

Decision No. 49937**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)
 TURLOCK IRRIGATION DISTRICT and)
 PACIFIC GAS AND ELECTRIC COMPANY for)
 an order of the Public Utilities)
 Commission of the State of California)
 authorizing Pacific to carry out the)
 terms and conditions of a written)
 agreement dated December 28, 1953,)
 which, among other things, redefines)
 the electric service area of Turlock)
 in Merced and Stanislaus Counties.)
 (Electric))

Application No. 35236

OPINION AND ORDER

Pacific Gas and Electric Company and Turlock Irrigation District, applicants in this proceeding, heretofore have been authorized by Decision No. 34796 dated November 15, 1941 to enter into an electric power agreement which, among other things, provides for the limitation of areas in which each of the parties respectively would sell and distribute electric power or energy directly or indirectly for use, resale or consumption.

In the present application, Pacific seeks approval of an agreement between said parties dated December 28, 1953, which would, among other things, redefine the electric service area of Turlock in Merced and Stanislaus counties and restates said parties' rights and obligations relative to the use, resale and consumption of electric power within said service area. The agreement provides that Pacific will not sell, deliver, or dispose of any electric energy for sale, use or other disposal inside of Turlock's service area and Turlock will not sell, deliver, or dispose of any electric energy for sale, use or other disposal outside of said service area, except under certain conditions.

The revision of the electric service area of Turlock effected by said new agreement changes the southeast corner of

Turlock's existing service area so as to exclude therefrom approximately thirty sections. A copy of the agreement containing a map which shows the boundary of said service area is attached to the application as Exhibit A.

The Commission notes that no reference is made in said agreement to the Commission's continuing jurisdiction as required by General Order No. 96. Accordingly, the order herein will so provide.

Pursuant to Sections 8126 - 8134 of the Public Utilities Code, the California District Securities Commission, on March 1, 1954, issued its Order No. 24 approving said agreement of December 28, 1953. Sections 8101 - 8109 of the Public Utilities Code provide for similar action of this Commission with respect to the service area of Pacific.

The Commission having considered the above-described application and finding that the granting thereof is for the best interest of the State and of the Pacific Gas and Electric Company, and is not incompatible with any public interest, and being of the opinion that a public hearing is not necessary,

IT IS ORDERED as follows:

1. Pacific Gas and Electric Company is hereby authorized to carry out the terms of the agreement dated December 28, 1953, a copy of which is attached as Exhibit A to the application herein, provided, however, that Pacific Gas and Electric Company shall obtain further authority from the Commission before making effective or carrying out any modification thereof or any superseding agreement. The authority herein granted to Pacific Gas and Electric Company shall be subject to such changes or modifications as this Commission may direct, from time to time, in the exercise of its jurisdiction.

2. Pacific Gas and Electric Company shall not sell or distribute electric power or energy, directly or indirectly, inside Turlock service area except under the provisions of Sections 3 and 4 of said agreement.

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

Dated at San Francisco, California, this 20th day of April, 1954.

R. J. Anderson
President
Justice J. C. ...
Bennett J. ...
John E. ...
Gene ...
Commissioners