

**ORIGINAL**

Decision No. 51705

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 a certificate )  
 declaring that the public convenience )  
 and necessity require the construc- )  
 tion of certain hydroelectric power )  
 projects on North Fork Kings River, )  
 Kings River, and tributaries thereto, )  
 Fresno County, California. )

Application No. 37004

F. T. Searls and John C. Morrissey, for applicant.  
Chas. L. Kaupke and Phillip A. Gordon, for King's  
 River Water Association; Harold G. Davis, for  
 State of California Division of Water Resources;  
Ronald T. Weakley, for Local Union No. 1245 IBEW,  
Loyd M. Meyers, for Fresno County Building and  
 Construction Council, John A. Owens, for Fresno  
 AF of L, Alvia Fudge, for Fresno Teamsters' Union  
 No. 431, Chas. Robinson, for North California  
 Dist. Council of Laborers, interested parties.  
Chas. W. Mors and John J. Doran, Jr., for the  
 Commission staff.

*JTC*  
*SK*

INTERIM OPINION AND ORDER

By the above-entitled application, filed June 2, 1955,  
 Pacific Gas and Electric Company seeks a certificate declaring that  
 public convenience and necessity require or will require the con-  
 struction of hydroelectric power projects on North Fork Kings River,  
 Kings River and Tributaries thereto in Fresno County. The over-all  
 project contemplates construction of Helms Dam and Reservoir, Wishon  
 Dam and Reservoir, Haas Power House, an enlargement of the present  
 Balch Project and construction of a Kings River Project.

By its first amendment to the application, filed June 29,  
 1955, applicant seeks expedition of its request by asking this  
 Commission to grant a certificate authorizing applicant to initiate  
 and carry forward the construction of Wishon Dam and an access road

to Helms Dam at the earliest possible date, so as to permit applicant to proceed with construction on this portion of the over-all project during the construction season of 1955. After due notice to the public and all known interested parties, a public hearing on this portion of the application was held before Commissioner Justus F. Craemer and Examiner F. Everett Emerson on July 11, 1955, at San Francisco.

Applicant has stipulated that the granting of a certificate to it for the construction of Wishon Dam and the access road to Helms Dam shall not in any way constitute a precedent with respect to final action on the over-all project as contemplated in the original application and, further, that should this Commission not grant a certificate for the over-all project, applicant will not claim the costs of construction at Wishon Dam site or the access road to the proposed Helms Dam as elements to be considered by this Commission in any future rate proceeding. In other words, it proposes to proceed at its own risk, pending this Commission's decision respecting the grant or denial of a certificate for the over-all integrated project.

Applicant avers that in order for it to meet its market for electric power, the North Fork Kings River development should be placed in operation by the summer of 1959. Applicant estimates that its dry year gross margin of electric generating capacity will be 329 megawatts in year 1958, taking into account all presently authorized construction. It desires a gross margin of 600 megawatts. Since estimated annual load growth is of the order of 250 megawatts, applicant estimates that the additional capacity to be made available by this development will be necessary in 1959.

In order to have the over-all project in operation in 1959, it will be necessary to complete Wishon Dam in 1958. Helms Dam

should be ready to store some water in the winter of 1958-1959. The construction seasons at the elevations of these portions of the project are relatively short (four or five months of the year) and all of such seasons from July 1955 through November 1958 will be required for completion of Wishon Dam. If the time schedule is not to be seriously upset, applicant must at once start its preliminary and preparatory work of building access roads and construction camps, preparation of the dam site, opening of quarries, commencement of diversion works and related projects.

On the basis of the record thus far developed in this proceeding, the Commission is of the opinion that applicant should be granted the limited and preliminary certificate which it seeks. It should be clearly understood, however, that such certificate is of a limited nature and is without prejudice to the grant or denial of a certificate covering the entire project based upon the full record to be developed in subsequent public hearings.

Based upon the evidence thus far developed and the foregoing opinion thereon,

IT IS FOUND that public convenience and necessity warrant the preliminary construction heretofore indicated, and

IT IS ORDERED that Pacific Gas and Electric Company be and it is hereby granted a limited certificate of public convenience and necessity to construct the aforesaid Wishon Dam and Reservoir and to construct an access road to the site of the proposed Helms Dam.

IT IS HEREBY FURTHER ORDERED as follows:

1. Exercise of the authorization herein granted is at applicant's risk and without prejudice to future action on the application herein.

2. The authorization herein granted will expire if construction work on the aforementioned project is not commenced within

sixty days after the effective date of this order unless otherwise ordered by this Commission.

3. The certificate herein granted is subject to the following provision of law:

That the Commission shall have no power to authorize the capitalization of this certificate of public convenience and necessity or the right to own, operate or enjoy such certificate of public convenience and necessity in excess of the amount (exclusive of any tax or annual charge) actually paid to the State as the consideration for the issuance of such certificate of public convenience and necessity or right.

The effective date of this order shall be the date hereof.

Dated at Los Angeles, California, this 18th day of July, 1955.

Justus J. Calder  
President  
Paul S. Wittmer  
William J. Doherty  
R. H. Hedges

Commissioners

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.