

ORIGINALDecision No. 53775

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of AVALON PUBLIC SERVICE COMPANY,)
a corporation, for approval of a)
supply agreement with the City of)
Avalon.)

Application No. 38154

OPINION AND ORDER

By the above-entitled application Avalon Public Service Company requests authority to carry out the terms and conditions of an agreement dated May 15, 1956, with the City of Avalon, a municipal corporation of the State of California. The agreement provides for the sale by applicant to City of gas, electricity and fresh water to meet all its resale requirements. This application is filed in accordance with Ordering Paragraph No. 4 of this Commission's Decision No. 52861 dated April 10, 1956.

The application states that the contract contains no terms or conditions which constitute deviations from, or are contrary to the filed tariffs and rules of the applicant, and the provisions of this supply agreement are only supplemental and additional to such tariffs and rules.

The agreement states that the principal points of delivery for the three types of utility services are (1) for gas, at the "City Gate" station; (2) for electricity, at the connection between the City feeders and the City lines in Toyon Park; and (3) for water, at the connection with the City distribution system at the meter near the City-owned well site known as "Well No. 1" in Avalon Valley. The agreement does not limit the annual quantities of gas, electricity or water to be supplied to the City.

The term of the agreement is continuous beyond the initial date of May 15, 1956, unless terminated by either party giving a written notice of intent to terminate at least 12 months prior to the effective date of termination. The first notice of intention to terminate can be made only after the first full year of operation, which would be May 15, 1957, thus permitting termination of the contract on May 15, 1958, and on any subsequent anniversary date of the contract thereafter.

The Commission having considered the above-entitled application, and being of the opinion that the application should be granted, and that a public hearing thereon is not necessary, therefore,

IT IS HEREBY ORDERED as follows:

1. That Avalon Public Service Company be, and it is authorized to carry out the terms and conditions of the written agreement dated May 15, 1956, with the City of Avalon, and to render the service described therein under the terms, charges and conditions stated therein.
2. That Avalon Public Service Company shall file with the Commission within thirty days after the effective date of this order four certified copies of the contract as executed, together with a statement of the date on which the contract is deemed to have become effective.
3. That Avalon Public Service Company shall promptly notify this Commission in writing when notice of intent to terminate said contract is given by either party, and shall further notify the Commission when contract is terminated.

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

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

John E. Mitchell
 President
Justice J. Caldwell
Paul J. [unclear]
[unclear]
R. Hardy
 Commissioners