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Decision No. \_\_\_\_\_

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the Pacific Gas and Electric Company, a corporation, and the City of Lodi, a municipal corporation, for an order of the Railroad Commission authorizing the former to sell and convey to the latter the electric distribution properties referred to in this petition.

ORIGINAL

Application No. 22177

R. W. DuVal for Applicant Pacific Gas  
and Electric Company.  
Glenn West, for Applicant City of Lodi.

BY THE COMMISSION:

O P I N I O N

The Railroad Commission, in this proceeding, is asked to enter its order authorizing Pacific Gas and Electric Company, hereinafter sometimes referred to as the Company, to sell and convey to City of Lodi, hereinafter sometimes referred to as the City, the property described in the application and specifically set forth in Exhibit No. 1 of said application, in accordance with the contract entered into between the Company and the City, a copy of which is attached to the Application and marked Exhibit "A."

A public hearing was held in this matter at Lodi on September 27, 1938, before Examiner C. T. Mess.

The Pacific Gas and Electric Company is a corporation organized and existing under the laws of the State of California, and is a public utility engaged, among other things, in the distribution of electric energy in the section of the City of Lodi known as the Academy Addition, and elsewhere in the State

of California. From the record in this proceeding it appears that the Academy Addition was annexed to the City of Lodi on December 15, 1936.

The City of Lodi is a municipal corporation, organized and existing under, and by virtue of the laws of the State of California and situated in the County of San Joaquin. The City, since July 1, 1910, has owned and operated a municipal electric system consisting of poles, wire and fixtures, together with other electric distribution facilities for furnishing and supplying electricity. It now serves approximately three thousand consumers within the City of Lodi, other than said Academy Addition.

It is of record that the City desires to serve all of its inhabitants with electricity from its own system, and to accomplish that end, Pacific Gas and Electric Company and City of Lodi have entered into an agreement whereby, subject to approval and authorization of the Railroad Commission, the Company agrees to grant and convey unto the City, free and clear of all encumbrances, all of that certain electric property within the Academy Addition, specifically described in Exhibit No. 1 and delineated on the map attached to the Application, marked Exhibit No. 2, for and in consideration of the payment of ten thousand five hundred dollars (\$10,500), plus sales tax of three hundred fifteen dollars (\$315), a total of ten thousand eight hundred fifteen dollars (\$10,815). All capital additions made by the Company since date of agreement, July 19, 1938 to date of authorized transfer of the properties, are included at no additional cost to City of Lodi.

Testimony introduced by the Company sets forth the total estimated historical cost of those properties included in Exhibit No. 1 of the Application at fourteen thousand sixty two

dollars (\$14,062), and total estimated accrued depreciation in the amount of three thousand six hundred ten dollars (\$3,610). In addition, the net cost to the Company for rearrangement of its adjacent facilities will be nominal in amount.

Testimony introduced by the City of Lodi shows that the City is in a position to render electric service to all consumers in the area involved and, in addition, said consumers will pay no greater amount in total electric charges when connected to the municipal system.

There were no appearances at the hearing to protest the granting of this application.

O R D E R

Public hearing having been had and, upon consideration of the record, it appearing that this application should be granted,

IT IS HEREBY ORDERED that Pacific Gas and Electric Company be, and it is hereby authorized to sell, transfer and convey, on or before November 1, 1958, to the City of Lodi, its public utility electric distribution properties described in Exhibit No. 1 of Application, together with the net capital additions since July 19, 1958 to date, said transfer to be upon the terms and conditions set forth in the agreement, marked Exhibit "A" of the Application.

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

Dated at San Francisco, California, this 10<sup>th</sup> day of October, 1958.

Ray W. Whelan  
Leon Whelan  
Frank Whelan  
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