

Decision No. 41214

## 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 conferring upon applicant all necessary permission and authority to carry out the terms and conditions of a written contract with C. R. McKIBBIN, dated January 13, 1948 (Exhibit "A" hereof).

(Water)

Application No. 29039.

ORIGINAL

ORDER

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 C. R. McKibbin, a real estate subdivider, dated January 13, 1948, providing for the sale and delivery of such quantity of water as Pacific Gas and Electric Company may have available in its Jamestown 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 Volponi Subdivision, located in the southeast quarter (SE $\frac{1}{4}$ ) of Section 2, Township 1 North, Range 14 East, M. D. B. & M., and located beside the Sonora-Jamestown Highway, approximately 2 $\frac{1}{2}$  miles west of Sonora, in Tuolumne County. Deliveries are not to exceed one and one-half (1 $\frac{1}{2}$ ) miner's inches<sup>(1)</sup> 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.

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.

The contract provides, among other things, that the water will be sold as an accommodation to said C. R. McKibbin and that he shall notify in writing all present 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 C. R. McKibbin only, at a point of metering on the berm of said Jamestown 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 C. R. McKibbin, a real estate subdivider, dated January 13, 1948, 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 San Francisco, California, this 10<sup>th</sup> day of February, 1948.

R. T. [Signature]  
Justice F. [Signature]  
[Signature]  
[Signature]  
[Signature]  
 Commissioners.