

Decision No. 45847**ORIGINAL**

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

In the Matter of the Application of)  
 PACIFIC GAS AND ELECTRIC COMPANY, a )  
 corporation, for an order of the )  
 Public Utilities Commission of the )  
 State of California authorizing )  
 applicant to carry out the terms )  
 and conditions of an agreement with )  
 PARADISE IRRIGATION DISTRICT, dated )  
 May 16, 1951, and relating to an )  
 accommodation emergency water )  
 supply. )

Application No. 32458

OPINION AND ORDER

In this application Pacific Gas and Electric Company asks for authority to carry out the terms and conditions of an agreement, dated May 16, 1951, with Paradise Irrigation District, providing for the sale of water to the district as an accommodation during the remainder of the 1951 irrigation season. A copy of the agreement which expires on November 1, 1951, is attached to the application and marked Exhibit "A".

The agreement provides that the company will release water from its Hendrick's Canal into Little Butte Creek above the district's Magalia reservoir in such amounts as it may have available, but in no event will the quantity of water released exceed a total of 500 acre-feet during the term of the contract. This water to be sold is normally used by the company for the generation of electric energy and is not intended nor offered for human consumption and the district has agreed to assume all risks and liabilities arising from the nonpotability of such water.

*Substitution* { Whether or not the furnishing of this water will constitute a dedication of the same to the public use we do not deem it necessary to pass upon. } For all water released the company will receive payment at the rate of \$10 per acre-foot, said water to be measured by the company at the point where Hendrick's Canal crosses Little Butte Creek.

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 the written contract, dated May 16, 1951, with Paradise Irrigation District, and to render the service described therein, under the terms, charges and conditions stated therein, subject to the following conditions:

1. Applicant shall file with the Commission, within thirty (30) days after the effective date of this order, two (2) certified copies of the contract as executed, together with a statement of the date on which it is deemed to have become effective.
2. Applicant shall notify this Commission of the date of termination of said contract within thirty (30) days after said date of termination.

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

Dated at San Francisco, California, this 19<sup>th</sup> day of June, 1951.

*P. Z. ...*  
*Harold ...*  
*...*

Commissioners.