

Decision No. 140 76

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
SAMUEL H. GUNDER, doing business
under the firm name of the ELSINORE
GAS WORKS for a Certificate of
Public Convenience and Necessity.

Application No. 9995.

ORIGINAL

Thomas J. Reynolds, for Applicant.

BY THE COMMISSION:

O P I N I O N

Samuel H. Gunder has applied for an order of the Commission certifying that public convenience and necessity require the exercise by him of a franchise granted by the City of Elsinore for the construction and operation of a gas distribution system. This franchise was granted by Ordinance 149 of the City of Elsinore, adopted July 2, 1923, and contains the provisions usual in such ordinances including the requirement that a franchise tax of 2 per cent of the gross revenue be paid, beginning five years after the date of grant. This is the first gas utility in the City of Elsinore, and there is no question concerning competition, nor can there be any doubt that Mr. Gunder should be permitted to exercise the franchise in question and to supply the citizens of Elsinore with gas. A stipulation has been filed, in form satisfactory to the Commission, that no value will ever be claimed for this franchise in excess of the actual amount paid to the City of Elsinore, which was testified to as One Hundred Dollars (\$100.00).

O R D E R

Samuel H. Gunder, doing business under the firm name of Elsinore Gas Works, having applied to the Railroad Commission

for a Certificate of Public Convenience and Necessity authorizing him to exercise and enjoy the rights and privileges granted to him under and by Ordinance No. 149, passed and adopted on the second day of July, 1923, by the Board of Trustees of the City of Elsinore, and Samuel H. Gunder having stipulated, in form satisfactory to this Commission, that he will not claim for said franchise any greater value than the actual cost thereof,

THE RAILROAD COMMISSION DOES HEREBY CERTIFY AND DECLARE that public convenience and necessity require the exercise by Samuel H. Gunder, doing business under the firm name of Elsinore Gas Works, of the rights and privileges granted under Ordinance No. 149 of the City of Elsinore.

DATED at San Francisco, California, this 27th day of September, 1924.

C. L. Seamy

Dwight MacIsaac
Egerton Shore

J. T. Whitting
Commissioners