

ORIGINAL

Decision No. 41120

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 granting and con-
 ferring upon applicant all necessary
 permission and authority to carry
 out the terms and conditions of a
 written contract with H. E. WALTZ,
 dated December 12, 1947 (Exhibit "A" hereof).

Application No. 28967

O R D E R

In this application Pacific Gas and Electric Company, a corporation, asks for permission and authority to carry out the terms and conditions of a contract with H. E. Waltz, a real estate subdivider, dated December 12, 1947, providing for the sale and delivery of such quantity of water as Pacific Gas and Electric Company may have available in its Soulsbyville ditch which is in excess of its present contractual commitments and public utility requirements. The water to be sold is for delivery to the residents of Lilac Terrace Subdivision, located in the northeast quarter (NE $\frac{1}{4}$) of Section 17, Township 2 North, Range 16 East, M. D. S. & M., and on the south side of the Sonora-Mono State Highway near Twain Harte Tract, in Tuolumne County. Deliveries are not to exceed two (2) miner's inches⁽¹⁾ of water per day, and the rate is to be fifty (50) cents per miner's inch day. The contract is to be effective for the period of one (1) year from and after the date of first delivery of water thereunder and to continue in full force and effect thereafter until terminated by thirty (30) days' written notice by either party.

The contract provides, among other things, that the water will be sold as an accommodation to said W. E. Waltz and that he shall notify in writing all present

Note: (1) A miner's inch for the purpose hereof shall mean a continuous flow of water equivalent to 1/40 of a cubic foot per second or 1.5 cubic feet per minute, and a miner's inch day shall mean one miner's inch flowing for a period of twenty-four consecutive hours.

residents and all future residents in said subdivision immediately upon their first receiving water from him, such notification to inform each of said residents that the responsibility of the Pacific Gas and Electric Company for delivery of water is to H. E. Waltz only, at a point of metering on the berm of said Soulsbyville ditch, is limited to the available supply, and does not constitute a dedication of service.

IT IS HEREBY ORDERED that Pacific Gas and Electric Company, a corporation, be and it is hereby authorized to carry out the terms and conditions of a written contract with H. E. Waltz, a real estate subdivider, dated December 12, 1947, substantially as set forth in the copy of said contract which is attached to the application as Exhibit "A" and made a part hereof by reference, which contract shall at all times be subject to the authority of this Commission in the exercise of its jurisdiction.

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

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

The effective date of this Order shall be twenty (20) days from and after the date hereof.

Dated at Los Angeles California, this 13th day of January, 1948.

R. F. Anderson
Justus F. Craven
Frank Russell
Harold Hill
Samuel P. Foster
COMMISSIONERS