

ORIGINAL

Decision No. 53766

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of) PACIFIC GAS AND ELECTRIC COMPANY for) authority to carry out an agreement,) dated December 6, 1955, with TABLE) MOUNTAIN IRRIGATION DISTRICT and) THERMALITO IRRIGATION DISTRICT.)	Application No. 37694 Petition for Modification of Order
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FIRST SUPPLEMENTAL ORDER

By this first supplemental application, Pacific Gas and Electric Company,¹ a corporation, seeks an order modifying the Commission's Decision No. 52826, dated March 27, 1956, in Application No. 37694. By this decision, the Commission authorized the applicant to carry out the terms of a written agreement dated December 6, 1955, with Table Mountain Irrigation District² and Thermalito Irrigation District.³ However, in its order the Commission's authorization was made subject to the revision of the agreement to include substantially the following provision:

"This contract shall at all times be subject to such changes or modifications by the California Public Utilities Commission as said Commission may, from time to time, direct in the exercise of its jurisdiction."

It is stated in the application that Thermalito, by its attorney, refuses to re-execute the agreement with the inclusion of the foregoing language as ordered by the Commission in its Decision No. 52826. The consent of the parties to this condition is not material, such condition being imposed by operation of law.

1 Hereinafter sometimes called Pacific.
2 Hereinafter sometimes called Table.
3 Hereinafter sometimes called Thermalito.

The Commission having considered the request and being of the opinion that it should be granted and that a public hearing is not necessary, therefore,

IT IS HEREBY ORDERED that the Commission's Decision No. 52826, dated March 27, 1956, in Application No. 37694, be and it is modified by:

(a) Deleting the first ordering paragraph and substituting therefor the following:

IT IS HEREBY ORDERED that applicant be and it is authorized to carry out the terms of the written agreement dated December 6, 1955, with Table Mountain Irrigation District and Thermalito Irrigation District and to render the service under the rates, terms, charges and conditions described therein;

(b) Deleting the word "revised" where it appears in ordering paragraphs 1 and 2 of the said order.

In granting this authority the parties to said contracts are hereby placed upon notice that such contract shall at all times be subject to such changes or modifications by this Commission as said Commission may, from time to time, direct in the exercise of its jurisdiction.

In all other respects Decision No. 52826, dated March 27, 1956, shall remain in full force and effect.

The Commission being of the opinion that it would not be adverse to the public interest, IT IS FURTHER ORDERED that the effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 18th day of SEPTEMBER, 1956.

[Signature]
President
[Signature]
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Commissioners