

**ORIGINAL**

Decision No. 13980

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 Pacific Gas and Electric Company, a )  
 Corporation, for an order of the Rail- )  
 road Commission of the State of Cali- )  
 fornia, granting to applicant a certi- )  
 ficate of public convenience and neces- ) Application No. 10214.  
 sity to exercise the right, privilege )  
 and franchise granted to applicant by )  
 Ordinance No. 105 of the Board of Super- )  
 visors of the County of Solano, State of )  
 California. )

C. P. CUTTEN, for Applicant

MARTIN, COMMISSIONER:

O P I N I O N

Pacific Gas and Electric Company asks the Railroad Commission to declare that public convenience and necessity require the exercise by applicant of the rights and privileges granted by Ordinance No. 105, passed May 8th, 1924, by the Board of Supervisors of the County of Solano, State of California. A hearing was held on August 5, 1924, and the matter submitted.

A copy of this ordinance has been filed in this proceeding. In general, it grants to the Pacific Gas and Electric Company, its successors and assigns, for a term of Fifty (50) years, the right to lay and maintain gas pipes, mains and other conduits in the highways, streets and alleys in the County of Solano and to use the same for the purpose of conveying, distributing and supplying gas to the public, and particularly to the inhabitants of the County of Solano, for light, heat, power and all lawful purposes, all subject to the terms and conditions set forth in the ordinance.

Among other things, the ordinance requires that applicant, its successors and assigns, pay during the life of the franchise to the said County of Solano an amount equal to two percent (2%) of the gross annual receipts arising from the use, operation, or possession thereof, provided, however, that no percentage shall be paid for the first five (5) years succeeding the date of the grant of said right, privilege and franchise.

The evidence shows that no other person, firm or public or private corporation, other than the applicant, is now engaged in the public utility business of furnishing, distributing or selling artificial gas for light, heat, power or other lawful purpose in the County of Solano, State of California. The purpose of the franchise is to furnish and supply artificial gas to the inhabitants of the County of Solano and in particular to the inhabitants of the territory adjacent to and in the vicinity of the City of Vallejo. Applicant reports that the cost of securing this franchise is One Hundred Dollars (\$100.00) and has filed a stipulation agreeing that neither it nor its successors and assigns will ever claim before the Railroad Commission of the State of California or any court or other public body having jurisdiction, a value for this franchise in excess of One Hundred Dollars (\$100.00).

I hereby submit the following form of Order:

O R D E R

Pacific Gas and Electric Company having asked the Railroad Commission to declare that public convenience and necessity require, applicant, its successors and assigns, to exercise the rights and privileges granted to it by the County of Solano under Ordinance No. 105, passed on May 8, 1924, by the Board of Supervisors of said County of Solano, public hearing having been held and it appearing to the Railroad Commission that public con-

venience and necessity require the exercise by applicant, its successors and assigns, of the rights and privileges referred to in said Ordinance.

The Railroad Commission of the State of California hereby declares that public convenience and necessity require, and will require, the exercise by Pacific Gas and Electric Company, its successors and assigns, of the rights and privileges conferred upon it by Ordinance No. 105, passed May 8th, 1924, by the Board of Supervisors of the County of Solano, provided that the Railroad Commission may hereafter by appropriate proceedings and orders revoke or limit, as to territory not then served by Pacific Gas and Electric Company, the authority herein granted.

The foregoing Opinion and Order are hereby approved and ordered filed as the Opinion and Order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 28<sup>th</sup> day of August, 1924.

C. Seaver  
H. A. Bennett  
Jessie Martin  
Egerton Shore

Commissioners