

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

this 9th day of May, 1990.

Robert A. Beckett
ROBERT A. BECKETT

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

GARY F. WOOLVERTON
ATTORNEY AT LAW
232 G. LADDEN STREET
SUSANVILLE, CALIFORNIA 96130
TELEPHONE: (916) 287-3328

Attorney for Defendants

ENDORSED
FILED
MAY 31 1990
TERESA HAZEL
CLERK OF SUPERIOR COURT
BRUCE D. DYER

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF LASSEN

PLUMAS SIERRA RURAL ELECTRIC)	CASE NO.: 20866
COOPERATIVE, a non-profit)	
Corporation,)	
)	
Plaintiff,)	DECLARATION OF PAUL
)	HERMAN IN SUPPORT OF
vs.)	VACATION OF ORDER OF
)	WRIT OF POSSESSION, ETC.
ROBERT A. BECKETT, et al.,)	
)	
Defendants.)	
)	

I, Paul Herman, say and declare as follows:

I am writing to voice my objection to PSREC constructing a new high tension line in my community. My reasons are (1) it is not needed to serve the area in which it is being put; (2) the existing line has been in place for many years through U.S. Forest Service land, where it doesn't impact any people at all; (3) the new line is routed down Constantia Road and right in front of my property (60 foot away). Constantia Road is one of the most scenic areas in this part of Northern California, and the visual impact will be

1 horrendous; (4) There are serious questions as to the safety
2 of people, livestock, and plants living in the proximity of
3 these high voltage transmission lines. I don't want myself
4 and my valley to be used as guinea pigs! (5) the PSREC has
5 chosen the route that affects more people than any other way.
6 The deer, the tourists, the railroad, the U.S. Forest Service
7 and the highway department have all successfully fought off
8 this project. The people whose property is being confiscated
9 apparently have less say in this than anyone else. Judge
10 these are the people who live in this valley. Now I ask you
11 where the hell is justice? (6) this power line will ruin the
12 aesthetics and natural beauty of my home! This costs me
13 money. It comes right out of the value of my home and land.
14 May be the Rural Electric Company will save a few bucks by
15 putting the line here, but they are taking those bucks from
16 me by ruining my home. Please tell them to keep their power
17 line right where it is. I am truly outraged about this
18 confiscation. They are trying to steamroller me and my
19 neighbors and squash us because we are the path of least
20 resistance, not because it is the best route from an
21 electrical point of view.

22 Consider the rights of the little people for a change.

23 I declare under penalty of perjury that the foregoing is
24 true and correct and that this Declaration was executed on
25 this 14 day of May, 1990 at Susanville, California.

26 Paul Herman
27 PAUL HERMAN
28

CALENDAR PAGE _____
MINUTE PAGE 2329

GARY F. WOOLVERTON
ATTORNEY AT LAW
233 S. LASSEN STREET
GUBENVILLE, CALIFORNIA 95130
TELEPHONE: (916) 227-8228

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Attorney for Defendants

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LASSEN

PLUMAS SIERRA RURAL ELECTRIC)
COOPERATIVE, a non-profit)
Corporation,)
Plaintiff,)
vs.)
ROBERT A. BECKETT, et al.,)
Defendants)

CASE NO.: 20866
FINAL POINTS AND
AUTHORITIES IN SUPPORT
OF MOTION FOR RELIEF FROM
EX PARTE ORDER FOR
POSSESSION

At this point in time, this Court has received a large amount of evidence, as well as argument and law from both parties.

In order for this Court to determine whether it should grant the Defendants' Motion for Relief From the Ex Parte Order for Possession (an urgency measure), there are two threshold questions. (1) whether or not the Plaintiffs have adequately addressed the environmental issues and impacts which will result from the project and (2) whether or not the Plaintiffs have demonstrated that the project is one which

1 is required by the public interest and necessity, is planned
2 or located in the manner that will be most compatible with
3 the greatest public good and one that is planned or located
4 in a manner which will produce the very least private injury.
5 It is submitted that the Plaintiffs' attitude towards the
6 county and the citizens of Doyle can best be described as
7 cavaliers. Their whole attitude is basically one which says
8 in bold print "it is right and proper because we say it is
9 right, correct and proper". The Plaintiffs' response to the
10 evidence presented by the Defendants was to offer additional
11 distortion of the facts and not worry one whit about the fact
12 that their responsive statements had been previously rebutted
13 by their own previous inconsistent statements and previous
14 inconsistent patterns of conduct.

15 With respect to the environmental issue, the Plaintiffs'
16 position is, apparently, that they may not have dotted all
17 of the "i's" and crossed all of the "t's" and Lassen County
18 may not know what they are doing, but they have done enough
19 and therefore this Court should deny the Plaintiffs' Motion
20 for Relief from urgency order.

21 There is no doubt that this project either falls under
22 CEQUA or under NEPA. NEPA stands for National Environmental
23 Policy Act (42 USC 4321-4370). It is assumed that this
24 project falls under NEPA. If the Plaintiffs had to satisfy
25 CEQUA they have hopelessly failed. They have also failed
26 under NEPA.

27
28

1 It is assumed that Plaintiffs have to satisfy NEPA. As
2 a direct legislative response to continuing citizen concern
3 for protection of the environment, Congress ushered in the
4 decade of the 70's by enacting the National Environmental
5 Policy Act (NEPA), effective January 1, 1970. Prior to NEPA,
6 federal agencies were generally unrestricted and unconcerned
7 with the environmental effect of their activities. NEPA was
8 supposed to have changed that cavalier attitude.
9 Unfortunately in the case before this Court, NEPA does not
10 seem to have made much of a change.

11 The purpose of NEPA is to establish a national policy
12 which will encourage productive and enjoyable harmony between
13 man and his environment and to promote efforts which will
14 prevent damage to the environment and stimulate the health
15 and welfare of man. 42 USC 4321. Also see Longtin's
16 California Land Use, 2nd Edition, Volume 1, section 5.71.
17 NEPA also establishes a continuing policy of the Federal
18 Government, in cooperation with State and Local Governments,
19 to use all practical means to create and maintain conditions
20 under which man and nature can exist in productive harmony
21 and fulfill the social economic and other requirements of
22 present and future generations of Americans. 42 USC 4331(a).

23 It is very obvious that the Plaintiffs' cavalier attitude
24 as manifested by the various letters between Plaintiff, their
25 agents and the Lassen County Planning Commission, the
26 Plaintiffs have failed to create and maintain conditions in
27 which the environment is projected. In fact, it appears that
28

1 not only did the Plaintiffs misrepresent what they are doing,
2 they have simply failed to produce adequate proof of the
3 overall consideration of the environment not only for the
4 near future, but the distant future. The Court's attention
5 is directed to the various letters between Plaintiffs and
6 Lassen County Planning Commission, and in particular, the
7 Exhibits attached to the County of Lassen's Amicus Brief.

8 NEPA requires that federal agencies consider
9 environmental impacts at the outset and at every important
10 stage in the decision making process. Although this
11 requirement does not explicitly set forth in NEPA, it is
12 implicit in it's various provisions. See Calvert Cliffs
13 Coordinating Committee vs. AEC (1971) 449 Fed.2nd 1109. The
14 communications from the County of Lassen to Plaintiff and
15 their agents clearly demonstrate that the Plaintiffs have
16 omitted bringing Lassen into the picture. Lassen does not
17 know what is going on. The fact that there is a series of
18 communications from Lassen requesting involvement
19 demonstrates that the Plaintiff did not consider
20 environmental impacts at the outset and at every important
21 stage in the decision making process. It is absolutely
22 imperative that, under NEPA, the federal agency involve Local
23 Government (42 USC 4331(a)). The fact that the Plaintiffs
24 have, to date, all but ignored Lassen County in their
25 cavalier appropriation of land demonstrates, again, that the
26 Plaintiffs have not worked cooperatively with the County and
27 have not demonstrated, except superficially, that they are
28

1 attempting to fulfil social economic and environmental
2 requirements and needs of Lassen County and it's citizens.
3 Plaintiff does not satisfy environmental issues by saying
4 they satisfied environmental issues. They must proof it.
5 When there is a question as to whether they have proven it,
6 then the matter should be referred to the Council on
7 Environmental Quality. Title 2 of NEPA establishes the
8 Council on Environmental Quality (CEQ) and defines it's
9 membership and duties. It is the primary watchdog of the
10 environmental review process. The CEQ has been given powers
11 relating to examination of the quality of the environment,
12 review of federal programs and activities, preparation of
13 environmental quality reports and preparation of guidelines.
14 Although the Federal Courts have generally stated that the
15 guidelines of CEQ are advisory rather than mandatory, they
16 have been followed by the Courts as a reasonable approach to
17 interpretation of NEPA. See Longtin, supra, section 5.72.

18 If the action of the federal agencies instrumentality
19 does not significantly affect the quality of the human
20 environment, then EIS need not be prepared. It is quite
21 obvious in this case that there are a large number of
22 citizens, as well as the County of Lassen itself, which feel
23 that the action of the Plaintiffs significantly affects the
24 quality of the human environment. It is suggested that this
25 project be placed on hold and require the Plaintiffs to
26 submit their project to the CEQ. At that point in time, the
27 County of Lassen can be brought into the picture and the
28

1 County of Lassen's concerns, as well as the concerns of the
2 City of Doyle, can be made known to the CEQ and the CEQ can
3 then render an advisory ruling. In the meantime, the Court
4 should vacate all of it's Ex Parte Orders for Possession.

5 On all those cases where an environmental impact
6 statement is required, the EIS must be a detailed statement
7 which is issued only after consultation with other
8 appropriate governmental agencies and which addresses the
9 environmental impact of the proposed action, unavoidable
10 adverse environmental effects, alternatives, the relationship
11 between local short-term uses of the environment and the
12 maintenance and enhancement of long term productivity and
13 irreversible and irretrievable commitments of resources. See
14 42 USC 4332(c) and 40 CFR 1500, et seq. For a discussion of
15 the appropriate persons to prepare at EIS and the lead agency
16 system see 40 CFR 1501.5. Also see, generally, Longtin,
17 SURELL, section 5.74(3).

18 There are other action forcing requirements under NEPA.
19 In addition to NEPA's EIS requirements, there are seven other
20 "action forcing" provisions in NEPA. They require federal
21 agencies to: (A) utilize an interdisciplinary approach to
22 planning and decision making; (B) insure appropriate
23 consideration of unqualified environment values; (C) study
24 and develop alternatives to proposals involving unresolved
25 conflicts over a use of resources; (D) recognize the world
26 wide and long range character of environment problems; (E)
27 make usable environmental information generally available;

28

1 (F) initiate ecological information for resource oriented
2 projects and (G) assist the CEQ. See, generally, Longtin,
3 section 5.74(4) and see section 1.02(2) of NEPA.

4 Conclusion on environmental issue: It is very obvious
5 that the Plaintiffs' cavalier statement or statements that
6 we have satisfied and complied with all environmental issues
7 is not enough. The Plaintiffs have the burden of proving
8 that they have complied with all environmental problems and
9 have satisfied NEPA and the NEPA requirements of working with
10 local agencies to the satisfaction of the local agency. It
11 is obvious that the Plaintiffs have failed with respect to
12 the environmental conditions that they must satisfy which are
13 preliminary to the project.

14 This leaves the second threshold question which is
15 whether or not the Plaintiffs have satisfied C.C.P. section
16 1240.030. It is submitted that the Plaintiffs have not
17 factually demonstrated that the project is in the public
18 interest. With respect to the public interest, the
19 Plaintiffs have failed. The residents of Doyle are up in
20 arms. They have appeared before the Board of Supervisors.
21 They have signed Petitions. All of this information is
22 before this Court. In addition, the citizens of Doyle have
23 filed many Declarations in opposition to this project. The
24 Lassen County Board of Supervisors through their attorney
25 have filed an Amicus Brief in this action. That Amicus Brief
26 raises serious questions about whether the Plaintiffs have
27 satisfied the "public interest" requirement. The obvious

28

1 answer is that the public is adverse to the project.

2 With respect to the issue of necessity, the Plaintiffs
3 have again failed. Their statements in the recent past have
4 been to the affect that the existing transmission line
5 between Beckwourth and Milford is totally adequate. Then,
6 when they think they want to install a new transmission line,
7 they reverse their position and begin arguing that the
8 Beckwourth-Milford line is not adequate. The Plaintiffs have
9 previously stated in various public statements that the
10 outage problems are caused mostly by outage problems at the
11 source; i.e. between Quincy and the Feather River
12 Hydroelectric Plants. Now that the Plaintiffs want to run
13 a line through the middle of Doyle, they argue that the
14 outage problems are caused by the transmission line between
15 Milford and Beckwourth and that if this line were installed,
16 it would solve the problems. They now ignore their previous
17 statements that the problems result in the Feather River
18 Canyons and between the Feather River Canyons and Quincy.

19 The Plaintiffs have not demonstrated that the project is
20 planned or located in a manner that will be most compatible
21 with the greatest public good and the least private injury.
22 To the contrary, the Plaintiffs have justified their project
23 by saying that based upon their opinion this route is better
24 than the others. They have not brought in any facts which
25 have demonstrated that they analyzed the other routes, such
26 as along the highway, along the railroad, etc. They are
27 continuing to utilize the cavalier approach and present their
28

1 factual case upon their own experts' conclusions without
2 providing the Court with the factual basis as to why one
3 route was selected over another route. Bob Beckett has made
4 a thorough study of the situation. His Declaration is very
5 clear. It is very complete. He provides the Court with
6 photographs. Jim Uptegrove and Mr. Reger have analyzed the
7 situation. They have at least raised the question as to
8 whether the conclusions reached by the Plaintiffs resolve the
9 issue.

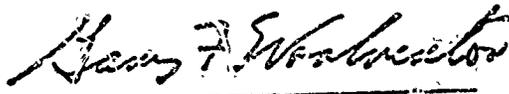
10 With respect to the issue of "least private injury",
11 there is no question that prudence would require that the
12 Plaintiffs use another route around the Doyle area proper.
13 There is absolutely no reason why the Plaintiffs have to
14 proceed directly through the subdivision and divide
15 residential lots with a large obscene and ugly power line.
16 If there is any question about the issue of "least private
17 injury", the Court's attention is directed to Exhibit "D"
18 attached to the Amicus Brief of the County of Lassen. There
19 are four pages of signatures indicating that those people
20 feel that there is substantial private injury and those very
21 signatures indicate that this project has not been planned
22 with the greatest public good in mind. Those very signatures
23 also demonstrate that the Plaintiffs have ignored the
24 requirements of NEPA.

25 Finally, the Plaintiffs have admitted that in the not to
26 distant future, they intend to convert the 69 KV to a 115 KV
27 line. Although the Plaintiffs have admitted that they intend
28

1 to do this for purposes of "wheeling electricity" they, in
2 recent Declarations, deny any such intent. See Declarations
3 of Bob Beckett. Attached hereto are the Articles of the
4 Plaintiff. Those very articles demonstrate that "wheeling
5 electricity" is not contemplated under their Articles of
6 Incorporation. See attached articles.

7 It is respectfully requested that this Court grant the
8 Defendants' Motion and vacate or set aside its Ex Parte
9 Order for Possession.

10 DATED: June 11, 1990

11 
12 _____
13 GARY F. WOOLVERTON
14 Attorney for Defendants

15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500
501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685
686
687
688
689
690
691
692
693
694
695
696
697
698
699
700
701
702
703
704
705
706
707
708
709
710
711
712
713
714
715
716
717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792
793
794
795
796
797
798
799
800
801
802
803
804
805
806
807
808
809
810
811
812
813
814
815
816
817
818
819
820
821
822
823
824
825
826
827
828
829
830
831
832
833
834
835
836
837
838
839
840
841
842
843
844
845
846
847
848
849
850
851
852
853
854
855
856
857
858
859
860
861
862
863
864
865
866
867
868
869
870
871
872
873
874
875
876
877
878
879
880
881
882
883
884
885
886
887
888
889
890
891
892
893
894
895
896
897
898
899
900
901
902
903
904
905
906
907
908
909
910
911
912
913
914
915
916
917
918
919
920
921
922
923
924
925
926
927
928
929
930
931
932
933
934
935
936
937
938
939
940
941
942
943
944
945
946
947
948
949
950
951
952
953
954
955
956
957
958
959
960
961
962
963
964
965
966
967
968
969
970
971
972
973
974
975
976
977
978
979
980
981
982
983
984
985
986
987
988
989
990
991
992
993
994
995
996
997
998
999
1000

Plumas-Sierra Rural Electric Cooperative

Highway 70, 3 miles west of Portola
(916) 832-4261

P.O. Box 2000
Portola, CA 96122-2000

BOARD OF DIRECTORS:

President Robert McDonald, Quincy,
Vice-president Guido Maddalena, Sierraville;
Secretary/Treasurer Frank V. Dotta, Vinton;
Sadio Adams, Grassano;

Eugene Shirley, Herlong;
Donald J. Wemple, Millard.

MANAGER: Bernard "Bernie" Pfile

Dear Members,

I would like to thank all our members who attended this year's annual meeting. A cooperative is a democracy, and it thrives only when the cooperative members take interest in the direction the cooperative is going.

Each year we try to make the annual meeting more interesting than the last, with demonstrations of our equipment and activities, entertainment and other special features. For those of you who didn't make it, we would like to know why. Lack of child care? Lack of interest? Timing (day-month-season)? Lack of information as to who was eligible to attend? Too far to travel?

We would like to receive comments on the meeting from those members who attended also. How can we improve the meeting? Should we have it outside under giant tents on a Saturday? Should we have it closer to the middle of our service area? Do you want more visual aids?

Please drop us a note in your next bill with your comments. Address the note to me. This is your cooperative and your annual meeting, and you have a say in how it will be run.

Many of our members will be getting a survey in the mail in the near future from the Northern California Power Agency (NCPA). NCPA is doing this survey on behalf of Plumas-Sierra and several other NCPA members to help with load forecasting and load management programs.

Plumas-Sierra REC needs the information from this survey so we can develop load management programs that can take the place of purchasing expensive new power supplies.

If you receive this survey from NCPA in the mail, we would really appreciate it if you take the time to fill it out and return it to us, either by dropping it off or sending it back in the postage-paid envelope. If you have any questions on

this survey please give us a call.

We have applied to the Rural Electric Administration (REA) for a loan of \$6.1 million for improvements on our distribution and transmission lines. The centerpiece is 32 miles of new transmission line from Chilcoot to Herlong which will greatly improve the reliability of power to the northern end of our system. This new line will give us the ability to serve any new load that develops up north, and will also allow us to wheel power to and from other utilities to our financial advantage.

Parts of the loan in reference to distribution lines have been approved. We still need to get the required environmental permits and authorization before we can get approval on the transmission part of the loan. We hope to get approval in a few months so we can start the project.

Our meter replacement program has been coming along, pretty much on schedule. We have discovered a few cases of theft, many meters running too slow and several misapplications of meters. This program will more than pay for itself through increased revenues due to everyone paying their proper utility bill.

Through our association with *Ruralist* magazine, we will be distributing safety and information booklets to our members. Every three or four months you will receive a booklet from us on inside or outside electrical safety and other topics. The booklets are illustrated and interesting for both adults and children to read. We encourage you and everyone in your family to read these brochures, especially the booklets on safety.

If you don't receive an annual report, please give us a call and we will send you one. This year's report is a 24-page special issue celebrating our 50th anniversary as a cooperative.

Charlie Brown is retiring from Plumas-Sierra on October 1. The retirement party for Charlie will be held November 7 at the Portola Memorial Hall. Those members and friends of Charlie and Ailene who want to attend should RSVP to our office.

Bernard W. Pfile,
General Manager

Outages

We happily report that there were no major outages last month.

POSTMASTER: Change Address & Return to P.O. Box 2000, Portola, CA 96122-2000

CA 96122-2000
P.O. BOX 2000
PORTOLA, CA 96122-2000

CALENDAR PAGE
MINUTE PAGE 2340

Department of State
Incorporation Number
172189

ARTICLES OF INCORPORATION

STATE OF CALIFORNIA
AUG 10 1937
FRANK C. JORDAN
SECRETARY OF STATE
By _____

PLUMAS-SIERRA RURAL ELECTRIC CO-OPERATIVE

KNOW ALL MEN BY THESE PRESENTS: That we, the undersigned, have this day voluntarily associated ourselves together for the purpose of forming a corporation under the General Corporation law of the State of California.

AND WE HEREBY CERTIFY:

FIRST: The name of this corporation shall be PLUMAS-SIERRA RURAL ELECTRIC CO-OPERATIVE.

SECOND: The purposes for which this corporation is formed are:

- (a) To generate, manufacture, purchase, acquire and accumulate electric energy for its members and to transmit, distribute, furnish, sell and dispose of such electric energy to its members only, and to construct, erect, purchase, lease as lessee and in any manner acquire, own, hold, maintain, operate, sell, dispose of, lease as lessor, exchange and mortgage plants, buildings, works, machinery, supplies, apparatus, equipment and electric transmission and distribution lines or systems necessary, convenient or useful for carrying out and accomplishing any of the foregoing purposes;
- (b) To acquire, own, hold, use, exercise and, to the extent permitted by law, to sell, mortgage, pledge, hypothecate and in any manner dispose of franchises, rights, privileges, licenses, rights of way and easements necessary, useful or appropriate to accomplish any or all of the purposes of this corporation;
- (c) To purchase, receive, lease as lessee, or in any other manner acquire, own, hold, maintain, use, convey, sell, lease as lessor, exchange, mortgage, pledge or otherwise dispose of any and all real and personal property or any interest therein necessary, useful or appropriate to enable this corporation to accomplish any and all of its purposes;
- (d) To assist its members to wire their premises and install therein electrical and plumbing appliances, fixtures, machinery, supplies, apparatus and equipment of any and all kinds and character (including such as arc applicable to water supply and sewage disposal). And, in connection therewith and for such purposes, to purchase, acquire, lease, sell, distribute, install and repair electrical and plumbing appliances, fixtures, machinery, supplies, apparatus and equipment of any and all kinds and character (including such as are

1 applicable to water supply and sewage disposal) and to
2 receive, acquire, endorse, pledge, guarantee, hypothecate,
3 transfer or otherwise dispose of notes and other
4 evidences of indebtedness and all security therefor;

5 (e) To borrow money, to make and issue bonds, notes and
6 other evidences of indebtedness, secured or unsecured,
7 for moneys borrowed, or in payment for property acquired,
8 or for any of the other objects or purposes of this
9 corporation; to secure the payment of such bonds, notes
0 or other evidences of indebtedness by mortgage or mortgages,
1 or deed or deed of trust upon, or by the pledge
2 of or other lien upon, any or all of the property,
3 rights, privileges or permits of this corporation,
4 wheresoever situated, acquired or to be acquired;

5 (f) To do and perform, either for itself or its members,
6 any and all acts and things, and to have and exercise
7 any and all powers, as may be necessary or convenient
8 to accomplish any or all of the foregoing purposes, or
9 as may be permitted by the Act under which this corporation
0 is formed and to exercise any of its powers
1 anywhere; provided, however, that this corporation
2 shall render no service to or for the public.

3 The enumeration of the foregoing powers shall not be
4 held to limit or restrict in any manner the general powers of
5 this corporation, and this corporation shall be authorized to exercise
6 and enjoy all of the powers, rights and privileges granted to
7 or conferred upon corporations of the character of this corporation
8 by the laws of the State of California now or hereafter in
9 force.

THIRD: The principal office of the transaction of the
business of the corporation will be located in the County of
Plumas, State of California.

FOURTH: The number of directors, who shall be selected
from the members of this corporation, shall be seven (7), and the
names and addresses of the persons who are appointed to act as
the first directors, are:

<u>Name</u>	<u>Address</u>
Mr. H. Heckendorf	Blairden, Plumas County, California
R. F. Ramelli	Vinton, Plumas County, California
Alden H. Johnson	Sierreville, Sierra County, California
John F. Kropa,	Sloat, Plumas County, California
Roy E. Harwood	Milford, Lassen County, California
Edward W. Rund	Spring Garden, Plumas County, California
J. H. Laughlin	Blairden, Plumas County, California

1 FIFTH: The corporate existence of this corporation
2 shall begin upon the filing of the articles of incorporation with
3 the Secretary of State and shall continue perpetually.

4 SIXTH: This is a membership corporation and shall not
5 be authorized to issue shares of stock and is not formed with a
6 view to pecuniary gain or profit to its members. The undersigned
7 shall be members of this corporation upon the filing of the
8 Articles of Incorporation with the Secretary of State. Any other
9 person, firm, or corporation may become a member of this corporation
10 in the manner and upon the terms and conditions specified in
11 the By-laws. There shall be one class of members. Only one
12 membership may be held by each person, firm, or corporation who
13 or which becomes a member of this corporation. The voting power,
14 property rights and interests of the members shall be equal and
15 as specified in the By-laws.

16 SEVENTH: Subject to the provisions of any mortgage
17 given by this corporation, at the close of each fiscal year the
18 Board of Directors after paying or providing for the payment of
19 all operating expenses of this corporation, including an amount
20 for prospective operating expenses for a reasonable period, and
21 all interest and instalments on account of principal of notes,
22 bonds or other evidences of indebtedness of this corporation
23 which shall have become due and be unpaid or which have accrued at the
24 end of the fiscal year but which shall not then be due, and after
25 paying or making provision for the payment of all taxes, incurred
26 and all other non-operating expenses which shall have become due and
27 be unpaid and all taxes, insurance and all other non-operating ex-
28 penses which shall have accrued at the end of the fiscal year but
29 which shall not then be due, shall apply all receipts of this cor-
30 poration remaining thereafter for the following purposes and in the
31 following order of priority:

(1) the establishment and maintenance of a reserve fund for the
payment of interest on and principal of all outstanding

CALENDAR PAGE
MINUTE PAGE

2843

1 notes, bonds or other evidences of indebtedness of this corporation
2 in an amount which shall equal the amounts of principal and in-
3 terest required to be paid in respect of such notes, bonds or
4 other evidences of indebtedness during the ensuing fiscal year;

5 (2) the establishment and maintenance of a general
6 reserve fund for working capital, insurance, taxes (including
7 Federal income taxes, if any) depreciation, obsolescence and con-
8 tingencies in an amount which the Board of Directors shall deem
9 reasonable;

10 (3) for the payment to the members of this corporation
11 of refunds in proportion to the amounts of their respective pur-
12 chases of electric energy and goods from this corporation during
13 the fiscal year.

14 provided, however, that in no case shall any of such refunds be
15 paid to any member who is indebted to this corporation until such
16 indebtedness is paid or arrangements in respect thereof satisfac-
17 tory to the board of directors shall have been made.

18 EIGHTH: The number of directors may be changed by an
19 amendment to the Articles of Incorporation.

20 IN WITNESS WHEREOF we, as incorporators and named
21 hereinabove as directors, have hereunto set our hands and seals
22 as such incorporators and directors in the County of Plumas, State
23 of California, the 9th day of August, 1937.

24 Wm. H. Hechendorf

25 R. F. Ramelli

26 Alvin H. Lewis

27 John A. Tress

28 Norm Edgewood

29 Edward W. Brand

30 J. H. Langdon

31