

ORIGINAL

Decision No. 18611 -

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application
of SOUTHERN COUNTIES GAS COMPANY
of California for certificate of
public convenience and necessity
to exercise certain franchise
rights granted to it by the County
of Orange.

Application No. 13,776.

A. F. Bridge, for Applicant.

WEITSELL, COMMISSIONER:

O P I N I O N

This is an application by Southern Counties Gas Company of California for an order declaring that public convenience and necessity require the exercise by it of the rights and privileges of franchise granted by the County of Orange.

Public hearing was held at Santa Ana on June 25, 1927, at which time testimony was introduced and the matter submitted for decision.

Applicant has constructed and is operating a gas transmission and distribution system to serve the town of Laguna Beach, which system was installed under temporary permits.

Ordinance No. 260, passed April 19, 1927, by the Board of Supervisors of the County of Orange, grants applicant

a franchise to install, operate and maintain gas facilities within that portion of Orange County described in the franchise. This franchise, a copy of which is attached to the application, is for a term of fifty years and carries the usual provision for a tax of two per cent of the gross revenue, effective five years from the date of grant.

Mr. A. F. Bridge, appearing for applicant, testified that no other company is serving gas within this portion or any other portion of Orange County, that service can be rendered without detriment to present consumers on applicant's system, and that this service is in the public interest.

Applicant will file with this Commission a stipulation duly and legally approved by resolution of its Board of Directors, to the effect that applicant, its successors or assigns, will never claim before the Railroad Commission or any court or public body, any value for the aforementioned franchise in excess of the original cost thereof.

I recommend the following form of order:

O R D E R

Southern Counties Gas Company of California having applied to the Railroad Commission for a certificate of public convenience and necessity authorizing the exercise by applicant of certain rights and privileges granted by the County of Orange, Ordinance No. 260, a public hearing having been held, the matter having been duly submitted and now being ready for decision,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA
HEREBY CERTIFIES AND DECLARES that public convenience and
necessity require and will require the exercise by Southern
Counties Gas Company of California of those rights and privi-

leges granted by Ordinance No. 260, adopted by the Board of Supervisors of the County of Orange on April 19, 1927, provided that the Railroad Commission may hereafter by appropriate proceedings and orders revoke or limit, as to territory not then served by Southern Counties Gas Company, the authority herein granted, and subject to the following conditions:

That on or before August 31, 1927, Southern Counties Gas Company shall file with this Commission a stipulation duly executed upon authority of its Board of Directors, to the effect that applicant, its successors or assigns, will never claim before the Railroad Commission or any court or public body any value for the aforesaid franchise in excess of the original cost thereof.

The authority herein granted shall be effective from and after the date of this order.

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 13 day
of July, 1927.

Emmuel

Chas

Leon Whitell

Commissioners.