

Decision No. 22776

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of

JAMES D. STEWART and GUSSIE A. STEWART, his wife, and PACIFIC GAS AND ELECTRIC COMPANY, a California corporation, for an order of the Railroad Commission of the State of California authorizing applicants to enter into an agreement of sale and purchase in form therefor annexed hereto; and authorizing Pacific Gas and Electric Company, upon acquiring the properties involved, to make effective the electric rates, rules and regulations herein referred to; etc.

Application No. 22776

ORIGINAL

BY THE COMMISSION:

OPINION

James D. Stewart and Gussie A. Stewart, his wife, owners of an electrical distributing system, situated at Gold Run, Placer County, ask permission to sell said electrical distributing system to the Pacific Gas and Electric Company and to cease selling electric energy in the territory in which they now are, or may be, furnishing electric service by means of said properties. The Pacific Gas and Electric Company has agreed to assume all public utility obligations imposed upon James D. Stewart and Gussie A. Stewart, his wife, in respect to said electric system, and upon acquisition of the same to replace immediately the existing facilities of said system with standard facilities in accordance with standards required by the rules and regulations of the Railroad Commission. The Pacific Gas and Electric Company requests permission to withdraw and cancel the filed rates, rules and regulations of said James D. Stewart and to make effective in lieu thereof, its filed and effective rules and

regulations regarding the furnishing of electric service and its filed electric rates and charges applicable to the furnishing of electric service to the public in all territory in Placer County outside of the limits of all unincorporated cities and towns. The rates of the Pacific Gas and Electric Company are lower than those filed by James D. Stewart.

Attached to Exhibit A, filed in this proceeding, is an inventory of the physical properties which James D. Stewart has agreed to sell to the Pacific Gas and Electric Company. The original cost of the properties is represented to be \$864.66 and the present value thereof, nominal. At present nine (9) consumers are being served by such electrical distributing system. In 1938 James D. Stewart reported operating revenues of \$562.64 and for 1937 \$600.06. He acquires from the Pacific Gas and Electric Company, all of the electric energy which he sells.

O R D E R

The Commission has considered the request of applicants, and is of the opinion that this is not a matter in which a hearing is necessary, that this application should be granted subject to the provisions of this order, therefore,

IT IS HEREBY ORDERED as follows:

(1) James D. Stewart and Gussie A. Stewart, his wife, may, on or before October 1, 1939, sell to the Pacific Gas and Electric Company their electrical distributing system situated in the unincorporated community of Gold Run, Placer County, California, and more particularly described in Exhibit 1 attached to Exhibit A, filed in this proceeding, such sale to be made pursuant to the terms and conditions of said Exhibit A.

(2) Upon the acquisition of the aforesaid properties by the Pacific Gas and Electric Company, said James D. Stewart and Gussie A. Stewart, his wife, are relieved of any and all public utility obligations with respect to the use, operation, or maintenance of said

properties and/or the furnishing or supplying of electric service thereunder.

(3) Within sixty (60) days after the acquisition of the aforesaid properties by the Pacific Gas and Electric Company, said Pacific Gas and Electric Company shall withdraw and cancel the filed rates, rules and regulations of said James D. Stewart and make effective in lieu thereof, its filed and effective rules and regulations covering the furnishing of electric service and its filed electric rates and charges applicable to the furnishing of electric service to the public in all territory in the County of Placer outside of the limits of all unincorporated cities and towns.

(4) The consideration paid for the aforesaid properties by the Pacific Gas and Electric Company shall not be deemed to establish the value of said properties for any purpose other than the transfer herein authorized.

(5) Within sixty (60) days after the acquisition of the aforesaid properties, Pacific Gas and Electric Company shall file with the Commission a copy of the agreement under which it acquired said properties.

DATED at San Francisco, California this 20th day of June, 1939.

Joan R. Brown
Ray C. Riley
M. D. ...
Justus F. Cooney
COMMISSIONERS