

**ORIGINAL**Decision No. 66087

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )	
CALIFORNIA ELECTRIC POWER COMPANY )	
for approval of a Supplemental )	
Agreement with IMPERIAL IRRIGATION )	Application No. 45618
DISTRICT and for modification of )	(Filed July 25, 1963)
Decision No. 36623, as amended by )	
Decisions 39231, 57989 and 63542, )	
defining applicant's service area. )	

OPINION AND ORDER

California Electric Power Company requests authority to carry out the terms and conditions of a Supplemental Agreement with Imperial Irrigation District, dated June 26, 1963, and to amend the order in Decision No. 36623, as modified by Decisions Nos. 39231, 57989 and 63542, all of which pertain to the service area of Imperial Irrigation District. A copy of the Supplemental Agreement is attached to the application as Exhibit A.

By Decision No. 36623 in Application No. 25755, applicant was restricted for a period of twenty-five years from serving in certain portions of Riverside County, designated as the District Coachella Service Area and in Imperial County. Concurrently, the California Districts Securities Commission issued its order restricting the service area of the Imperial Irrigation District for a like period so as not to infringe upon the service territory of applicant. These orders made effective the agreement of October 15, 1943, between applicant and the District relative to service areas.

On July 30, 1946, by Decision No. 39231 in Application No. 27323 the Commission permitted an enlargement of applicant's

service area to include a small portion of Imperial County pursuant to supplemental agreement between applicant and District. On February 9, 1959, the Commission by Decision No. 57989 in Application No. 40557 authorized applicant to assign a small portion of its Riverside County service area to the District in accordance with an appropriate supplemental agreement between the two parties. Decision No. 63542, dated April 10, 1962 in Application No. 44027 authorized applicant to carry out the terms and conditions of a Supplementary Agreement between the two parties which assigned a portion of District's service area in Imperial County to applicant.

In this application applicant states that electric service has been requested by The Pacific Telephone and Telegraph Company for a microwave installation in the extreme north portion of the Coachella Service Area of the District, approximately thirty miles from the nearest facilities of the District and isolated by rough terrain. Applicant's nearest electric line is approximately ten miles from the microwave installation site and the intervening terrain is relatively level. The application states that in view of the difficulties and expense involved for District to serve the Microwave station, District and applicant have entered into a supplemental agreement to the October 15, 1943 agreement whereby District will transfer a portion of its Coachella Service Area, in which the microwave station will be located, to applicant who proposes to furnish the electric service requested by The Pacific Telephone and Telegraph Company.

The Supplemental Agreement attached to the application as Exhibit A provides that District may, upon purchasing applicant's facilities in the described area, terminate said Supplemental

Agreement. The Supplemental Agreement further provides that upon recapture, the District will also reimburse applicant for the costs of expansion of its San Bernardino County facilities required because of service in District's Coachella Service Area, Riverside County. By its terms the Supplemental Agreement will become effective as to applicant only upon approval by this Commission, and as to Imperial Irrigation District by approval of the California Districts Securities Commission in accordance with the provisions of applicable law.

Section 8105 of the Public Utilities Code reads as follows:

"Such limitations on the utility contained in any such order of the Public Utilities Commission shall not be effective until the California Districts Securities Commission has issued its order limiting the area to be served or defining the area not to be served by the irrigation district and approving the contract or conditions, if any, in connection therewith as set forth in the petition and contract."

Applicant will be required to notify this Commission when the California Districts Securities Commission has issued its order.

The Commission finds that the proposed agreement is not adverse to the public interest and concludes that the application should be granted. A public hearing is not necessary.

IT IS ORDERED that:

1. California Electric Power Company is authorized to carry out the terms and conditions of the Supplementary Agreement dated June 26, 1963, with Imperial Irrigation District which is attached to the application as Exhibit A.
2. The order in Decision No. 36623, dated September 22, 1943, as modified by Decisions Nos. 39231, 57989 and 63542, be amended by changing the first line of the description of the Coachella Service

Area, subparagraph (ii) of paragraph (a) thereof to read as follows:

"All of Township 2 South, Ranges 6, 7, 8, 9, 10 and 11 East except Sections 1, 2, 3, 11, 12, 13 and 14 of Township 2 South, Range 9 East."

3. Applicant shall, within thirty days after the effective date of this order, file four copies of tariff service area maps, in accordance with the Commission's General Order No. 96-A and in a manner acceptable to the Commission, which shall reflect the change in the boundary authorized by this order.

4. Upon termination of the Supplemental Agreement dated June 26, 1963, applicant shall promptly notify the Commission of the date said Supplemental Agreement was terminated and shall promptly file with this Commission one copy of each of the documents by which said termination was effected.

5. Applicant shall promptly file a certified copy of the order when issued by the California Districts Securities Commission in conformity with Section 8105 of the Public Utilities Code.

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

Dated at San Francisco, California, this 1st day of OCTOBER, 1963.

William L. Burnett  
President

[Signature]

[Signature]

George T. Traver

Frederic B. Hallock  
Commissioners