

**ORIGINAL**

Decision No. 48422

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 SOUTHERN CALIFORNIA EDISON COMPANY, )  
 a corporation, for an Order of the )  
 Public Utilities Commission author- )  
 izing Applicant Southern California ) Application No. 34167  
 Edison Company to enter into a special )  
 agreement with JOHN POOLE, an individual, )  
 doing business as JOHN POOLE BROADCASTING )  
 COMPANY. )

OPINION AND ORDER

In this application Southern California Edison Company asks for authority to enter into an agreement with John Poole Broadcasting Company, dated October 25, 1952, 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 for the operation of consumer's frequency modulated transmitter station and for lighting service for said station, located approximately 100 feet west of the United States weather bureau station on Mt. Wilson, California, said station hereinafter being referred to as "project".

Under the terms of the agreement, Edison shall own and maintain certain underground facilities and a substation which have been installed at the project in order to provide such electric service and all equipment necessary for metering such energy. Consumer owns and will maintain a concrete pad which has been installed for the substation and a meter house which has been installed adjacent to said substation. Edison is granted a license to enter and use a site or sites for Edison's facilities. Electric energy and service is to be delivered for said frequency modulated transmitter station at a capacity of 39 kva and a nominal voltage

of 240 volts, three phase, and for lighting service to the project at 17 kva of capacity and 120/240 volts, single phase. Said energy will be delivered to consumer at the meters located in the meter house.

Under the terms of the agreement, consumer is to pay for all power service furnished to the project at the rates and under the conditions of Edison's filed Schedule P-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under the conditions of Edison's filed Schedule L-41 as said schedules now exist or as they hereafter may be amended or superseded. 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.

The agreement provides that, 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, Edison shall not be liable to consumer for any loss or damage sustained by consumer 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 consumer's giving to Edison not less than thirty 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 present 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, or any

extension or renewal of said permit or of any new permit that may be issued to Edison upon the expiration of the present 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 John Poole Broadcasting Company, dated October 25, 1952, a copy of which is marked Exhibit A and attached to the application, to install the facilities and render the service therein specified and to charge and collect the rates stated therein.

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

Dated at San Francisco, California, this 30<sup>th</sup> day of March, 1953.

A. F. Anderson  
 President

Justice P. Casper

Samuel P. Hild

John E. DeLoach

Commissioners