

Decision No. 72067

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of
PACIFIC GAS AND ELECTRIC COMPANY and
the CITY OF LOMPOC for an order
authorizing the former to sell to the
latter certain electric facilities.
(Electric)

Application No. 49012
(Filed December 9, 1966)

OPINION AND ORDER

Pacific Gas and Electric Company (Pacific) and the City of Lompoc (City) request authorization for Pacific to sell and convey to City certain electric distribution facilities located in an area known as Bodger Annexation No. 33 to the City of Lompoc, in accordance with the terms of an agreement dated November 8, 1966, a copy of which is attached to the application as Exhibit A.

The agreed consideration is \$3,891.78 plus the total cost of any additions to and betterments of facilities made by Pacific subsequent to May 16, 1966, and prior to the conveyance of said facilities to City together with fifteen percent (15%) of such costs. The current ad valorem taxes for the tax year in which the facilities and any additions and betterments are conveyed are to be prorated as of the date of conveyance. The estimated historical cost new of these facilities is stated to be \$2,942 as of May 1966.

The application states that City is the owner of certain electric distribution systems located within the city by means whereof it supplies electric service to many residents thereof. The properties which Pacific proposes to sell are situated in an area which has been annexed to City and City is desirous of acquiring said facilities. During the 12-month period ended July 31, 1966,

Pacific served eighteen electric customers within the area herein considered and derived therefrom the amount of \$3,205.43 in gross revenue. The application states there are no line extension deposits, contributions in aid of construction or meter deposits involved in this sale.

City, upon acquisition of the property, agrees to assume all public utility obligations of Pacific to provide electric service for the territory served from these facilities and, specifically, for service to the present customers served from said facilities in addition to any future customers added by Pacific prior to the conveyance of said facilities to City.

The agreement provides that it shall not become effective until this Commission shall, by its order, authorize Pacific to carry out its terms and conditions.

Applicants state that the furnishing of electric service by City at its effective rates and charges will not result in the charging or collecting of rates or charges in excess of those now paid by customers for electric service furnished by Pacific.

The action taken herein shall not be construed to be a finding of the value of the property herein authorized to be transferred.

The Commission finds that the proposed sale will not be adverse to the public interest. A public hearing is not necessary.

IT IS ORDERED that:

1. Pacific Gas and Electric Company is authorized to sell and convey to the City of Lompoc the electric distribution facilities described in the agreement dated November 8, 1966, attached to the application as Exhibit A, and to consummate said transaction in accordance with the terms of said agreement.

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2. Pacific Gas and Electric Company shall, concurrently with the consummation of sale and transfer to the City of Lompoc of the property described above, cease furnishing and supplying electric service to customers presently being served by it by means of said property and is relieved of the duties and responsibilities (including all public utility obligations) of an electric corporation within the area involved.

3. Pacific Gas and Electric Company shall, within thirty days thereafter, notify this Commission in writing of the date of such sale and transfer.

4. Upon settlement of charges due, Pacific Gas and Electric Company shall refund all customers' deposits and advances which are subject to refund.

5. Pacific Gas and Electric Company shall, within thirty days after the consummation of the sale and transfer, furnish this Commission the total costs of any additions and betterments of the facilities involved and made by Pacific subsequent to May 16, 1966, and prior to the conveyance of said facilities to City plus sales tax applicable thereto.

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6. The authority granted herein shall expire in the event that the City of Lompoc does not consummate the purchase of the property under the terms of the agreement, within two years from the date hereof.

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

Dated at San Francisco, California, this 28th day of FEBRUARY, 1967.

President

William L. Bennett

William L. Bennett

Aud P. Morrison

Commissioners

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner A. W. Gatov, being necessarily absent, did not participate in the disposition of this proceeding.