

Decision No. 32153

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Petition of the SACRAMENTO MUNICIPAL UTILITY DISTRICT to have fixed and determined the just compensation to be paid for an electric distribution system existing within and adjacent to the boundaries of said District.

ORIGINAL

Application No. 21960

Robert L. Shinn, Stephen W. Downey
and Marshall K. Taylor for Sacramento
Municipal Utility District.

Chaffee E. Hall, R. W. DuVal and
Robert H. Gerdes for Pacific Gas and
Electric Company, American Trust
Company, and City Bank Farmers Trust
Company.

BY THE COMMISSION:

FOURTH ORDER AUTHORIZING AMENDMENT OF PETITION

On January 30, 1939 the Commission authorized amendment of the petition in the above proceeding (Decision No. 31693), on February 20, 1939 issued a second order authorizing amendment (Decision No. 31765), and on April 18, 1939 issued a third order authorizing amendment (Decision No. 31933).

On May 29, 1939 petitioner filed a fourth application for leave to amend the petition. The record shows that on the same date said application was personally served upon counsel for each of the owners and claimants named in the original petition and in the order to show cause issued on June 20, 1938.

At the hearing of June 9, 1939 counsel for petitioner moved

that further amendment of the petition be authorized. Counsel for the owners and claimants renewed the objections made on the return to the order to show cause. The Commission having considered the application and the motion, and good cause appearing,

IT IS ORDERED that Sacramento Municipal Utility District be and it is hereby authorized to amend Application No. 21960 (as heretofore amended by Decisions Nos. 31693, 31765 and 31933), and said petition is hereby further amended in the manner and to the extent specified and requested in said fourth application for leave to amend petition, filed herein on May 29, 1939, a certified copy of which is attached hereto and made a part hereof.

Dated, San Francisco, California, this 11th day of July, 1939.

Robert W. Brown
Frank P. Brown
Carl H. Ciley
W. H. Miller
Justin J. Cramer
Commissioners.

COPY

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

FILED

RAILROAD COMMISSION
STATE OF CALIFORNIA

MAY 29 1939

SACRAMENTO
OFFICE

No. No. 21,960

In the matter of the Petition of the
SACRAMENTO MUNICIPAL UTILITY DISTRICT
to have fixed and determined the just
compensation to be paid for an electric
distribution system existing within and
adjacent to the boundaries of said
District.

FOURTH APPLICATION FOR LEAVE TO AMEND PETITION

The petition of Sacramento Municipal Utility District,
a municipal utility district, respectfully shows that:

I.

On the 20th day of May, 1938, the Board of Directors
of said District did, at a meeting of said Board, by its
Resolution No. 806, which was duly passed by unanimous vote of
all of the members of said Board, determine that the public
interest and necessity demand the acquisition by said District
under eminent domain proceedings, certain rights, lands and other
properties as therein described for public use by said District
in connection with the operation and maintenance of an electric
system and works for the distribution of electric energy.

Said resolution did direct the bringing of appropriate
eminent domain proceedings and specifically directed the filing
of a petition before the Railroad Commission of the State of
California, pursuant to Section 47 (b) of the Public Utilities
Act.

II.

On the 21st day of May, 1938, said District did, pur-
suant to said Resolution No. 806, file a petition with the

1 Railroad Commission of the State of California, praying said
2 Commission to fix and determine the just compensation to be paid
3 for an electric distribution system, existing within and adjacent
4 to the boundaries of said District. Said petition was assigned
5 application number 21,960 by said Commission.

6 III.

7 On the 15th day of December, 1938, the Board of
8 Directors of said District did, at a regular meeting of said
9 Board, by its Resolution No. 842, which was duly passed by unani-
10 mous vote of all members of said Board, amend said Resolution
11 No. 806, by amending in certain respects the form of petition to
12 be filed with the Railroad Commission, and directed the filing of
13 an application for leave to amend said petition so filed on the
14 21st day of May, 1938.

15 IV.

16 On the 20th day of December, 1938, said District did,
17 pursuant to said Resolution No. 842, file an application with the
18 Railroad Commission of the State of California, praying said
19 Commission to authorize the amendment of said petition filed on
20 the 21st day of May, 1938, in the respects provided for and set
21 forth in said Resolution No. 842.

22 V.

23 On the 30th day of January, 1939, said Commission did,
24 by its Decision No. 31693, authorize said amendments and did
25 amend said petition in each and all of the respects prayed for in
26 said application.

27 VI.

28 On the 2nd day of February, 1939, the Board of Directors
29 of said District did, at a meeting of said Board, by its Reso-
30 lution No. 850, which was duly passed by a unanimous vote of all
31 members of said Board, further amend said Resolution No. 806, as
32 amended by Resolution No. 842, by amending in certain respects the

1 form of petition to be filed with the Railroad Commission, and
2 directed the filing of a second application for leave to amend
3 said petition so filed on the 21st day of May, 1938, as the same
4 had been amended by said Decision No. 31693 of said Railroad
5 Commission.

6 VII.

7 On the 4th day of February, 1939, said District did,
8 pursuant to said Resolution No. 850, file its second application
9 for leave to amend with the Railroad Commission of the State of
10 California, praying said Commission to authorize the amendment
11 of said petition filed on the 21st day of May, 1938, as amended
12 by said Decision No. 31693 of said Railroad Commission, in the
13 respects provided for and set forth in said Resolution No. 850.

14 VIII.

15 On the 20th day of February, 1939, said Commission did,
16 by its Decision No. 31765, authorize said amendments and did
17 amend said petition in each and all of the respects prayed for
18 in said second application for leave to amend.

19 IX.

20 On the 30th day of March, 1939, the Board of Directors
21 of said District did, at a meeting of said Board, by its
22 Resolution No. 856, which was duly passed by a unanimous vote of
23 all of the members of said Board, further amend said Resolution
24 No. 806, as amended by Resolution No. 842, as amended by Reso-
25 lution No. 850, by amending in certain respects the form of
26 petition to be filed before the Railroad Commission and directed
27 the filing of a third application for leave to amend said petition
28 so filed on the 21st day of May, 1938, as the same had been
29 amended by Decision No. 31693 and Decision No. 31765 of said
30 Railroad Commission.

31 X.

32 On the 31st day of March, 1939, said District, did pur-

1 suant to Resolution No. 856, file its third application for
2 leave to amend with the Railroad Commission of the State of
3 California, praying said Commission to authorize the amendment
4 of said petition filed on the 21st day of May, 1938, as amended
5 by Decision No. 31693 and Decision No. 31765 of said Railroad
6 Commission, in the respects provided for and set forth in said
7 Resolution No. 856.

8 XI.

9 On the 18th day of April, 1939, said Commission did,
10 by its Decision No. 31933, authorize said amendments and did
11 amend said petition in each and all of the respects prayed for
12 in said third application for leave to amend.

13 XII.

14 On the 25th day of May, 1939, the Board of Directors of
15 said District did, at a meeting of said Board, by its Resolution
16 No. 863, which was duly passed by a unanimous vote of all of the
17 members of said Board, further amend said Resolution No. 806, as
18 amended by Resolution No. 842, as amended by Resolution No. 850,
19 as amended by Resolution No. 856, by amending in certain respects
20 the form of petition to be filed before the Railroad Commission
21 and directed the filing of this fourth application for leave to
22 amend said petition so filed on the 21st day of May, 1938, as the
23 same has been amended by Decision No. 31693, Decision No. 31765,
24 and Decision No. 31933 of said Railroad Commission.

25 X.

26 The amendments for which authorization is hereinbelow
27 prayed will, if authorized, further amend said petition in the
28 same respects and manner that said Resolution No. 863 did further
29 amend the form of petition set forth in and provided for by said
30 Resolution No. 806, as amended by said Resolution No. 842, as
31 amended by said Resolution No. 850, as amended by said Resolution
32 No. 856.

1 WHEREFORE, Petitioner prays that the Honorable Rail-
2 road Commission of the State of California authorize the further
3 amendment of said petition as follows:

4 I.

5 Line 25, page 8 of the Petition, be amended to read
6 as follows:

7 "4.63, 4.64, 4.65, 4.66, 4.67, 4.68, 4.69 and 4.70 of
8 Item 4 and Item 5, said properties"

9 II.

10 Lines 23 to 37, inclusive, of page 9 of said Petition,
11 be stricken therefrom.

12 III.

13 Line 25, page 10 of said Petition, be amended to read
14 as follows:

15 "Parts (7), (8), (9), (11) or (12) of this Paragraph
16 XIV.,"

17 IV.

18 Following the 28th line of page (iii) of the Table of
19 Contents to Exhibit A to said Petition, the following be inserted:

20 "Sub-Item 4.68 Exception of certain Equipment
21 at Carmichael Irrigation District
22 Pumping Plant. 50

23 "Sub-Item 4.69 Exception of Certain Equipment
24 at Reclamation District No. 744
25 Pumping Plant. 50

26 "Sub-Item 4.70 Exception of Direct Current
27 Electric Conductors Extending
28 from Station A to Southern
29 Pacific Shops. 50"

30 V.

31 Following the 18th line of page (v) of the Table of
32 Contents to Exhibit A to said Petition, the following be inserted:

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"Sub-Item 10.24 Electric Line Crossing District's
Boundary and Extending Into the
Northeast One-Quarter of
Section 2, T. 4 N., R. 5 E. . . . 93

"Sub-Item 10.25 Electric Line Crossing District's
Southerly Boundary Near the
Intersection of Said Boundary
With the Westerly Lines of
Section 2, T. 4 N., R. 5 E. and
Section 35, T. 5 N., R. 5 E. . . . 93"

VI.

Lines 18 to 24, inclusive, of page 1, of Exhibit A to
said Petition, be amended to read as follows:

"Conduits - means any and all clay ducts, fiber ducts,
metal ducts and other ducts which: (1) comprise a single duct
line and contain electric conductors which the District seeks to
acquire; and/or (2) are integral parts of a multiple duct line
of which one or more of the ducts contain electrical conductors
which the District seeks to acquire; and/or (3) comprise a single
duct line in which there are no electric conductors (which the
District seeks to acquire) but which is physically connected to
and opens into any manhole which contains electric conductors
which the District seeks to acquire and any of which electric
conductors are not enclosed or encased in conduit at some point
in such manhole; together with any and all incasing materials,
protective materials, conduit terminating devices, switch boxes,
junction boxes, outlet boxes, fuse boxes, and hardware."

VII.

Line 35, page 29, of Exhibit A to said Petition, be
amended to read as follows:

"4.62, 4.63, 4.64, 4.65, 4.66, 4.67, 4.68, 4.69 and
4.70."

VIII.

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2 Preceding line 8, page 35, of Exhibit A to said
3 Petition, the following be inserted:

4 "EXCEPTING, FURTHER, the following street lights and
5 the street lighting circuits of which said street lights are a
6 part: (1) the street light which is located on or near the
7 southerly curb line of L Street across said street from its inter-
8 section with 13th Street; (2) the street light which is located
9 on or near the southerly curb line of L Street across said street
10 from its intersection with 14th Street; (3) the street light
11 which is located on or near the westerly curb line of 15th Street
12 across said street from its intersection with M Street; (4) the
13 street light which is located on or near the northerly curb line
14 of N Street across said street from its intersection with 14th
15 Street; (5) the street light which is located on or near the
16 northerly curb line of N Street across said street from its
17 intersection with 13th Street; (6) the street light which is
18 located on or near the northerly curb line of N Street across
19 said street from its intersection with 12th Street; (7) the street
20 light which is located on or near the northerly curb line of K
21 Street within five feet of the intersection of said northerly curb
22 line with the easterly line of the alley which is located between
23 and parallel to Front and Second Streets; (8) the street light
24 which is located within fifteen feet southerly of the intersection
25 of the easterly curb line of 8th Street with the southerly line of
26 the alley which is located between and parallel to I and J Streets.

27 "EXCEPTING, FURTHER, the entire three conductor lead
28 covered cable which extends continuously between the building
29 located on the parcel of real property described herein in Sub-
30 Item 2.1 and designated therein as Station A and the manhole
31 located at or near the southeasterly corner of the intersection of
32 13th and K Streets; together with any and all Novalux switches

1 and/or R. O. type transformers which are electrically connected
2 to the conductors of said lead covered cable at any point, or
3 points along said cable, and together with any other electric
4 conductors which extend between said cable, Novalux switches or
5 R. O. type transformers and the base of the first electrolier
6 into which such conductors extend when going from said cable,
7 Novalux switches or R. O. type transformers towards any street
8 light."

9 IX.

10 Lines 8 to 19, inclusive, of page 35 of Exhibit A to
11 said Petition, be amended to read as follows:

12 "PROVIDED, HOWEVER, that there is not included with
13 such street lighting circuits, which are excepted by this sub-
14 item from the property sought to be acquired, any meters or meter-
15 ing devices, all of which are hereby expressly included with the
16 properties sought to be acquired;

17 "PROVIDED, FURTHER, that there is to be included with
18 each of such street lighting circuits, excepted by this sub-item
19 from the property sought to be acquired, the switch or switches
20 which is in the base of one of the electroliers of said circuit,
21 or if there is no switch in the base of any electrolier in said
22 circuit, the first switch beyond (when going towards the source
23 of power) the electrolier to which are physically connected the
24 electric conductors which supply electric energy to all of the
25 electroliers of said circuit; it being intended that there is not
26 included with any such circuit any conductors beyond such switch
27 when going from such circuit towards the source of power;"

28 X.

29 Lines 45 to 47, inclusive, of page 35 of Exhibit A to
30 said Petition, be stricken therefrom.

31 XI.

32 The language inserted in Exhibit A to said Petition,

1 pursuant to lines 15, 16 and 17 of page 7 of the Third Application
2 for Leave to Amend, be amended to read as follows:

3 "such trolley wires or rails and the first point (when
4 going towards the source of power) where such conductor or con-
5 ductors are tapped onto another electric conductor or conductors
6 within the building which houses the rotary convertor or motor
7 generator set which is the source of power for said conductor or
8 conductors."

9 XII.

10 The language inserted in Exhibit A to said Petition,
11 pursuant to line 5 of page 14 of Second Application for Leave to
12 Amend, be amended to read as follows:

13 "Sub-Items 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 5.8,
14 5.9 and 5.10;"

15 XIII.

16 The language inserted in Exhibit A to said Petition,
17 pursuant to lines 23 to 30, inclusive, of page 7 of the Third
18 Application for Leave to Amend, be amended to read as follows:

19 "PROVIDED, HOWEVER, that this Sub-Item does not in any
20 way apply to any pole or poles referred to in Sub-Item 4.52."

21 XIV.

22 The language inserted in Exhibit A to said Petition,
23 pursuant to line 31 of page 7 to line 5 of page 8 of the Third
24 Application for Leave to Amend, be amended to read as follows:

25 "Paragraph 4.52.3 - The entire interest and the entire
26 right of use in each and every pole, other than guy stubs, to
27 which no electric conductors which the District seeks to acquire
28 are physically connected by any means other than a guying
29 device."

30 XV.

31 Line 20, page 49, of Exhibit A to said Petition, be
32 amended to read as follows:

1 "area between the four legs of said tower; and to-
2 gether with the electric conductors which extend from the west
3 side of the Sacramento River to the second conductor level below
4 the top of said tower, and thence extend down said tower and
5 into the conduit located near the most southerly side of said
6 tower, and thence extend underground to that parcel of real
7 property described hereinbefore in Sub-Item 3.3 and designated
8 therein as Station B; and together with the right to use and
9 occupy any duct, which is a part of a multiple duct line which
10 also contains conductors the District seeks to acquire, and
11 through which duct said conductors extend underground for part
12 of the distance between said tower and said parcel of real prop-
13 erty; and together with the entire interest and right of use in
14 any single duct line through which said conductors extend under-
15 ground for part of the distance between said tower and said
16 parcel of real property."

17 XVI.

18 Following line 39, page 50 of Exhibit A, the following
19 be inserted:

20 "Sub-Item 4.68 Exception of Certain Equipment
21 at Carmichael Irrigation District
22 Pumping Plant.

23 "All electric conductors which are beyond (when going
24 from the source of power towards the building hereinafter referred
25 to) the first point of physical connection of said conductors to
26 the concrete building located on the northwesterly bank of the
27 American River at a point within one hundred and fifty feet of
28 the most southwesterly corner of Lot 122a of Carmichael Colony as
29 shown on map recorded in the office of the Recorder of Sacramento
30 County in Book 10 of Maps, at page 9;

31 "EXCLUDING, HOWEVER, from the properties described in
32 this sub-item all meters and metering devices.

1 "Sub-Item 4.69 Exception of Certain Equipment
2 At Reclamation District No. 744
3 Pumping Plant.

4 "All electric conductors which are beyond (when going
5 from the source of power towards the building hereinafter
6 referred to) the first point of physical connection of said con-
7 ductors to the exterior wall of the smaller of the two galvanized
8 iron buildings which are located on the east one-half of that
9 parcel of real property described as follows:

10 "Swamp Land Survey No. 790 of the County of
11 Sacramento, being the north one-half of the north-
12 east one-quarter of Section 35, T. 7 N., R. 4 E.;
13 said land being the same land which was conveyed by
14 I. Christie and Maggie J. Christie, his wife, to
15 Albert L. Brown, by deed dated November 3, 1913,
16 and recorded in Book 390 of Deeds, at page 22,
17 Sacramento County Records.

18 "EXCLUDING, HOWEVER, from the properties described in
19 this sub-item all meters and metering devices.

20 "Sub-Item 4.70 Exception of Direct Current
21 Electric Conductors Extending
22 From Station A to Southern
23 Pacific Shops.

24 "(a) The two direct current electric conductors, and
25 the lead sheath in which they are encased, which extend from a
26 pole located between seventy-five and eighty feet northeasterly
27 from the northwesterly corner of the building situated on that
28 parcel of real property described hereinbefore in Sub-Item 2.1,
29 and designated therein as Station A, to the watt-hour meter to
30 which the positive of said conductors is electrically connected
31 and to the first point within said building where the negative
32 of said conductors is tapped onto another electric conductor; and

1 "(b) The two direct current electric conductors, and
2 the lead sheath in which they are encased, which extend from a
3 pole located between two hundred and fifty-five and two hundred
4 and sixty feet northwesterly from the northwesterly corner of
5 said building to the watt-hour meter to which the positive of
6 said conductors is electrically connected and to the first point
7 within said building where the negative of said conductors is
8 tapped onto another electric conductor;

9 "TOGETHER WITH any and all conduit through which any
10 conductors referred to in this sub-item extend."

11 XVII.

12 Following line 45, page 93 of Exhibit A to said
13 Petition, the following be inserted:

14 "Sub-Item 10.24 Electric Line Crossing District's
15 Boundary and Extending Into the
16 Northeast One-Quarter of Section 2,
17 T. 4 N., R. 5 E.

18 "The electric conductors which are located southerly of
19 and outside of the District's southerly exterior boundary and
20 which conductors intersect said southerly boundary where said
21 boundary is the center line of Dry Creek, at a point between
22 three hundred and five hundred feet downstream along said Dry
23 Creek from its intersection with the easterly line of Section
24 2, T. 4 N., R. 5 E., together with the properties described and/or
25 indicated hereinafter in Sections 1, 2 and 3 of this Sub-Item
26 10.24.

27 "Section 1. All or any part, which is located outside
28 of the exterior boundaries of this District, of all other con-
29 ductors which are extensions or continuations of, or electrical
30 connections to said conductors (above described), whether such
31 other conductors are extended or continued from or electrically
32 connected to said conductors by means of switches (whether closed

1 or open), cutouts (whether closed or open), disconnects (whether
2 closed or open), fuses, transformers, regulators, protectors,
3 controllers, contactors, meters, terminals, potheads, splices,
4 splicing devices, connectors, and other connecting devices of
5 any nature whatever;

6 "PROVIDED, HOWEVER, that it is expressly under-
7 stood that the properties described herein include
8 only the extensions and continuations of and the
9 electrical connections to said conductors which
10 are extended or continued from or are electrically
11 connected to said conductors at points beyond
12 (when going from inside to outside of said District)
13 the point above described where said conductors
14 intersect said boundary of the District;

15 "EXCEPTING, HOWEVER, any and all such conductors
16 or the extensions, continuations, or electrical
17 connections to such conductors which are specified
18 hereinbefore in Sub-Items 4.20 and 4.21.

19 "Section 2. Any and all insulators, insulating devices,
20 insulating materials, switches and switching stations, switching
21 devices, switch operating mechanisms, cutouts, fuses, disconnects,
22 disconnecting devices, transformers and transformer stations,
23 transforming devices, grounds, grounding devices, protectors,
24 protective devices, protective materials, regulators, regulating
25 devices, controllers, controlling devices, contactors, contacting
26 devices, meters, terminals, terminating devices, potheads, splices,
27 splicing devices, splicing materials, connectors, and connecting
28 devices, which are attached to, or are physically or electrical-
29 ly connected to the conductors and/or the extensions of and/or the
30 continuations of and/or the electrical connections to said con-
31 ductors, which conductors, extensions, continuations and electri-
32 cal connections are described hereinbefore in this sub-item.

1 "Section 3. The entire interest and the entire right
2 of use in any and all towers, poles, pole structures, crossarms,
3 guying devices, bracing devices, brackets, conduits, meter boxes,
4 fuse boxes, switch boxes, and buildings, any of which are
5 physically connected to, or which enclose or encase, (a) the
6 conductors and/or the extensions and/or the continuations of
7 and/or the electrical connections to said conductors, which con-
8 ductors, extensions, continuations and electrical connections are
9 described hereinbefore in this sub-item, and/or (b) any of the
10 articles, devices, structures, or equipment which are herein-
11 before listed or indicated in this sub-item and/or described
12 herein as being a part or parts of the properties to be acquired
13 by the District;

14 "EXCEPTING, HOWEVER, the entire interest and a
15 partial right of use as specified in Sub-Item 4.51
16 of this Exhibit A in the poles indicated in said
17 Sub-Item 4.51;

18 "EXCEPTING, FURTHER, any interest whatsoever in:
19 (a) any buildings or other structures situate on
20 either of those parcels of real property described
21 hereinbefore in Sub-Items 3.1 and 3.3; (b) any build-
22 ing or buildings other than any building or buildings
23 in which there is a transformer or transformers to
24 the low voltage side of which transformer or trans-
25 formers are attached conductors through which (or
26 through the extensions, or continuations of, or the
27 electrical connections to such conductors) electric
28 energy is conveyed to any customer meter, and other
29 than any building or buildings situated on any parcel
30 or parcels of real property described in Item 2. of
31 this Exhibit A as being a part or parts of the proper-
32 ty the District seeks to acquire; provided, that under

1 this subheading (b) there are not included with any
2 building or buildings excepted from the properties
3 which the District seeks to acquire, any clamps,
4 insulators, brackets, or other such devices (not
5 including conduit) by means of which any conductors,
6 or the extensions, continuations or electrical con-
7 nections to such conductors, any of which the District
8 seeks to acquire, are attached to such excepted build-
9 ing or buildings, it being intended that the District
10 seeks to acquire all such clamps, insulators, brackets
11 and other such devices; (c) any building, or buildings
12 in which there is any fixture or fixtures which the
13 District does not seek to acquire in this proceeding.

14 "Sub-Item 10.25 Electric Line Crossing District's
15 Southerly Boundary Near the
16 Intersection of Said Boundary
17 With the Westerly Lines of
18 Section 2, T. 4 N., R 5 E. and
19 Section 35, T. 5 N., R. 5 E.

20 "The electric conductors which are located southerly of
21 and outside of the District's southerly exterior boundary and
22 which conductors intersect said boundary at two points each of
23 which points are within five hundred feet of the intersection of
24 said boundary with the westerly line of Section 2, T. 4 N., R. 5
25 E., and of Section 35, T. 5 N., R. 5 E., together with the proper-
26 ties described and/or indicated hereinafter in Sections 1, 2 and
27 3 of this Sub-Item 10.25.

28 "Section 1. All or any part, which is located outside
29 of the exterior boundaries of the District, of all other con-
30 ductors which are extensions or continuations of, or electrical
31 connections to said conductors (above described), whether such
32 other conductors are extended or continued from or electrically

1 connected to said conductors by means of switches (whether closed
2 or open), cutouts (whether closed or open), disconnects (whether
3 closed or open), fuses, transformers, regulators, protectors,
4 controllers, contactors, meters, terminals, potheads, splices,
5 splicing devices, connectors, and other connecting devices of any
6 nature whatever;

7 "PROVIDED, HOWEVER, that it is expressly under-
8 stood that the properties described herein include
9 only the extensions and continuations of and the
10 electrical connections to said conductors which are
11 extended or continued from or are electrically con-
12 nected to said conductors at points beyond (when going
13 from inside to outside of said District) the point
14 above described where said conductors intersect said
15 boundary of the District;

16 "EXCEPTING, HOWEVER, any and all such conductors
17 or the extensions, continuations, or electrical con-
18 nections to such conductors which are specified here-
19 inbefore in Sub-Items 4.20 and 4.21.

20 "Section 2. Any and all insulators, insulating devices,
21 insulating materials, switches and switching stations, switching
22 devices, switch operating mechanisms, cutouts, fuses, disconnects,
23 disconnecting devices, transformers and transformer stations,
24 transforming devices, grounds, grounding devices, protectors,
25 protective devices, protective materials, regulators, regulating
26 devices, controllers, controlling devices, contactors, contacting
27 devices, meters, terminals, terminating devices, potheads, splices,
28 splicing devices, splicing materials, connectors, and connecting
29 devices, which are attached to, or are physically or electrically
30 connected to the conductors and/or the extensions of and/or the
31 continuations of and/or the electrical connections to said con-
32 ductors, which conductors, extensions, continuations and electrical

1 connections are described hereinbefore in this sub-item.

2 "Section 3. The entire interest and the entire right
3 of use in any and all towers, poles, pole structures, crossarms,
4 guying devices, bracing devices, brackets, conduits, meter boxes,
5 fuse boxes, switch boxes, and buildings, any of which are
6 physically connected to, or which enclose or encase, (a) the con-
7 ductors and/or the extensions and/or the continuations of and/or
8 the electrical connections to said conductors, which conductors,
9 extensions, continuations and electrical connections are de-
10 scribed hereinbefore in this sub-item, and/or (b) any of the
11 articles, devices, structures, or equipment which are herein-
12 before listed or indicated in this sub-item and/or described
13 herein as being a part or parts of the properties to be acquired
14 by the District;

15 "EXCEPTING, HOWEVER, the entire interest and a
16 partial right of use as specified in Sub-Item 4.51
17 of this Exhibit A in the poles indicated in said
18 Sub-Item 4.51;

19 "EXCEPTING, FURTHER, any interest whatsoever in:
20 (a) any buildings or other structures situate on
21 either of those parcels of real property described
22 hereinbefore in Sub-Items 3.1 and 3.3; (b) any
23 building or buildings other than any building or
24 buildings in which there is a transformer or trans-
25 formers to the low voltage side of which trans-
26 former or transformers are attached conductors
27 through which (or through the extensions, or con-
28 tinuations of, or the electrical connections to
29 such conductors) electric energy is conveyed to any
30 customer meter, and other than any building or
31 buildings situated on any parcel or parcels of real
32 property described in Item 2. of this Exhibit A as

1 being a part or parts of the property the District
2 seeks to acquire; provided, that under this sub-
3 heading (b) there are not included with any build-
4 ing or buildings excepted from the properties which
5 the District seeks to acquire, any clamps, insulators,
6 brackets, or other such devices (not including conduit)
7 by means of which any conductors, or the extensions,
8 continuations or electrical connections to such con-
9 ductors, any of which the District seeks to acquire,
10 are attached to such excepted building or buildings,
11 it being intended that the District seeks to acquire
12 all such clamps, insulators, brackets and other such
13 devices; (c) any building, or buildings in which there
14 is any fixture or fixtures which the District does not
15 seek to acquire in this proceeding."

16 XVIII.

17 The 20th line of page 329 of Exhibit D to said Petition,
18 be amended to read as follows:

19 "ATION OF ALAMEDA, a corporation Book 340"

20 XIX.

21 All of Exhibit F to said Petition, be stricken therefrom.

22 XX.

23 The 29th to the 43rd line, inclusive, of page 726 of
24 Exhibit H to said Petition, be stricken therefrom.

25 XXI.

26 The 14th line of page 1067 to the 26th line of page 1068,
27 inclusive, of Exhibit H to said Petition, be stricken therefrom.

28 SACRAMENTO MUNICIPAL UTILITY DISTRICT

29 By (Signed) JOSEPH E. SPINK
30 JOSEPH E. SPINK, SECRETARY

31 ROBERT L. SHINN
32 STEPHEN W. DOWNEY
MARSHALL K. TAYLOR

Attorneys for Petitioner

1 State of California)
2 County of Sacramento) SS.

3
4 JOSEPH E. SPINK, being first duly sworn, deposes
5 and says: That he is an officer of the petitioner, to-wit,
6 its Secretary, and that he verifies the foregoing fourth
7 application for leave to amend petition on behalf of the
8 petitioner; that he has read said fourth application for
9 leave to amend petition and knows the contents thereof; that
10 the same is true of his own knowledge except as to the matters
11 which are therein stated upon his information and as to those
12 matters he believes it to be true.

13
14 (Signed) JOSEPH E. SPINK
15 JOSEPH E. SPINK, Secretary

16 SACRAMENTO MUNICIPAL UTILITY DISTRICT

17 Subscribed and sworn to before me this
18 26th day of May, 1939.

19 (Signed) DOROTHY FLINT
20 Notary Public in and for the County
21 (SEAL) of Sacramento, State of California

22 My Commission expires September 24, 1942.

23
24 *Certified as a True Copy*
25 *J. M. Mathewson*
26 SECRETARY, RAILROAD COMMISSION
27 STATE OF CALIFORNIA
28
29
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