

Decision No. 66457

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application of
 SAN DIEGO GAS & ELECTRIC COMPANY,
 a corporation, for an order of the
 Public Utilities Commission of the
 State of California approving a
 contract with CIA ELECTRICA
 FRONTERIZA, S.A., a Mexican
 corporation, covering the sale of
 electric energy for use in Tijuana,
 Ensenada and adjacent territory,
 located in Baja California, Mexico.

Application No. 45129

SUPPLEMENTAL ORDER

This Commission issued Decision No. 65365, dated May 14, 1963, in Application No. 45129, authorizing San Diego Gas & Electric Company to carry out the terms and conditions of a contract, dated December 21, 1962, with Cia Electrica Fronteriza, S.A., for the sale of electric energy for use in Tijuana, Ensenada and adjacent territory located in Baja California, Mexico. In that decision the third paragraph of page 2 reads as follows: "The 1962 contract provides for service metered and delivered on the United States side of the border..." Section II of the agreement attached to the application states that service will be metered on the United States side of the border and delivery of energy will take place at the border.

Applicant states in a letter, dated September 19, 1963, that under the prior superseded agreement for service to this area, delivery of electric energy also took place at the border; however, specific reference to "delivery" was not included in the agreement. Applicant further states that in the subject agreement the language

of the prior agreement has been supplemented to include a specific reference to "delivery" and, because of the obviously important legal implications which arise concerning the point of delivery, it is applicant's contention that the description of the delivery point in the order should follow the language of the agreement as closely as possible and applicant requests that the Commission issue a supplemental order amending the third paragraph of page 2 of the decision accordingly.

After consideration the Commission finds that applicant's request for a supplemental order amending Decision No. 65365 as proposed by applicant in said letter, dated September 19, 1963, should be granted; therefore,

IT IS ORDERED that the third paragraph on page 2 of Decision No. 65365 issued in the above entitled proceeding on May 14, 1963, which now reads, "The 1962 contract provides for service metered and delivered on the United States side of the border at a delivery voltage of 69,000 volts and not to exceed a maximum demand of 40,000 kilowatts nor a total amount of energy of 160,000,000 kilowatt-hours per year, which are the limitations authorized by the Federal Power Commission's order issued September 1, 1959 in Docket IT 5743 in connection with applicant's 1959 agreement." is amended to read, "The 1962 contract provides that all electric service will be metered by the applicant at its substation located on the United States side of the border, between a point approximately 571 feet east of Monument No. 255 and 671 feet east of said monument and set back 60 feet from the International Boundary Line between the United States of America and the Republic of Mexico. The applicant's lines will terminate and delivery of electrical energy and/or standby capacity will be made at the connection with the electric lines of the customer at the border between the

United States of America and the Republic of Mexico at a location adjacent to said substation. The delivery voltage is 69,000 volts. Applicant's obligation to furnish electricity is limited to a maximum demand of 40,000 kilowatts and maximum annual deliveries of energy of 160 million kilowatt-hours, which are the limitations authorized by the Federal Power Commission's order, issued September 1, 1959, in Docket IT 5743, in connection with applicant's 1959 agreement."

IT IS FURTHER ORDERED that Decision No. 65365, except as amended by the order herein, shall remain in full force and effect.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 17th day of DECEMBER, 1963.

William L. Burnett
President
George E. Trotter
Everett W. Leage
George E. Trotter
Frederick B. Hallock
Commissioners