

Decision No. 53140

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, and the CITY OF HEALDSBURG,)
 a municipal corporation, for an order)
 of the Public Utilities Commission of)
 the State of California authorizing the)
 former to sell and convey to the latter)
 the electric distribution facilities)
 referred to in this petition, in accord-)
 ance with the terms of a contract dated)
 January 23, 1956.)
 (Electric))

Application No. 37834

OPINION AND ORDER

By the above-entitled application, filed March 15, 1956, Pacific Gas and Electric Company, a California corporation, and City of Healdsburg, a municipal corporation, request an order of this Commission conferring upon Pacific all necessary permission and authority to sell certain electric facilities to the City of Healdsburg and to consummate said transaction in accordance with the terms of an agreement dated January 23, 1956. A copy of the agreement is attached to the application as Exhibit No. 1.

Under the terms of this agreement Pacific is to sell and convey to City certain electric distribution facilities situated within the areas known as Powell Avenue Tract No. 2 and Sands Park Tract No. 4, located in said City of Healdsburg. The electric facilities which are to be conveyed are delineated on the map attached to the agreement as Exhibit A, entitled "Sale of Distribution Facilities, Sands Park Tract #4 and Powell Ave. #2, Healdsburg Urban".

The amount to be paid by City is stated in the agreement as (a) the sum of \$2,969, including severance damage and going concern value, plus California state sales tax of \$80.25, and

(b) the actual cost of any additions to and betterments of said facilities made by Pacific subsequent to September, 1955, and prior to the conveyance of said facilities to City, plus 15 per cent of said costs, together with California state sales tax applicable to the total thereof.

The agreement provides that it shall not become effective until the Commission shall by order authorize Pacific to carry out its terms. City now owns certain electric distribution systems within the City of Healdsburg and immediately adjacent thereto, by means whereof it furnishes and supplies electric service to many of the residents thereof. Applicants allege that the furnishing of electric service by City to the customers in Sands Park Tract No. 4 and Powell Avenue Tract No. 2 at City's presently effective rates and charges will not result in the charging or collecting from said customers of rates or charges in excess of those now paid by said customers for electric service furnished by Pacific.

It appears that City, upon acquisition of the properties which would be transferred under the agreement, is ready and willing to supply electric service to nine customers now served through said properties and that the request of Pacific and City is not adverse to the public interest. The action taken herein shall not be construed to be a finding of the value of the property herein authorized to be transferred.

The Commission having considered the request of the applicants, and being of the opinion that the application should be granted, subject to certain conditions, and that a public hearing is not necessary, therefore,

IT IS HEREBY ORDERED that Pacific Gas and Electric Company may, on or after the effective date hereof, and on or before January 23, 1957, sell and transfer to the City of Healdsburg in

accordance with the terms of an agreement dated January 23, 1956, a copy of which is attached to the application, the electric distribution facilities described therein and as shown by the map entitled, "Sale of Distribution Facilities, Sands Park Tract #4 and Powell Ave. #2, Healdsburg Urban", attached to the application, subject to the following condition:

Pacific Gas and Electric Company shall, within thirty days thereafter, notify this Commission in writing of the date of such completion of the property transfer herein authorized.

IT IS FURTHER ORDERED that Pacific Gas and Electric Company, concurrently with the consummation of the sale and transfer to the City of Healdsburg of the properties described above, may cease furnishing and supplying electric service to the customers presently served by it by means of said properties and is relieved of the duties and responsibilities of an electric corporation within the area served by means of said properties and lying within the area known as Powell Avenue Tract No. 2 and Sands Park Tract No. 4 in the City of Healdsburg.

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

Dated at San Francisco, California, this 28th day of May, 1956.

President
Justus D. Casewell

Robert L. ...

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 By *Hardy*

 Commissioners