

Decision No. 53144**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 LODI, 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 peti-)
 tion, in accordance with the terms of)
 a contract dated February 24, 1956.)
 (Electric))

Application No. 37915

OPINION AND ORDER

By the above-entitled application, filed April 9, 1956, Pacific Gas and Electric Company, a California corporation, and City of Lodi, 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 Lodi and to consummate said transaction in accordance with the terms of an agreement dated February 24, 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 area known as "Sunset Addition", located in said City of Lodi. The electric facilities which are to be conveyed are delineated on the map attached to the agreement as Exhibit A entitled, "Sketch Showing Poles and Distribution Facilities in Which City of Lodi Wishes to Acquire PG&E Interest".

The amount to be paid by City is stated in the agreement as (a) the sum of \$5,194, plus California state sales tax of \$136.35, and (b) the actual cost, as determined in accordance with

Pacific's standard accounting practice, of any additions to and betterments of said facilities made by Pacific subsequent to November, 1955, and prior to the conveyance of said facilities to City, plus California state sales tax applicable to the costs of such additions and betterments.

This agreement provides that it shall not become effective until the Commission shall, by order, authorize Pacific to carry out its terms and conditions.

City now owns certain electric distribution systems within the City of Lodi by means whereof it furnishes and supplies electric service to many of the residents and inhabitants thereof. 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 63 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 February 24, 1957, sell and transfer to the City of Lodi, in accordance with the terms of an agreement dated February 24, 1956, the electric distribution facilities described therein as shown by the map attached to the application and entitled, "Sketch Showing Pole and Distribution Facilities in which City of Lodi Wishes to Acquire PG&E Interest".

IT IS FURTHER ORDERED as follows:

1. Pacific Gas and Electric Company, concurrently with the consummation of the sale and transfer to the City of Lodi 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 responsibility of an electric corporation within the area served by means of said properties and lying within the area known as "Sunset Addition" in the City of Lodi.
2. 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.

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
Justin D. Caswell

Paul L. ...

...

B. Hardy

 Commissioners