

Decision No. 14167

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 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 No. 222 of the Board of Trustees of the City of Albany, County of Alameda, State of California.

Application No. 10438.

C. P. Cutten, for Applicant.

MARTIN, COMMISSIONER:

ORIGINAL

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. 222, passed July 21, 1924, by the Board of Trustees of the City of Albany, County of Alameda. A hearing was held on September 19, 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 years, the right to maintain a gas distribution system and supply gas for heat and power purposes. Gas is now being supplied for lighting purposes under a constitutional franchise.

Among other things, the ordinance requires the payment to the City of Albany of a tax of two percent of the gross annual receipts arising from the exercise of the franchise.

The evidence shows that the Pacific Gas and Electric

Company is the only utility now engaged in furnishing artificial gas in Albany. Applicant reports the cost of securing this franchise at 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 or other public body having jurisdiction, a value for this franchise in excess of One Hundred Dollars (\$100.00).

I 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 under Ordinance No. 222, passed on July 21, 1924, by the Board of Trustees of the City of Albany, a public hearing having been held and a satisfactory stipulation regarding future claims of the value of said franchise having been filed, 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. 222, passed on July 21, 1924, by the Board of Trustees of the City of Albany.

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.

October
~~September~~, 1924. Dated at San Francisco, this 10th day of

W. C. [Signature]
H. B. [Signature]
Irving Martin