

ORIGINAL

Decision No. 43230

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation on
the Commission's own motion into the
public utility operations of
CLYDE W. HENRY, doing business as
Klamath Water, Light and Power Company.

Case No. 4992

Investigation on the Commission's own
motion to determine whether public
convenience and necessity require that
CALIFORNIA OREGON POWER COMPANY be
authorized and directed to furnish
electrical service to the inhabitants
of the town of Klamath and vicinity.

Case No. 4993

SUPPLEMENTAL ORDER

The Commission having issued in the above numbered cases, on May 10, 1949, Decision No. 42869, in which it was found that public convenience and necessity required that the California Oregon Power Company be authorized and directed to extend its facilities for the transmission and distribution of electric energy so as to serve the inhabitants of the town of Klamath and vicinity, and in which a certificate of public convenience and necessity authorizing and directing the rendering of such service was granted to said California Oregon Power Company, and in which decision the certificate of public convenience and necessity held by Clyde W. Henry, doing business as Klamath Water, Light and Power Company, authorizing the rendering of such service, was revoked and annulled as of 12:01 o'clock, p.m., September 1, 1949, for the reasons set out in said decision, and in which decision it was ordered that "unless otherwise directed by supplemental order entered in said proceedings, Clyde W. Henry, doing business as Klamath Water, Light and Power

Company, be and he is hereby directed and required to cease and desist from operating, directly or indirectly, a public utility system for the distribution and sale of electricity to the inhabitants of the town of Klamath and vicinity on and after 12:01 o'clock p.m., September 1, 1949, and to cancel all tariff schedules naming rates, charges, rules, regulations and contracts applicable to such service";

And it appearing that the California Oregon Power Company has not yet completed the construction of the facilities necessary for the furnishing of electrical service to the inhabitants of the town of Klamath and vicinity; that said Clyde W. Henry, by letter dated August 9, 1949, notified the Commission that "we will discontinue all electric service in the Klamath-Calif. area on September 1, 1949 at 12:00 o'clock Noon."; and it appearing that public convenience and necessity require that said Clyde W. Henry, doing business as Klamath Water, Light and Power Company, continue to render public utility electrical service to the inhabitants of the town of Klamath and vicinity until such time as the California Oregon Power Company shall have completed the construction of the necessary facilities and is prepared to furnish such service; and it appearing further that public convenience and necessity require that the Commission issue, pursuant to the authority reserved in said Decision No. 42869 as above described, a supplemental order directing said Clyde W. Henry, doing business as Klamath Water, Light and Power Company, to continue to render such public utility electrical service, and granting him temporary authority so to do,

IT IS HEREBY ORDERED that CLYDE W. HENRY, doing business as Klamath Water, Light and Power Company, shall continue to furnish adequate public utility electrical service to the inhabitants of the town of Klamath and vicinity, and shall maintain and operate all the facilities necessary for the furnishing of such service, until 12:01

o'clock p.m., November 30, 1949, unless otherwise directed by further supplemental order entered in these proceedings, for which purposes said Clyde W. Henry, doing business as Klamath Water, Light and Power Company, is hereby granted all necessary authority.

IT IS HEREBY FURTHER ORDERED that Decision No. 42869 be hereby amended to the extent made necessary by the foregoing order, and in all other respects said Decision No. 42869 shall remain in full force and effect.

The Secretary is directed to cause a certified copy of this decision to be served upon CLYDE W. HENRY and upon all other appearances of record in these proceedings.

The effective date of this order shall be the 31st day of August, 1949.

Dated at San Francisco, California, this 16th day of August, 1949.

R. Z. [Signature]

[Signature]

[Signature]

Commissioners