

ORIGINAL

Decision No. 44324

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

(Amended Title)

In the matter of the First Supplemental Appli-
cation of PACIFIC GAS AND ELECTRIC COMPANY,
for an order of the Public Utilities Commission
of the State of California granting and con-
ferring upon applicant all necessary permission
and authority to carry out the terms and con-
ditions of a written contract with the
CITY OF REDDING, dated December 5, 1949
(Exhibit "B" hereof).

Application No. 30465

(Electric)

FIRST SUPPLEMENTAL OPINION AND ORDER

Pacific Gas and Electric Company, by its First Supplemental Application in this proceeding, requests an order of this Commission authorizing it to carry out the terms and conditions of an agreement with the City of Redding, dated December 5, 1949, which amends and modifies an existing electric power contract dated July 5, 1949. A copy of said agreement of December 5, 1949 is attached to the application and marked Exhibit B.

The existing electric power contract, which became effective September 1, 1949, establishes the rates, terms, and conditions under which electric energy will be delivered and sold by Pacific to the City until August 26, 1955. The agreement, dated December 5, 1949, for which Pacific now requests authorization, would give to the City an option to extend the existing electric power contract for an additional period of five years from and after August 26, 1955, on the same terms, conditions, and rates as are set forth in said contract. The amendment provides the manner and period within which the City is to give Pacific notice of its intention to exercise said option, it being required that the City make its determination within a given time after being requested by Pacific to do so. In the event Pacific does not present

such request to the City by June 27, 1955, the time within which the City may exercise its option will be extended to September 25, 1955, and service will be continued under the present contract to that date.

Except as to its term, the provisions of the existing contract would remain unchanged by the modifying agreement. It is provided in the existing contract that it shall at all times be subject to such changes or modification by the Public Utilities Commission of the State of California as said Commission may from time to time direct in the exercise of its jurisdiction. If the circumstances should change, the Commission may in an appropriate proceeding set aside said contract or order a modification thereof as the conditions at that time may warrant.

In its supplemental application, Pacific states that the modifying agreement of December 5, 1949, was made and entered into by Pacific at the request of the City Council of Redding. Said modifying agreement has been executed by the Mayor of the City of Redding and by the Vice President and Assistant General Manager of Pacific. It contains a provision that it shall not become effective until this Commission by order has authorized Pacific to carry out its terms and conditions.

The Commission having considered the request of applicant and being of the opinion that the application should be granted and that a public hearing is not necessary; therefore,

IT IS HEREBY ORDERED that Pacific Gas and Electric Company be and it is authorized to carry out the terms and conditions of a written agreement with the City of Redding, dated December 5, 1949, which agreement amends and modifies an existing electric power contract between the same parties dated July 5, 1949.

IT IS HEREBY FURTHER ORDERED that Pacific Gas and Electric Company shall promptly notify this Commission if the existing contract is extended in accordance with the modification herein authorized and, upon termination of said contract, shall notify this Commission of such termination within thirty (30) days thereafter.

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

Dated at San Francisco, California, this 20th day of June, 1950.

R. F. Anderson

Robert F. Luce

Harold H. Kille

Robert H. Potter
Commissioners.