

ORIGINAL

Decision No. 49147

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 CALIFORNIA WATER SERVICE COMPANY, a )  
 corporation, for an order approving )  
 and authorizing the execution of )  
 (1) a proposed agreement to be en- )  
 tered into between applicant and )  
 Tide Water Associated Oil Company, )  
 a corporation, for the supplying of )  
 water by applicant to Tide Water )  
 Associated Oil Company and (2) a )  
 proposed agreement to be entered )  
 into between applicant and Shell )  
 Oil Company, Incorporated, a corpo- )  
 ration for the supplying of water )  
 by applicant to Shell Oil Company, )  
 Incorporated. )

Application No. 23414  
 (Fourth Supplemental)

THIRD SUPPLEMENTAL ORDER

The Commission by its Decision No. 33176, dated June 4, 1940, in the above-entitled proceeding, authorized California Water Service Company,<sup>1/</sup> a corporation, to enter into an agreement with Tide Water Associated Oil Company,<sup>2/</sup> a corporation, and Shell Oil Company, Incorporated, a corporation, providing for the sale and delivery of untreated water to the refineries of said oil companies located in Avon and Martinez, respectively, both in Contra Costa County. Subsequently, the above-named parties were authorized to enter into a first supplemental agreement under authority granted by the Commission in its Decision No. 37270, dated August 8, 1944, and a second supplemental agreement which was authorized by Decision No. 37965, dated June 5, 1945. In a third supplemental application in this proceeding the Water Company requested authority to discontinue the filing of certain special

<sup>1/</sup> Hereinafter referred to as Water Company.  
<sup>2/</sup> Hereinafter referred to as Associated.

reports previously ordered by the Commission relating to the service of untreated water in its Contra Costa District. The Commission granted said request in its Decision No. 46958, dated April 8, 1952.

Water Company, by its fourth supplemental application filed August 11, 1953, now seeks authority to enter into an agreement with Associated entitled "Agreement of Contract Revision", an unexecuted copy of which is attached to the supplemental application as Exhibit A, which, in effect, would supersede the original agreement and the two supplemental agreements above-mentioned. Associated has signified by letter its willingness to enter into the form of agreement above referred to. A copy of said letter is attached to the supplemental application as Exhibit B.

In general, the proposed agreement provides that raw, untreated water, at a maximum rate of 700 gallons per minute, is to be delivered to Associated's refinery at Avon, Contra Costa County, or to Pacific Gas and Electric Company at its steam power plant at said refinery. Further, based upon a minimum agreed quantity of 10 million gallons per month, charges for water delivered will be computed at the established rates for such service, as filed with the Commission or as such filed rates may be modified from time to time. The termination date of the agreement is December 31, 1957.

It appearing that a public hearing is not necessary, and that the requested authority should be granted, now, therefore,

IT IS HEREBY ORDERED that California Water Service Company, a corporation, be and it is authorized to enter into an agreement providing for the sale and delivery of raw, untreated water to

Tide Water Associated Oil Company, a corporation, in Contra Costa County, substantially as set forth in Exhibit A attached to applicant's fourth supplemental application herein, and which is by reference made a part of this order.

IT IS HEREBY FURTHER ORDERED that California Water Service Company shall file with this Commission, within sixty days after the effective date of this order, two certified copies of the agreement as executed, together with a statement of the date on which the agreement is deemed to have become effective.

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

Dated at San Francisco, this 29<sup>th</sup> day of September, 1953.

A. F. Johnson  
President  
JUSTUS F. CROSSLAND  
THOMAS H. PATTON  
WALTER M. HILL  
Commissioners