

Decision 00-04-030 April 6, 2000

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Pacific Gas and Electric Company (U 39 E) and the Regents of the University of California for an Order under Section 851 of the California Public Utilities Code to Sell and Convey Certain Electric Distribution Facilities.

Application 98-04-007
(Filed April 6, 1998;
Petition filed
July 22, 1999)

OPINION

Pacific Gas and Electric Company (PG&E) seeks to modify Decision (D.) 98-07-066 to extend the time authorized in Ordering Paragraph 4 of the decision from one year to two years.

Discussion

On April 6, 1998, PG&E and the Regents of the University of California (Buyer) jointly filed an application for Commission approval for PG&E to sell certain electrical distribution facilities located on the campus of the University of California, Santa Cruz to Buyer. On July 23, 1998, the Commission approved the application in D.98-07-066, but stated that the authorization would expire if not exercised within a year.

The petition alleges that both PG&E and Buyer have worked diligently to close the sale within the one-year period specified in the decision. Before the sale could close, however, Buyer had to perform certain tasks under the purchase and sale agreement, such as installing replacement transformers, that it has not been able to complete in the one-year period. The delay in completing these tasks has been exacerbated by the long lead time needed to plan, bid, and manufacture

large transformers, as well as scheduling problems associated with the operation of the customer's facility.

PG&E believes that the proposed modification, which would extend the effectiveness of the decision to July 23, 2000, is in the public interest. The delay in closing the sale was due to circumstances unforeseen by both PG&E and Buyer. In addition, since the sale will benefit ratepayers by reducing PG&E's rate base and crediting the depreciation reserve, an extension of time to close the sale is in the public interest.

We concur that it is reasonable to modify D.98-07-066 as requested.

Uncontested Decision Grants Relief Requested

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to Public Utilities Code Section 311(g)(2), the otherwise applicable 30-day period for public review and comment is being waived.

Finding of Fact

The performance of tasks required by the purchase and sale agreement may not be completed until July 23, 2000.

Conclusion of Law

It is reasonable to modify D.98-07-066 to extend the time limit delineated in Ordering Paragraph 4.

O R D E R

IT IS ORDERED that:

1. Ordering Paragraph 4 of Decision 98-07-066 is modified to extend the authorized time from one year to July 23, 2000.
2. This proceeding is closed.

This order is effective today.

Dated April 6, 2000, at San Francisco, California.

LORETTA M. LYNCH
President
HENRY M. DUQUE
JOSIAH L. NEEPER
RICHARD A. BILAS
CARL W. WOOD
Commissioners