

Decision No. 38354

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 it to enter into a certain agreement with H. E. WEST and JOHN FOSSETT, a limited partnership, doing business under the name and style of PLACERVILLE LUMBER COMPANY, in words and figures as written in the form therefor which is annexed hereto.

(Water)

ORIGINAL

Application No. 27009.

BY THE COMMISSION:

ORDER

In this application Pacific Gas and Electric Company, a corporation, asks for authority to enter into an agreement with H. E. West and John Fossett, a limited partnership, doing business under the name and style of Placerville Lumber Company, for the sale and diversion of surplus water on an accommodation basis for use at its mill at Fresh Pond, El Dorado County. The water to be purchased is to be used in the manufacture of lumber sold and delivered under an existing contract with the United States Army for the purpose of national defense. Deliveries are not to exceed a flow of twenty (20) miner's inches⁽¹⁾ and the rate is to be thirty-three and one-third (33-1/3) cents per miner's inch day. This agreement shall continue in effect for a period of one year, said period being the estimated duration of the emergency.

IT IS HEREBY ORDERED that Pacific Gas and Electric Company, a corporation, be and it is hereby authorized to enter into an agreement for the sale and delivery of surplus water on an accommodation basis for approximately one year,

Note: (1) A miner's inch for the purpose hereof shall mean a continuous flow of water equivalent to 1.5 cubic feet per minute. 40 miner's inches equals one second foot.

from the date of this Order, to H. E. West and John Fossett, a limited partnership, doing business under the name and style of Placerville Lumber Company under the terms and conditions substantially as set forth in Exhibit "A" of Exhibit No. 1 which is attached to the application herein and made a part hereof by reference. The amounts and the period of diversion provided therein are at all times subject to the authority of the Commission in the exercise of its jurisdiction.

IT IS FURTHER ORDERED that Pacific Gas and Electric Company, a corporation, file with this Commission, within sixty (60) days from the date of this Order, two certified copies of this agreement as finally consummated.

IT IS HEREBY FURTHER ORDERED that Pacific Gas and Electric Company, a corporation, notify this Commission of the date of termination of said agreement within thirty (30) days thereof.

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

Dated at Los Angeles, California, this 30th day of October

1945.

Shawell C. Baker
Justin J. Casner
Francis C. Carr
Lucas J. Powell
Commissioners.