

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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Copy for:

RESOLUTION E-1955

Orig. and Copy

to Executive Director

UTILITIES DIVISION

BRANCH: Rate Design and Economics

Director

Numerical File

Alphabetical File

Accounting Officer

RETURN TO ELECTRIC BRANCH

MARKED ENCL

R E S O L U T I O N

ACCEPTANCE OF A PACIFIC GAS AND ELECTRIC COMPANY  
(PG&E), SPECIAL CONTRACT UNDER CONDITIONS DEVIATING  
FROM FILED TARIFF SCHEDULES

By Advice Letter 915-E, filed October 29, 1982, PG&E requests permission to carry out the terms and conditions of an agreement, dated February 2, 1981, between PG&E, the City of Stockton (City) and Triangle Development Corporation (Developer) covering the installation of underground electric facilities and the relocation of overhead electric facilities within a commercial/industrial development, in Stockton, San Joaquin County, under conditions that deviate from filed tariff schedules. The facts are as follows:

1. The City will pay PG&E, in advance of construction, the amount of \$70,754 for electric substructures to be installed by PG&E within the development, of which \$53,176 is subject to refund as provided in PG&E's electric tariff rules. Developer shall further pay a non refundable advance of \$258 to relocate a guy stub.
2. The City will also pay PG&E a monthly cost-of-ownership charge equal to one percent of the installed cost of any portion of the facilities and substructures installed and operated by PG&E.
3. The facilities, located in a development known as Phase II of Triangle Industrial Park in Stockton, have been requested by City and Developer prior to receipt of application for service, in order to enhance the development of the property and to assist in the selling of the lots to the ultimate consumers.
4. PG&E will install, own and operate the electric facilities and substructures under the Exceptional Cases Clause of Rule 15.2, Section D.3, until two or more enterprises have made application for electric service with sufficient revenue-producing electric load to warrant construction of the facilities under Rule 15.2. The portion of the advance subject to refund will be made in accordance with the provisions of Rule 15.2.
5. The monthly cost-of-ownership charge will be adjusted if refunds are made.
6. Pending establishment of service to two or more actual customers, additional facilities and substructures will be completed by PG&E at the expense of the City as required and under these same conditions. A supplement to this agreement will be required for each addition to the facilities and substructures, thereby requiring further Commission action.

7. The agreement is basically the same in content as prior agreements filed by PG&E and other utilities and authorized by prior Commission resolutions, notably PG&E Advice Letters 863-E and 864-E, approved by Commission resolution E-1926 on June 16, 1981, and PG&E Advice Letters 870-E and 881-E, approved by Commission resolutions E-1933 and E-1952, respectively, dated August 18, 1981 and September 22, 1982; as well as San Diego Gas & Electric Company's (SDG&E) Advice Letter 543-E and approved by Commission resolution E-1923 on August 4, 1981.

8. Copies of this filing have gone to other utilities and to all interested parties who have requested them.

9. The staff of the Energy Service and Safety Branch has reviewed this filing and supportive workpapers and concludes that the agreement reached is fair and equitable.

10. We find that this agreement is compensatory and nondiscriminatory and is necessary to provide service to the development in such a manner as not to place a burden on other ratepayers.

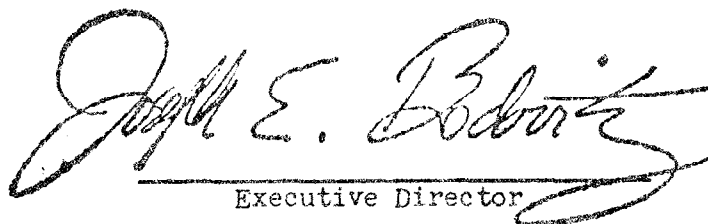
IT IS RESOLVED that:

1. Authority is granted under Section X.A. of General Order 96-A and under Sections 454 and 532 of the Public Utilities Code for Pacific Gas & Electric Company to place the above agreement into effect today.

2. The above advice letter and agreement shall be marked to show that they were accepted for filing by Commission resolution E-1955.

This resolution is effective today.

I certify that this resolution was adopted by the Public Utilities Commission at its regular conference on January 12, 1983. The following Commissioners approved it.

  
Executive Director

LEONARD M. GRIMES, JR.  
President  
VICTOR CALVO  
PRISCILLA C. GREW  
DONALD VIAL  
Commissioners