

Decision No. 42723

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 SOUTHERN CALIFORNIA EDISON COMPANY,
 a corporation, and THOMAS S. LEE
 ENTERPRISES, INC., a corporation,
 for an Order of the Public Utilities
 Commission authorizing Applicant
 SOUTHERN CALIFORNIA EDISON COMPANY
 to enter into a special agreement
 with THOMAS S. LEE ENTERPRISES, INC.

Application No. 30125

OPINION AND ORDER

In this application Southern California Edison Company, hereinafter referred to as Edison, and Thomas S. Lee Enterprises, Inc., hereinafter referred to as customer, ask that the Public Utilities Commission authorize Edison and customer to enter into an agreement, a copy of which is attached to the application and marked as Exhibit A. The agreement provides for delivery by Edison of electric energy and service to a television transmitting station and a frequency-modulated transmitter station being constructed by customer in Deer Park on Mt. Wilson, California, said stations being hereinafter referred to as project.

Under the terms of the agreement, Edison will install and maintain certain underground facilities and a substation at the project in order to provide such electric service, and all equipment necessary for metering such energy. Customer will install and maintain a concrete pad for the substation and a meter house located adjacent to said pad, and grants Edison a license to enter and use a site or sites for Edison's facilities. Electric energy and service is to be delivered for said television station at a capacity of

150 kva and a nominal voltage of 240 volts, three phase; for said frequency-modulated station at 135 kva of capacity and 480 volts, three phase; and for lighting service to the project at 50 kva of capacity and 120/240 volts, single phase. Said energy will be delivered to customer at the meters located in the meter house adjacent to the substation.

Because of the present uncertainty as to the amount of electric energy which customer will use and the length of time service will be required, and also in consideration of the special investment to be made by Edison for the installation of facilities, customer agrees to pay to Edison the sum of \$7,832.35, representing the total cost of installation of Edison's facilities. Of this amount, \$2,978.58, representing the total cost of constructing an equivalent overhead distribution system, is to be refunded to customer by Edison; provided customer takes electric service through said substation for a total of 36 consecutive months and shall not have decreased in amount the service originally rendered; and further provided that, in the opinion of Edison, the service is no longer of a temporary character.

Under the terms of the agreement, customer is to pay for all power service furnished to the project at the rates and under the conditions of Edison's filed Schedule F-41, and for all single-phase lighting service furnished to the project at the rates and under the conditions of Edison's filed Schedule L-41. Said schedules are shown on rate sheets Revised CRC No. 2291-E and Revised CRC No. 2266-E, respectively, and are applicable in that portion of Edison's territory known as Zone D.

Due to the fact that furnishing of electric energy and electric service at the location of the project is subject to extreme hazards of weather, the agreement provides that Edison shall

not be liable to customer for any loss or damage sustained by customer as a result of shortage of supply, or interruption of service, or variation in voltage or frequency resulting from action of the elements, or from other matters or causes beyond the reasonable control of Edison.

The agreement is to continue in effect until terminated by the customer, giving to Edison not less than 30 days' written notice of its intention to terminate. However, since it will be necessary for Edison to use certain public lands of the United States in constructing, operating, and maintaining certain facilities necessary for the furnishing of service to customer, and since the permit for use of such government land as issued to Edison by the United States Department of Agriculture expires on May 23, 1955, the agreement provides that it shall not continue beyond that date or the sooner termination or revocation of said permit.

The Commission having considered the above-entitled application and being of the opinion that the application should be granted, and that a public hearing in the matter is not necessary, and good cause appearing; therefore

IT IS HEREBY ORDERED that Southern California Edison Company is authorized to carry out the terms of that certain agreement with Thomas S. Lee Enterprises, Inc., dated December 31, 1948, a copy of which is marked Exhibit A and attached to the

application, to install the facilities and render the service therein specified, and charge and collect the rates stated therein.

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

Dated at San Francisco, California, this 19th day of April, 1949.

R. E. Anderson
James J. Cramer
Robert H. Russell
Harold F. Hulse
Samuel P. Potter
Commissioners.