

Decision No. 21938

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of PACIFIC GAS AND ELECTRIC COMPANY, a corporation, for an order of the Railroad Commission of the State of California authorizing applicant to enter into a written agreement with SOUTHERN PACIFIC COMPANY and its lessor, CENTRAL PACIFIC RAILWAY COMPANY, in words and figures as written in the form therefor which is annexed hereto.

Application No. 21938

ORIGINAL

BY THE COMMISSION:

O R D E R

Pacific Gas and Electric Company, a corporation, having filed an application with the Railroad Commission of the State of California requesting approval of a certain agreement entered into by and between Pacific Gas and Electric Company, a corporation, and Southern Pacific Company, a corporation organized and existing under and by virtue of the laws of the State of Kentucky, and doing business in the State of California, and its lessor, Central Pacific Railway Company, a corporation, (hereinafter called the "Customers") in words and figures as set forth in the copy of the agreement marked Exhibit "A" of Exhibit No. 1 and attached to the application herein, said agreement providing, among other things, for the sale and delivery to said "Customers" of water required at various points in the County of Placer, to be and remain in force for the term of ten years from and after the first day of March,

1938, and it appearing that this is not a matter in which a public hearing is necessary, that the proposed rates as set forth in the said agreement are reasonable at this time, and that the application should be granted, now, therefore,

IT IS HEREBY ORDERED that Pacific Gas and Electric Company and Southern Pacific Company and its lessor, Central Pacific Railway Company, be and they are hereby authorized to enter into a written agreement for the sale and delivery of water under substantially the same terms and conditions as are set forth in the form of agreement marked Exhibit "A" of Exhibit No. 1 which is attached to the application herein and hereby made a part of this Order by reference, at the various points in the County of Placer and under the rates set forth therein as follows:

"All water sold and delivered to Customers hereunder for use at Emigrant Gap, Towle, Gold Run, Gold Run Pump, East Applegate, West Applegate, Clipper Gap, Auburn (Nevada Street Depot), Flint, stockyard, located near Auburn, and West Penryn shall be measured and charged for at the rate of twenty-five cents (25¢) per miner's<sup>(1)</sup> inch day, and minimum charge for water sold and delivered at the above mentioned points to be, as to each separate point of delivery, three dollars (\$3.00) per month.

"All water sold and delivered to Customers hereunder for use at Cape Horn, Bowman, and East Penryn shall, as to each separate point of delivery, be charged for at a flat rate of two dollars (\$2.00) per month.

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1. A miner's inch, for the purpose of this agreement, shall be taken and deemed to be the equivalent of 1-1/2 cubic feet of water per minute and a miner's inch day shall be taken and deemed to be the equivalent of 2160 cubic feet per day.

"All water sold and delivered to Customers hereunder from Company's town distribution systems for use at Loomis, Auburn, Newcastle, and Rocklin shall, as to each separate point of delivery, be delivered and charged for in accordance with rules and regulations and rates legally established for the purchase and sale of water for domestic and commercial service in Loomis, Auburn, Newcastle, and Rocklin, aforesaid."

IT IS HEREBY FURTHER ORDERED that Pacific Gas and Electric Company, a corporation, file with this Commission, within thirty (30) days from the date of this Order, two certified copies of said agreement as finally consummated.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 23<sup>rd</sup> day of May, 1938.

William H. Brown  
Leon A. Brown  
Frank E. Brown  
Rufus W. Brown  
Al L. Ciley  
Commissioners.