

Decision No. 54999**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 CALIFORNIA ELECTRIC POWER COMPANY )  
 for approval of Amendment to Con- )  
 struction and Power Service Agree- )  
 ment with Riverside Cement Company. )

Application No. 39020

OPINION AND ORDER

By the above-entitled application, California Electric Power Company submits for approval an amendment to the construction and power service agreement with Riverside Cement Company. The amendment is dated April 22, 1957, and a copy of the amendment is attached to the application and marked Exhibit A.

Applicant entered into a construction and power service agreement with Riverside Cement Company on March 22, 1956, which agreement was authorized by the Commission in Decision No. 53232 dated June 12, 1956, on Application No. 37925. Said agreement provided, among other things, that service would be rendered under Schedule P-2, Power - Large Installation Service, except that the monthly minimum charge would be \$3,000.

The date of initial service as defined by the original agreement was February 7, 1957. However, construction at Riverside's Oro Grande plant was unavoidably delayed due to the recent steel strike, with the result that Riverside was not ready to receive service on said date. Because the delay was entirely beyond the cement company's control, applicant states that it is willing to reduce the minimum charge for the months of February and March, 1957.

The present amendment amends Article 9 of the original agreement dated March 22, 1956, by reducing the minimum charge for the months of February and March, 1957, from \$3,000 to \$1,052.29 per month. The latter figure represents one twelfth of an annual return of 15 per cent on applicant's investment of \$84,183 in facilities constructed under the agreement. In all other respects the agreement of March 22, 1956, is to remain in full force and effect.

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

IT IS HEREBY ORDERED that California Electric Power Company be and it is authorized to carry out the terms and conditions of an amending agreement dated April 22, 1957, amending Article 9 of the construction and power service agreement dated March 22, 1956, with Riverside Cement Company.

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

Dated at San Francisco, California, this 21<sup>st</sup> day of May, 1957.

[Signature]  
President  
[Signature]  
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\* Commissioners