

EA-35 CNH Book 4-16-63

UNITED STATES OF AMERICA
FEDERAL POWER COMMISSION

Before Commissioners: Joseph C. Swidler, Chairman; Howard Morgan,
J. J. O'Connor, Jr., Charles P. Ross and
Harold C. Woodward.

Trico Electric Cooperative, Inc.)

Docket No. E-7073

ORDER AUTHORIZING TRANSMISSION OF ELECTRIC ENERGY
TO MEXICO

(Issued April 16, 1963)

Trico Electric Cooperative, Inc. (Trico), incorporated under the laws of the State of Arizona, with its principal place of business at Tucson, Arizona, filed an application on November 15, 1962, as supplemented on December 19, 1962, for authorization, pursuant to Section 202 (e) of the Federal Power Act, to transmit a maximum of 200,000 kwh of electric energy annually from the United States to Mexico at a maximum rate of transmission of 40 kw.

The energy proposed to be exported will be sold by the Cooperative to the Comision Federal de Electricidad, Division Noroeste, an agency of the Mexican government, with its principal place of business at Hermosillo, Sonora, in accordance with the terms and at the rates set forth in an Agreement for the Purchase of Power dated September 15, 1962, between the Comision Electricidad and Trico, incorporated by reference as an exhibit to the application. The supplier of the energy proposed to be transmitted to Mexico will be the United States Bureau of Reclamation through facilities at Tucson and Marana, Arizona. Such energy will be delivered by Trico to the Comision Federal de Electricidad by means of a proposed three-phase, 24,900/2,300 volt step-down substation and 2,300 volt metering point, located at the border approximately 1000 feet Northwest of Boundary Marker No. 139. 1/ The application indicates that the energy to be exported by Trico will be used in the small community of Sasabe, Sonora.

1/ By a Permit signed by the Chairman of the Federal Power Commission on April 10, 1963, accepted by the Cooperative on March 18, 1963, Docket No. E-7073, and issued as hereinafter provided, the construction, operation, maintenance and connection of these facilities at the international border of the United States for the transmission of electric energy between the United States and Mexico is authorized pursuant to Executive Order No. 10485, dated September 3, 1953.

Written notice of the application has been given to the Arizona Corporation Commission and to the Governor of that State. Notice of the filing of the application has also been given by publication in the Federal Register on February 2, 1963, (28 F.R. 1086), stating that any person desiring to be heard or to make any protest with reference to the application should on or before February 15, 1963, file with the Federal Power Commission, Washington 25, D.C., a petition or protest in accordance with the Commission's Rules of Practice and Procedure. On February 15, 1963, Mable Nicholson of Tucson, Arizona filed a protest, the substance of which is that she does not think it would be fair to make available power generated by the Federal government, for use in a foreign country, in preference to selling it to investor-owned, tax-paying utilities which operate exclusively within the United States. Our investigation shows that the proposed sale of 40 kw of power for exportation by the Applicant herein will not impair its ability to serve its customers or affect the supply of power within the United States. Therefore, the basic requirements of Section 202 (e) are satisfied. No other petition or protest to be heard in opposition to the granting of the application has been received.

The Commission finds:

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.

The Commission orders:

(A) Trico is 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 Trico is hereby authorized to transmit from the United States to Mexico shall be in an amount not in excess of 200,000 kwh per year at a rate not to exceed 40 kw over facilities covered by the afore-mentioned Permit signed by the Chairman of the Federal Power Commission on April 10, 1963, Docket No. E-7073.

(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) Trico 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) Trico shall install and maintain adequate metering equipment to measure the flow of all energy transmitted between the United States and Mexico; 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 in each direction, the maximum kilowatt rate of transmission, and the consideration paid or received therefor by the Cooperative, during each month of the preceding calendar year.

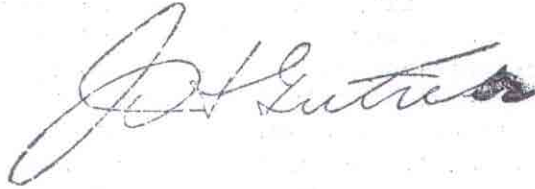
(F) This authorization to transmit electric energy from the United States to Mexico shall not be transferable or assignable, but shall continue in effect temporarily for a reasonable time thereafter in the event of the involuntary transfer of facilities used hereunder by operation of law (including such 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 Trico.

(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 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) 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.

A handwritten signature in cursive script, appearing to read "J. H. Gutride". The signature is written in dark ink and is positioned above the printed name of the signatory.

Joseph H. Gutride,
Secretary.