

ORIGINAL

Decision No. 39950

BEFORE THE PUBLIC UTILITIES 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 Public Utilities Commission of the State of California authorizing Pacific to carry out the terms and conditions of an agreement with H. E. WEST AND JOHN FOSSETT, a limited partnership, doing business under the name and style of PLACERVILLE LUMBER COMPANY, dated November 25, 1946.
(Water)

Application no. 28132

O R D E R

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 accomodation basis for the operation of its lumber mill only at Fresh Pond, El Dorado County. 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.

Pursuant to authorization granted in the Commission's Decision No. 38354, dated October 30, 1945, the Pacific Gas and Electric Company entered into an agreement for the temporary use of water for the operation of said lumber mill for approximately one year from the date of the order. Applicant now asks authority to enter into an agreement to furnish water for the continued operation of the mill for a period of one year, without option of renewal.

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

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, 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" 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 San Francisco, California, this 4th day of

February, 1947.

Harold J. Hull

Justus J. Casner

John H. Lawrence

R. E. Anderson

Commissioners