

UNITED STATES OF AMERICA
FEDERAL POWER COMMISSION

8-13-59
C. N. Harman

Before Commissioners: Jerome K. Kuykendall, Chairman; William R. Connole
and John B. Hussey.

In the Matters of)
Rio Grande Electric Cooperative, Inc.) Docket No. E-6868
and)
West Texas Utilities Company)

*This order released
Permit in same docket
number E-6868*

ORDER AUTHORIZING TRANSMISSION OF
ELECTRIC ENERGY TO MEXICO

(Issued August 13, 1959)

Rio Grande Electric Cooperative, Inc. (Cooperative), incorporated under the laws of the State of Texas and qualified to do business as a foreign corporation in the State of New Mexico, with its principal place of business at Brackettville, Texas, filed an application on March 18, 1959, as supplemented on March 24 and April 20, 1959, for authorization, pursuant to Section 202 (e) of the Federal Power Act, to transmit a maximum of 10,000,000 kwh of electric energy annually from the United States to Mexico at a maximum rate of transmission of 1,160 kw. West Texas Utilities Company (West Texas), incorporated under the laws of the State of Texas, with its principal place of business at Abilene, Texas, joined in Cooperative's application on April 20, 1959. Also, by that application, Cooperative sought permission, pursuant to Executive Order No. 10485, dated September 3, 1953, to construct, operate, maintain and connect at the international border between the United States and Mexico the facilities hereinafter described for the transmission of electric energy between the United States and Mexico, which permission is granted by a Permit signed by the Chairman of the Federal Power Commission on July 28, 1959, accepted by Cooperative on August 5, 1959, in the above docket, and issued as hereinafter provided.

The energy proposed to be transmitted to Mexico will be sold by Cooperative to La Domingia, S.A. de C.V. (La Domingia), a Mexican corporation, in accordance with the terms and at the rates set forth in an Agreement For Purchase Of Power between Cooperative and La Domingia, dated November 25, 1958, as amended February 27, 1959, filed as an exhibit to the application, for industrial and residential use in the vicinity of Acuna, Coahuila, Mexico. The energy proposed to be exported will be supplied by West Texas to Cooperative near Alpine, Texas, pursuant to the provisions of an Agreement between West Texas and Cooperative, dated March 25, 1959, filed as an exhibit to the application. From this point of receipt, Cooperative will transmit such energy to its Persimmon Gap substation and thence to the international border between the United States and Mexico, where the energy will be delivered by Cooperative to La Domingia by means of a proposed three phase, four wire, star connected circuit, operating nominally at 14.4/24.9 kv, 60 cycles, having three #2 ACSR and one #4 ACSR conductors extending from a 55' class 4 creosoted pine pole to a point on the aforementioned international border having a

latitude of 29° 57' 20" north and a longitude of 102° 49' 35" west and being located near that section of the Rio Grande known as Heath Crossing in Brewster County, Texas.

Written notice of the application has been given to the Railroad Commission of Texas and the Public Service Commission of New Mexico and to the Governor of each of those States. Notice of the application has also been given by publication in the Federal Register on April 1, 1959 (24 F.R. 2539), stating that any person desiring to be heard or to make any protest with reference to the application should on or before April 15, 1959, file with the Federal Power Commission, Washington 25, D.C., a petition or protest. No petition or protest or request to be heard in opposition to the granting of the application has been received.

The Commission finds:

- (1) The transmission of electric energy from the United States to Mexico, as limited herein and as hereinafter authorized, will not impair the sufficiency of electric supply within the United States and will not impede or tend to impede the coordination in the public interest of facilities subject to the jurisdiction of the Commission.
- (2) The period of public notice given in this matter is reasonable.

The Commission orders:

(A) Cooperative and West Texas are hereby authorized to transmit electric energy from the United States to Mexico in accordance with the terms and conditions set forth in the application and subject to the provisions of this order.

(B) The electric energy which Cooperative and West Texas are hereby authorized to transmit from the United States to Mexico shall be in an amount not in excess of 10,000,000 kwh per year at a rate not to exceed 1,160 kw over facilities covered by the aforementioned Permit signed by the Chairman of the Federal Power Commission on July 28, 1959, in the above docket.

(C) The authorization herein granted may be modified from time to time or terminated upon further order of the Commission, but in no event shall such authorization extend beyond the date of termination or expiration of the Permit referred to in paragraph (B) above.

(D) Cooperative and West Texas shall conduct all operations pursuant to the authorization herein granted in accordance with the provisions of the Federal Power Act and pertinent rules, regulations or orders issued by the Commission.

(E) Cooperative shall install and maintain adequate metering equipment to measure the flow of all energy transmitted from the United States to Mexico pursuant to the authority herein granted; shall make, keep and preserve full and complete records with respect to the movement of such energy; and shall furnish, with respect to said transmission of electric

energy, on or before February 15 of each year, a report in triplicate showing the kilowatt hours transmitted, the maximum kilowatt rate of transmission, and the consideration received therefor, during each month of the preceding calendar year.

(F) This authorization to transmit electric energy from the United States to Mexico shall not be transferable or assignable, but shall continue in effect temporarily for a reasonable time thereafter in the event of the involuntary transfer of facilities used hereunder by operation of law (including such transfers to receivers, trustees, or purchasers under foreclosure or judicial sale), pending the making of an application for permanent authorization and decision thereon, provided notice is promptly given in writing to the Commission accompanied by a statement that the physical facts relating to sufficiency of supply, rates, and nature of use remain substantially the same as before the transfer.

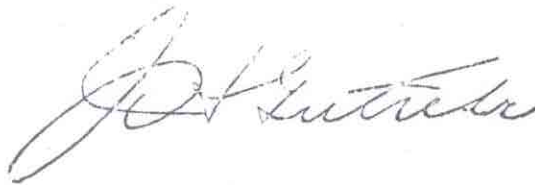
(G) This authorization shall be without prejudice to the authority of any State or State regulatory commission for the exercise of the lawful authority vested in the State or State regulatory commission over West Texas or Cooperative.

(H) This authorization is without prejudice to the authority of this Commission, or any other regulatory body, with respect to rates, service, accounts, valuation, estimates or determinations of cost, or any other matter whatsoever now pending or which may come before this Commission, or any other regulatory body, and nothing herein shall be construed as an acquiescence by this Commission in any estimate or determination of cost or any valuation of property claimed or asserted.

(I) No energy shall be delivered under the authorization contained in paragraph (B) above at any time when such energy is needed to serve the electric requirements of consumers of electric energy in the United States at that time supplied by or through the Cooperative or West Texas.

(J) Concurrently with the issuance of this order, the Permit signed by the Chairman of the Federal Power Commission, referred to in paragraph (B) above, shall be issued and a copy thereof transmitted by the Secretary to the Cooperative.

By the Commission



Joseph H. Gutride,
Secretary.