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RESOLUTION NO. G-2372

\_\_\_\_\_ Director  
 \_\_\_\_\_ Numerical File  
 \_\_\_\_\_ Alphabetical File  
 \_\_\_\_\_ Accounting Officer

RESOLUTION

UTILITIES DIVISION  
 BRANCH/SECTION: Gas  
 DATE: September 16, 1980

**RETURN TO GAS BRANCH**

**SUBJECT:** Pacific Gas & Electric Company. Order Authorizing Acceptance of Special Contracts Under Conditions Deviating from Filed Tariffs.

WHEREAS: PACIFIC GAS & ELECTRIC COMPANY (PG&E), by Advice Letters Nos. 1101-G and 1102-G, both filed on August 21, 1980, has requested authority to carry out the terms and conditions of two special contracts with (1) Inter-Kell (Inter.) in San Jose, Santa Clara County; and (2) Employees Retirement Pension Plan and Trust of Robert Klein and Associates and the Brooks Company (Employees) in Fresno, Fresno County covering gas main extensions and service stubs to provide natural gas service to each of the applicant's commercial and industrial developments under conditions deviating from filed tariffs and resulting in the following:

1. The agreements each deviate from filed tariffs in that each applicant will pay in advance of construction the estimated total cost of construction less specific credits for trenching and backfilling and will also pay a monthly cost-of-ownership charge as listed below:

<u>Applicant</u>	<u>Location</u>	<u>Total Cost of Facilities</u>	<u>Less Credit to Applicant</u>	<u>Advance to PG&amp;E</u>	<u>Cost-of-Ownership</u>
Inter.	San Jose	\$16,050	\$6,156	\$ 9,894	\$160.50/mo.
Employees	Fresno	19,636	1,427	18,209	196.36/mo.

2. The monthly cost-of-ownership charge represents 1% of the total cost of facilities in both cases.

3. Both applicants are constructing commercial and industrial developments and want gas facilities in advance of requests for utility service.

4. Neither of the applicants are the ultimate consumers of gas service to be provided, and since not all of the ultimate consumers have been determined at this time, exercising the Exceptional Case clause of Rule No. 15 is appropriate in both cases.

5. In both cases, the monthly cost-of-ownership charge will be adjusted accordingly if refunds are made.

6. Both agreements are basically similar in content with prior agreements filed by PG&E and authorized by prior Commission Resolutions, notably G-2359 and G-2364, dated July 2, 1980 and July 29, 1980, respectively, and

WHEREAS: We find that these agreements are compensatory and non-discriminatory and will provide service to Applicants in such a manner as not to place a burden on other ratepayers; therefore, good cause appearing,


IT IS ORDERED that:

1. Authority is granted under Sections X.A. of General Order No. 96-A, and under Sections 454 and 532 of the Public Utilities Code to place each of the above contracts into effect on September 20, 1980, which constitutes regular statutory notice.

2. Each of the above advice letters and contracts shall be marked to show that they were accepted for filing under Resolution No. G-2372 of the Public Utilities Commission of the State of California. The effective date of this resolution is the date hereof.

I hereby certify that the foregoing Resolution was duly introduced, passed and adopted at a regular conference of the Public Utilities Commission of the State of California, held on September 16, 1980, the following Commissioners voting favorably thereon:

JOHN T. BRYSON  
President  
VERNON L. STURGEON  
RICHARD D. GRAVELLE  
CLAIRE T. DEDRIG  
LEONARD M. GRIMES, JR.  
Commissioners

  
Executive Director