

Decision No. 59214**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 PACIFIC GAS AND ELECTRIC COMPANY for)
 authorization (a) to carry out a)
 written agreement, dated July 28,)
 1959, with ROBIN G. KENNEDY and)
 KATHRYN F. LOVEJOY, co-partners,)
 doing business as the GOLDEN HILLS)
 WATER COMPANY, and GOLDEN HILLS)
 WATER COMPANY, a co-partnership,)
 and (b) to refile and make appli-)
 cable thereto Pacific's Placer Water)
 System's Schedule No. R-1, Resale)
 Service-Untreated Water.)
(Water)

Application No. 41527

OPINION AND ORDER

Pacific Gas and Electric Company^{1/}, a corporation, by application filed September 29, 1959, seeks authority from this Commission to carry out the terms and conditions of an agreement dated July 28, 1959, with Robin G. Kennedy and Kathryn F. Lovejoy, co-partners, doing business as Golden Hills Water Company^{2/}, a public utility, providing for the sale of untreated water to Golden Hills to be used for resale to the latter's customers near Loomis, Placer County. Pacific also seeks authority to refile its Placer Water System Schedule No. R-1, Resale Service - Untreated Water, so as to make said schedule applicable to resale service to Golden Hills Water Company.

According to the terms of the agreement, a copy of which is attached to the application as Exhibit B, Pacific proposes to sell and deliver untreated water to Golden Hills at an initial rate

^{1/} Sometimes herein called Pacific.

^{2/} Sometimes herein called Golden Hills.

of flow of 2 miner's inches which will be the initial capacity used in determining the minimum charge under Schedule No. R-1. The agreement provides that upon written request by Golden Hills, the maximum rate of flow will be increased to 5 miner's inches, which rate of flow will then become the capacity for determining minimum charges. In no event is Pacific to be required to deliver in excess of 5 miner's inches. For all water delivered under the agreement, Golden Hills is to pay Pacific at the applicable rates and charges as authorized by and on file with the Commission. Pacific has no contract form on file as specified by Special Condition 1 of Schedule No. R-1 and, accordingly, asks to be allowed to deviate from such provision in the schedule and seeks authority to carry out the terms and conditions of the subject agreement under Section X-A of General Order No. 96.

The initial term of the agreement is for one year after the date of commencement of water deliveries to Golden Hills and shall continue in full force and effect thereafter until terminated by thirty days' written notice by either party.

The contract contains the provisions that it shall not become effective until it has been authorized by this Commission and that it shall at all times be subject to such changes or modifications by this Commission as the Commission may, from time to time, direct in the exercise of its jurisdiction.

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

IT IS HEREBY ORDERED that:

1. Pacific Gas and Electric Company is authorized to carry out the terms and conditions of the written agreement dated July 28, 1959, with Golden Hills Water Company, as set forth in Exhibit B attached to the application, and to render service described therein under the terms, charges and conditions stated therein.

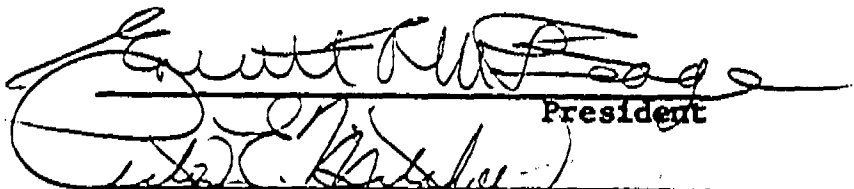
2. Pacific Gas and Electric Company is authorized to file in quadruplicate with this Commission after the effective date of this order, in conformity with General Order No. 96, its Schedule No. R-1, Resale Service - Untreated Water, revised to make said schedule applicable to the resale of untreated water to Golden Hills Water Company.

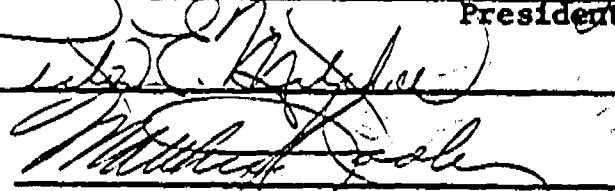
3. Pacific Gas and Electric Company shall file with this Commission, within thirty days after the effective date of this order, two certified copies of the agreement as executed, together with a statement of the date on which the agreement is deemed to have become effective.

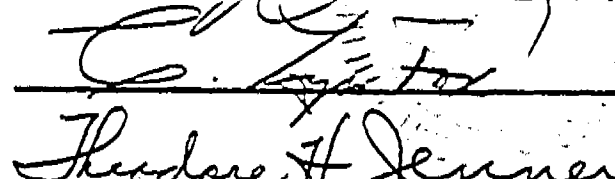
4. Pacific Gas and Electric Company shall notify this Commission of the date of termination of said agreement within thirty days from and after said date of termination.

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

Dated at San Francisco, California, this 10th day
of NOVEMBER, 1959.



President




Theodore H. Jenner
Commissioners