

ORIGINAL

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Decision No. 8732.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of )  
PACIFIC GAS AND ELECTRIC COMPANY, )  
a corporation, and MT. SEASTA POWER )  
CORPORATION, a corporation, for an )  
order of the Railroad Commission of )  
the State of California authorizing )  
said PACIFIC GAS AND ELECTRIC COMPANY )  
to sell and convey and said Mt. SEASTA )  
POWER CORPORATION to purchase and ac- )  
quire all of the property hereinafter )  
in this petition particularly described.)

Application  
Number  
6601.

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William B. Bosley and C.P. Catten for applicants.

DEVLIN, Commissioner.

O P I N I O N.

This application involves the sale of certain properties described in Exhibit "1", attached hereto, by PACIFIC GAS AND ELECTRIC COMPANY and the purchase of said properties by MT. SEASTA POWER CORPORATION.

Pacific Gas and Electric Company owns all of the outstanding stock of Mt. Shasta Power Corporation. Heretofore under authority granted by the Commission, Pacific Gas and Electric Company acquired the properties of Northern California Power Company, Consolidated. Applicants report that prior to the acquisition of the properties of Northern California Power Company, Consolidated, by the Pacific Gas and Electric Company, the Northern California Power Company, Consolidated, expended \$156,025.16 in the acquisition and construction of properties along and appurtenant to the Pit River. Applicants believe it to be

in the public interest, as well as in their interest, that all of the lands, rights, easements and properties to be used and useful in the construction, completion and operation of proposed power plants on the Pit River should be owned and possessed by the Mt. Shasta Power Corporation. It is the intention of applicants that all such plants be built by the Mt. Shasta Power Corporation and none constructed by the Pacific Gas and Electric Company.

Applicants were unable to advise the Commission whether all or only a part of the properties referred to in this application will be used by the Mt. Shasta Power Corporation. If it is hereafter decided to abandon any of the properties or not proceed with the construction work begun by the Northern California Power Company, Consolidated, proper adjustments must be made on the books of Mt. Shasta Power Corporation. Such adjustments can, of course, be made as readily on the books of the Mt. Shasta Power Corporation as on the books of the Pacific Gas and Electric Company were the properties not transferred.

I herewith submit the following form of Order.

O R D E R.

PACIFIC GAS AND ELECTRIC COMPANY having applied to the Railroad Commission for authority to sell and transfer and MT. SHASTA POWER CORPORATION to purchase for \$156,025.16 the properties described in Exhibit "1" attached hereto, a public hearing having been held and the Railroad Commission being of the opinion that applicants' request should be granted subject to the conditions of this Order;

IT IS HEREBY ORDERED that PACIFIC GAS AND ELECTRIC COMPANY be, and it is hereby, authorized to sell and MT. SHASTA POWER CORPORATION to purchase at a cost of \$156,025.16 the properties described in Exhibit "1" attached hereto, said sale and purchase to be

made in accordance with the agreement of sale , Exhibit "C", filed in this proceeding, provided --

- 1.--THAT, the authority herein granted will not be interpreted as a finding of value of said properties for any purpose other than the transfer herein permitted;
- 2.--THAT, Mt. Shasta Power Corporation will file with the Commission a verified copy of the deed under which it secures and holds title to the properties which Pacific Gas and Electric Company is herein authorized to sell and Mt. Shasta Power Corporation to purchase, such deed to be filed within thirty (30) days after its execution.

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 11<sup>th</sup> day of March, 1921.

Frank R. DeWitt

H. P. ...

Travis Martin

Charles H. Howell

Commissioners.

EXHIBIT NO. 1

The properties which Pacific Gas and Electric Company asks permission to sell and transfer to Mt. Shasta Power Corporation and which it is authorized to sell and transfer to said Mt. Shasta Power Corporation, by the order which precedes this Exhibit No. 1, are described in Exhibit "D" filed in this proceeding as follows:-

1. All of those certain parcels of land, rights and easements, which were granted to Northern California Power Company, Consolidated, in and by a certain deed bearing date the 29th day of September, 1911, executed by Central Pacific Railway Company and United States Trust Company of New York, and recorded in the office of the County Recorder of said County of Shasta, in Volume 111 of Deeds, at Page 502;
2. All of that certain parcel of land, which was granted to said Northern California Power Company, Consolidated, in and by a certain deed bearing date the 4th day of November, 1911, executed by Santa Fe Pacific Railroad Company, and recorded in the office of said County Recorder, in Volume 111 of Deeds, at Page 486;
3. All of those certain parcels of land, which were granted to said Northern California Power Company, Consolidated, in and by a certain deed bearing date the 20th day of May, 1919, executed by J. H. Stutt, and recorded in the office of said County Recorder, in Volume 134 of Deeds, at page 118;
4. All of that certain parcel of land, which was granted to said Northern California Power Company, Consolidated, in and by a certain deed bearing date the 18th day of April, 1912, executed by E. V. D. Johnson, and recorded in the office of said County Recorder, in Volume 112 of Deeds, at page 163; and in and by a certain deed bearing date the 23rd day of March, 1914, executed to said Northern California Power Company, Consolidated, by said E. V. D. Johnson, and recorded in the office of said County Recorder, in Volume 128 of Deeds, at page 85;
5. All of those certain parcels of land, rights and easements, which were granted to said Northern California Power Company, Consolidated, in and by a certain deed bearing date the 7th day of August, 1912, executed by Hank Healy, Walter Moody and Jerry Moody, and recorded in the office of said County Recorder, in Volume 139 of Deeds, at page 372;
6. All of those certain parcels of land, rights and easements, which were granted to said Northern California Power Company, Consolidated, in and by a certain deed bearing date the 25th day of April, 1912, executed by Mrs. Caroline Morse, and recorded in the office of said County Recorder, in Volume 113 of Deeds, at page 392;

7. All of those certain parcels of land, rights and easements, which were granted to said Northern California Power Company, Consolidated, in and by a certain deed bearing date the 25th day of April, 1912, executed by D.J.Waters, and recorded in the office of said County Recorder, in Volume 113 of Deeds, at page 377;

8. All of those certain parcels of land, rights and easements, which were granted to said Northern California Power Company, Consolidated, in and by a certain deed bearing date the 24th day of October, 1912, executed by M.P.Shadley, and recorded in the office of said County Recorder, in Volume 115 of Deeds, at page 195;

9. All of that certain parcel of land, and the rights and easements, which were granted to said Northern California Power Company, Consolidated, in and by a certain deed bearing date the 6th day of August, 1912, executed by William Eulsey, and recorded in the office of said County Recorder, in Volume 115 of Deeds, at page 389;

10. All of that certain parcel of land, and the rights and easements, which were granted to said Northern California Power Company, Consolidated, in and by a certain deed bearing date the 28th day of April, 1912, executed by J.H.Betty, and recorded in the office of said County Recorder, in Volume 113 of Deeds, at page 390;

11. All of the rights which were granted to said Northern California Power Company, Consolidated, in and by a certain deed bearing date the 30th day of October, 1911, executed by D.J.Waters, and recorded in the office of said County Recorder, in Volume 111 of Deeds, at page 545;

12. All of the rights which were granted to said Northern California Power Company, Consolidated, in and by a certain deed bearing date the 30th day of October, 1911, executed by W.J.Henderson, and recorded in the office of said County Recorder, in Volume 111 of Deeds, at page 546;

13. All of the rights which were granted to said Northern California Power Company, Consolidated, in and by a certain deed bearing date the 30th day of October, 1911, executed by Roy Hays and R.B.Hays, and recorded in the office of said County Recorder, in Volume 111 of Deeds, at page 547;

14. All of the rights which were granted to said Northern California Power Company, Consolidated, in and by a certain deed bearing date the 30th day of October, 1911, executed by Victor Holm and John Holm, and recorded in the office of said County Recorder, in Volume 111 of Deeds, at page 546;

15. All of the rights which were granted to said Northern California Power Company, Consolidated, in and by a certain instrument bearing date the 11th day of October, 1911, executed by Central Pacific Railway Company, and recorded in the office of said County Recorder, in Volume 111 of Deeds, at page 506;

16. All of the rights which were granted to said Northern California Power Company, Consolidated, in and by a certain deed bearing date the 25th day of November, 1910, executed by J.E. Stutt, and recorded in the office of said County Recorder, in Volume 111 of Deeds, at page 544;

17. All and singular the rights which said Pacific Gas and Electric Company acquired from said Northern California Power Company, Consolidated, to appropriate, divert and use the waters flowing, and to flow, in Pit River, above, that is, upstream from, the place where said Pit River flows out of Section 15, in Township 35 North, Range 1 West, M. D. B. & M.;

18. All and singular the rights, titles, interests and estates which said Pacific Gas and Electric Company heretofore acquired from said Northern California Power Company, Consolidated, in and to all lands riparian to said Pit River, above, that is, upstream from, the place where said Pit River flows out of Section 15, in Township 35 North, Range 1 West, M.D.B. & M.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, unto said party of the second part, its successors and assigns forever, subject to the lien of the second installment of taxes for the fiscal year commencing July 1, 1920.