

Decision No. 42602

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
 PACIFIC GAS AND ELECTRIC COMPANY for  
 an order authorizing it to carry out  
 the terms and conditions of an agree-  
 ment with DURO CONSOLIDATED, INC.,  
 dated March 4, 1948, providing for the  
 installation by Pacific of special  
 electric facilities for use in supply-  
 ing electric service to Duro Consolidated,  
 Inc. and the payment by the latter of a  
 special service charge.

Application No. 29286

Bruce Renwick and Rollin E. Woodbury for Southern California Edison Company; R. W. DuVal and Rudolph Jenny for Pacific Gas and Electric Company; George Kinsman for California Manufacturers Association; G. C. Delvaille for California Electric Power Company; J. J. Deuel for California Farm Bureau Federation; H. C. Dillin and S. R. Duhring for San Diego Gas and Electric Company; J. K. Horton, G. E. Bishop and Charles Grunsky for Coast Counties Gas and Electric Company; Oliver C. Hands for the Commandant of the Twelfth Naval District; and Albert Hamilton for Sacramento Municipal Utility District.

## O P I N I O N

In this application Pacific Gas and Electric Company asks authority to carry out the terms and conditions of a contract dated March 4, 1948 with Duro Consolidated, Inc. Said contract provides for the installation by Pacific of certain poles, wires and other equipment required to serve electric welders in the manufacturing plant of Duro, in consideration of which Duro would pay Pacific \$28.55 per month in addition to the regular rates for power service delivered to Duro. A copy of said contract is attached to the application, marked Exhibit A, and by reference is made a part hereof for all purposes.

Hearings in this matter were consolidated with hearings in Case No. 4963, an investigation upon the Commission's own motion into the reasonableness of rates, rules, regulations, contracts and

practices of electrical corporations in connection with electric service furnished for use in, and operation of, electric welding machines and equipment. By a concurrent decision the Commission today is ordering certain revisions of the filed rules and regulations of the Pacific Gas and Electric Company, as well as of other electrical corporations, and is authorizing certain revisions of tariffs so as to reflect appropriately the requirements of supply to electric welders. Those revisions, however, may not become effective until 30 to 90 days after the effective date of the order.

Under the terms of the contract here considered, Pacific and Duro have mutually agreed to performances and payments therefor covering the period of three years from and after February 21, 1948, and thereafter as long as Pacific shall be required to maintain special facilities because of the peculiar character of Duro's welder load. The contract contains a provision that it shall, at all times, be subject to change or modification by this Commission in the exercise of its jurisdiction. In view of the revision of Pacific's tariffs, which is authorized by decision concurrent herewith, it is appropriate that Pacific should be authorized to carry out the terms of the contract during the period from February 21, 1948 to the effective date of the revision of its tariffs as authorized by said concurrent decision.

Following the effective date of said revision, service to Duro is to be rendered in accordance with Pacific's regular filed tariffs as revised.

ORDER

Hearings having been held, the Commission having considered the request of applicant and being of the opinion that the application should be granted for a limited term, and good cause appearing; therefore,

IT IS HEREBY ORDERED that applicant be and it is authorized to carry out the terms and conditions of the written contract dated March 4, 1948 with Duro Consolidated, Inc. for a term from the effective date established in said contract to the effective date of the revision of Pacific's tariff schedules authorized by Decision No. 42501 dated March 15, 1949, in Case No. 4963, and to render the service described therein under the terms, charges and conditions stated therein; and

IT IS HEREBY FURTHER ORDERED that applicant shall file with the Commission within thirty (30) days after its execution two certified copies of such revision of said contract as may be mutually agreed to, and executed, to provide for the limited term.

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

Dated at San Francisco, California, this 15<sup>th</sup> day of March, 1949.

R. E. Anderson  
Justice F. Callahan  
James H. Lowell  
Harold P. Huls

Commissioners.