

LEM

Decision No. 17956.

**ORIGINAL**

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 Cal- )  
ifornia granting to applicant a cer- )  
tificate of public convenience and )  
necessity to exercise the rights, )  
privileges and franchise granted by )  
Ordinance No. 100 of the Board of )  
Supervisors of the County of Colusa. )

Application No. 13407.

R. W. DuVal, for applicant.

BY THE COMMISSION:

O P I N I O N

In this application Pacific Gas and Electric Company asks the Railroad Commission for an order granting applicant a certificate of public convenience and necessity to exercise the rights, privileges and franchise granted by Ordinance No. 100 of the Board of Supervisors of the County of Colusa.

A public hearing before Examiner Fankhauser was held on January 19, 1927, at which time testimony was introduced and the matter submitted.

It appears that the Pacific Gas and Electric Company has in the past been distributing electric energy in Colusa County under a franchise granted to Northern California Power Company, Consolidated on August 12, 1911, (Ordinance No. 69 of the Board of Supervisors of Colusa County) said franchise having been acquired by applicant through the purchase of the properties of Northern California Power Company, Consolidated. This franchise is for a term of fifty (50) years and among other things provides that all construction work must be completed within three (3) years from the date of the

franchise. The three (3) year period has elapsed and therefore applicant has concluded that it should obtain a new franchise in order to lawfully erect, construct or maintain any new or additional electric lines, poles or other structures or facilities in or upon the public highways, streets and roads of Colusa County. On October 19, 1926 the Board of Supervisors of Colusa County, according to the record in this proceeding, adopted an ordinance (#100) granting to Pacific Gas and Electric Company, its successors and assigns, for a term of fifty years from and after the effective date of the ordinance (November 18, 1926) the right, privilege and franchise of erecting, constructing and maintaining electric lines consisting of poles and other suitable structures and wires, crossarms and other appliances installed thereon, including wires for the private telephone and telegraph purposes of applicant, in so many and in such parts of the public highways, streets and roads of said County of Colusa as applicant might elect to use for the purposes specified and of using such electric lines for the purpose of transmitting, distributing and supplying electricity to the public for light, heat, power and all lawful purposes.

A copy of the Ordinance is filed in this proceeding as Applicant's Exhibit A.

The testimony shows that no other electric utility is operating in Colusa County. No one appeared at the hearing to protest the granting of this application.

Applicant has filed with the Commission a stipulation authorized by its Board of Directors to the effect that applicant, its successors or assigns will never claim before the Railroad Commission or before any court or other public body any value for the aforesaid franchise in excess of the amount actually paid by it to the County of Colusa, which cost is reported at One Hundred(100.) Dollars.

ORDER

Pacific Gas and Electric Company having applied to the Railroad Commission for a certificate declaring that public convenience and necessity require the exercise by it of the rights, privileges and franchise granted by Ordinance No. 100 of the Board of Supervisors of the County of Colusa, a public hearing having been held and the Commission being of the opinion that this application should be granted, therefore,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require and will require the exercise by Pacific Gas and Electric Company of the rights, privileges and franchise granted by Ordinance No. 100 of the Board of Supervisors of the County of Colusa and that the authority herein granted shall be effective from and after the date of this order.

DATED at San Francisco, California, this 4<sup>th</sup> day of February, 1927.

Frank West  
H. K. Brundage  
C. Seaver  
Leon Whitely  
Thos. E. Lott

Commissioners.