

Decision No. 42930

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of  
 PACIFIC GAS AND ELECTRIC COMPANY, a  
 corporation, and the TURLOCK IRRIGA-  
 TION DISTRICT, a California irrigation  
 district, for an order of the Public  
 Utilities Commission of the State of  
 California authorizing the former to  
 sell and convey to the latter the elec-  
 tric distribution facilities referred  
 to in this petition, in accordance  
 with the terms of an agreement dated  
 March 10, 1949 (Exhibit No. 1 hereof).

ORIGINAL

Application No. 30253

OPINION AND ORDER

By this application Pacific Gas and Electric Company and Turlock Irrigation District, hereinafter referred to as Pacific and Turlock, respectively, request an order of this Commission conferring upon Pacific all necessary permission and authority to sell certain electric facilities to Turlock and to carry out a certain agreement they have executed, dated March 10, 1949. A copy of said agreement is attached to the application as Exhibit No. 1. The application states that Turlock is not now, and has not at any time been, subject to the jurisdiction of this Commission, but that Turlock joins in this petition and application for the purpose of satisfying the requirements of Rule 24 of the Commission's Rules of Procedure.

Under the agreement, Pacific is to sell and convey to Turlock certain overhead electric distribution facilities, and rights of way therefor, which are located within the territorial limits of Turlock Irrigation District. Those distribution facilities have been in use by Pacific in the furnishing of electric service to three customers who are situated in territory which Pacific recognizes as the electric service area of Turlock. Said electric service area of

Turlock is described in a service contract, dated January 7, 1942, between Pacific and Turlock, authorization for which was granted by the Commission on November 25, 1941 by Decision No. 34796 in Application No. 24545.

The application in this proceeding states that Turlock has advised Pacific of its desire to acquire said facilities and to supply electric service by means thereof to residents and inhabitants located within its service area, and Pacific is desirous of complying with said request. Under the terms of the agreement, Turlock is to assume all existing public service obligations to all customers supplied by said facilities. Applicants allege that the furnishing of electric service to the customers involved by Turlock at its effective rates and charges will not result in the charging or collecting from said customers of rates or charges in excess of those now paid by said customers for electric service furnished by Pacific.

The facilities to be transferred are approximately 55 poles, 57.32 thousand feet of wire, 115½ kva of transformers, and three meters with associated accessories. The historical cost new of those facilities is estimated to be \$7,753. The estimated reproduction cost new is \$16,250, and the reproduction cost less accrued depreciation is estimated to be \$9,988. Under the terms of the agreement Pacific is to receive \$9,988. The agreement also provides for a grant by Turlock to Pacific of the right to use without charge 23 of the poles for contacts by and support of Pacific's Manteca-Patterson 60-kv transmission line for a period of five years and Pacific's Modesto-Patterson telephone line for as long as Pacific shall require the same. The agreement also contains provisions for mutual cooperation in the maintenance, removal, reconstruction, and replacement whenever necessary, on or to said 23 poles.

The agreement provides that it shall not become effective, nor shall Pacific deliver the form of deed to Turlock until the Public Utilities Commission of the State of California shall have granted Pacific authority to carry out the terms and conditions of said agreement.

The Commission having considered the application and being of the opinion that the proposed transfer of customers and facilities is in accordance with the existing service contract between the parties and is not adverse to the interest of Pacific's other customers or the public, it finds that the agreement should be authorized and that a public hearing in the matter is not necessary, therefore,

IT IS HEREBY ORDERED that Pacific Gas and Electric Company be and it is authorized to sell, grant and convey to Turlock Irrigation District those certain electric distribution facilities referred to and described in that certain agreement between the parties, dated March 10, 1949, a copy of which is attached to the application as Exhibit No. 1, and Pacific is authorized to carry out said agreement in accordance with its terms.

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

Dated at Los Angeles, California, this 1<sup>st</sup> day of

June, 1949.

R. E. Dunning

Just Howell

Harold P. Hill

Kimeth Patten  
Commissioners.