

Decision No. 37107

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of CALIFORNIA ELECTRIC POWER COMPANY, an electrical public utility corporation, for Authorization to carry out the terms of a Special Written Agreement for the Sale and Purchase of Electric Energy and Service, executed by and between California Electric Power Company and Southwestern Portland Cement Company, a corporation, under Section 17, Subdivision (b), and Section 19 of the Public Utilities Act State of California

Application No. 26150

BY THE COMMISSION:

OPINION AND ORDER

In this application the California Electric Power Company, hereinafter referred to as Applicant, requests authority to sell and deliver electric energy and service to the Southwestern Portland Cement Company, a corporation, hereinafter referred to as Customer, under rates, conditions and terms specified in an agreement executed by Applicant and Customer on May 1, 1944. The energy and service are to be used in the manufacture of cement in the Customer's "Victorville plant" located near the town of Victorville, San Bernardino County, California. A copy of the agreement marked Exhibit "A" is attached to and made a part of the application.

Under date of April 25, 1939, the Applicant, then named and known as Nevada-California Electric Corporation, and Southwestern Portland Cement Company entered into and executed a special agreement for the sale and purchase of electric energy and service used in the manufacture of cement in the Customer's Victorville plant, which agreement was for a term of five (5) years beginning June 1, 1939, and terminating May 1, 1944. This special agreement was authorized by this Commission on May 31, 1939, by Decision No. 32033 in Application No. 22714.

As this old agreement expired on May 1, 1944, it was necessary that a new agreement be entered into for the above-mentioned electric service, and in this application the agreement for which authority is requested is for a term of five (5) years beginning May 1, 1944, and expiring on May 1, 1949. This new agreement, including the rates and minimum charge, is similar to the old agreement authorized by this Commission's Decision No. 32033 (Application No. 22714), and applicable to service supplied by Applicant to the Customer's Victorville cement plant. The rates to be charged under the proposed agreement are as follows:

ENERGY CHARGE

First 200 kilowatt-hours per month per
horsepower of maximum demand 1.04¢ per kwh
All over 200 kilowatt-hours per month
per horsepower of maximum demand416¢ " "

MINIMUM CHARGE

\$1.00 per month per horsepower of Maximum Demand, but not
less than \$4,000.00 per month

The special conditions under which the above rates are to be applied are similar to those contained in the previous agreement with the consumer.

There are a number of minor differences between the proposed agreement, such as the basing of the monthly minimum charge on the maximum demand rather than on the connected load, and other differences for the purpose of clarification.

All electric energy delivered shall be 3 phase, 60 cycle, alternating current of approximately 460 volts, or with commercial approximation thereto as delivered to the distributing lines and equipment of the consumer. Service is also to be metered at this voltage.

The agreement contains the provision that it shall at all times be subject to such change and modification by the Railroad Commission of the State of California as said Commission may from time to time direct in the exercise of its jurisdiction.

The Commission, having considered the request of Applicant, and it being of the opinion that the application should be granted, that a public hearing in the matter is not necessary and sufficient cause appearing, therefore,

IT IS HEREBY ORDERED that California Electric Power Company is authorized to enter into that certain proposed agreement with Southwestern Portland Cement Company, substantially in form and content as that attached to this application and marked Exhibit "A", and to supply electric service at the rates and under the terms and conditions set forth in said agreement.

The authority herein granted shall become effective as of the date hereof.

Dated at San Francisco, California, this 6th day of

June, 1944.

Richard L. Schaefer

Justin F. Casner

Francis R. Havens

Francis R. Havens

Walter Powell

Commissioners