Francisco Power Company to purchase and acquire all of the properties of said Tuolumne Transmission Company.

3. Pacific Gas and Electric Company, as Lessee of the properties of the Sierra and San Francisco Power Company, to pay to Tuolumne Transmission Company, for the account of said Sierra and San Francisco Power Company, the sum of \$13,600, together with interest thereon at the rate of six percent (6%) per annum from the 18th day of September, 1919, until paid.

Tuolumne Transmission Company has been engaged since the year 1908 in the distribution of electricity in a portion of Tuolumne County, and prior to December 1916 obtained its supply of electricity from the Tuolumne Electric Company, a generating utility. The equipment of the latter company having failed and not having been repaired, Tuolumne Transmission Company entered into arrangements with Sierra and San Francisco Power Company, and since January 1, 1917 has obtained its supply of electricity from Sierra and San Francisco Power Company, and since January 1, 1920 from Pacific Gas and Electric Company, lessee of the properties of Sierra and San Francisco Power Company. The system of the Tuolumne Company has,

since January 1, 1917, been operated as a part of Sierra and San Francisco Power Company's properties.

The agreement between the parties to the proposed transfer is in the form of an offer by Sierra and San Francisco Power Company dated September 12, 1919 and an acceptance thereof by Tuolumne Transmission Company dated September 18, 1919, copies of which are filed with the application herein as Exhibits "C" and "D" respectively.

By virtue of the lease agreement, effective December 31, 1919, Pacific Gas and Electric Company has been operating as lessee, the properties of the Sierra and San Francisco Power Company, and in accordance with the terms of this lease, additions to the properties of Sierra and San Francisco Power Company subsequently made or acquired are to be paid for by Pacific Gas and Electric Company and charged to the account of Sierra and San Francisco Power Company.

The application herein sets forth the original cost of the property of the Tuolumne Transmission Company to be herein transferred in the sum of \$34,897.86.

The properties of Tuolumne Transmission Company have been heretofore investigated by the Railroad Commission. The price at which the properties are herein proposed to be transferred does not appear excessive and the property is reasonably worth the amount which it is agreed will be paid therefor.

O R D E R

The Railroad Commission of the State of California being of the opinion that the granting of the authority herein sought will be in the public interest and that a hearing is

not necessary in this matter,

IT IS HEREBY ORDERED that Tuolumne Transmission Company be and it is hereby authorized to sell to Sierra and San Francisco Power Company all of its properties as the same are described in Exhibit "E" attached to the application herein.

IT IS HEREBY FURTHER ORDERED that Sierra and San Francisco Power Company be, and it is hereby, authorized to purchase and acquire all of the properties of the Tuolumne Transmission Company in accordance with the terms of that certain agreement entered into between Tuolumne Transmission Company and Sierra and San Francisco Power Company dated September 18, 1919.

IT IS HEREBY FURTHER ORDERED that Pacific Gas and Electric Company, as lessee of the properties of Sierra and San Francisco Power Company, be, and it is hereby, authorized to pay to Tuolumne Transmission Company, upon the transfer of the properties herein authorized, for the account of Sierra and San Francisco Power Company, the sum of \$13,600, together with interest thereon at the rate of six percent (6%) per annum from the 18th day of September, 1919, until paid.

The authority herein granted is upon the following conditions and not otherwise:

1. Within sixty days after the acquisition of the properties of Tuolumne Transmission Company, Sierra and San Francisco Power Company shall file with the Railroad Commission for approval, stipulation duly authorized by its Board of Directors, declaring that Sierra and San Francisco Power

Company, its successors and assigns, will never claim in any proceeding of any character before the Railroad Commission, or any other public authority, any value for the franchise or permits which Sierra and San Francisco Power Company may acquire from Tuolumne Transmission Company, in excess of the amount paid by the original grantee for such franchise or permits to the public utility granting the same, which amount shall be specified in said stipulation.

2. The consideration at which the public utility properties are herein authorized to be transferred shall not be considered as a measure of value of said properties for rate making or any purpose other than the transfer herein authorized.

3. The authority herein granted will apply only to such transfer as may be made on or before sixty days from the date of this order.

Dated at San Francisco, California, this

17th day of November, 1920.

Edwin C. Edgerton

H. A. Loveland

Frank R. White

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Commissioners.