

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

**ORIGINAL**

In the Matter of the Application of )  
PACIFIC GAS AND ELECTRIC COMPANY, a )  
corporation, for an order of the )  
Railroad Commission of the State of )  
California granting to applicant a )  
certificate of public convenience and )  
necessity to exercise the right, )  
privilege and franchise granted to )  
applicant by ordinance of the Board )  
of Supervisors of the County of Sutter, )  
State of California. )

Application No. 9241.

C. P. Cutten, for applicant.

SEAVEY, Commissioner:

O P I N I O N

Pacific Gas and Electric Company applies to the Railroad Commission for an order declaring that public convenience and necessity require the exercise of certain franchise rights in the vicinity of Yuba City, Sutter County, as provided for in Section 50 (b) of the Public Utilities Act.

The record shows that applicant has for some time been engaged in the distribution of gas for light, heat and power purposes in the City of Yuba City, that it has received applications for gas service from residents in the territory outside of and adjacent to Yuba City, and that in order to serve these applicants and to improve its existing service in portions of Yuba City it desires to lay its mains in the public roads of Sutter County outside of Yuba City.

The Board of Supervisors of Sutter County has by ordinance

dated June 4, 1923, granted Pacific Gas and Electric Company the right for fifty (50) years to lay and maintain its mains in the county roads in the vicinity of Yuba City, under the usual conditions of such franchises, one of which is the payment to the county of two (2) per cent of the gross receipts from operations under the franchise commencing five (5) years after the date of grant.

The extensions of gas mains which applicant contemplates making under this franchise are only those which would normally be made in the usual growth and extension of its business, and no substantially new territory is being entered. No other similar utility is operating in or near Yuba City.

Applicant has stipulated that it will never claim before this Commission, or any court or other public body, a value for this franchise exceeding the sum paid for it to Sutter County, which was one hundred dollars.

I recommend the following form of order :

#### O R D E R

Pacific Gas and Electric Company having applied to the Railroad Commission for an order declaring that public convenience and necessity require the exercise by Pacific Gas and Electric Company of the rights, privileges and franchise granted it by an ordinance adopted June 4, 1923, by the Board of Supervisors of Sutter County, a public hearing having been held, the matter submitted and being ready for decision,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the exercise by Pacific Gas and Electric Company of the rights, privileges and franchise granted it by said ordinance.

The foregoing opinion and order are hereby approved and order-

ed filed as the opinion and order of the Railroad Commission of  
the State of California.

Dated at San Francisco, California, this 4th day of  
September, 1923.

C. Seaver  
H. B. ...  
Everton Shore  
J. T. Whittney  
Commissioners.