

ORIGINAL

Decision No. 19521.

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. 293 of the Board of Supervisors of the County of Santa Cruz, State of California.

Application No. 14427.

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 declaring that public convenience and necessity requires the exercise by it of the rights and privileges of franchise granted by the County of Santa Cruz.

Public hearing before Examiner Rowell was held March 2, 1928, in the City of San Francisco, at which time testimony was introduced and the matter submitted for decision.

It appears that Pacific Gas and Electric Company has received application for electric service from Woodwardia Inn located on the Los Gatos-Santa Cruz State Highway in Santa Cruz County, approximately one thousand feet from applicant's electric facilities in Santa Clara County. Applicant alleges that it can justify extension of facilities to Woodwardia Inn

under its extension rule and proposes to serve other prospects in this general area as soon as the growth in business will warrant.

An exhibit entitled "Proposed Electric Distribution in Santa Cruz County" was filed by applicant. This purports to show the location of Woodwardia Inn, the other prospective business in the same general territory and the nearest electric facilities of the Coast Counties Gas and Electric Company with respect to applicant's electric facilities. The evidence shows that the Coast Counties Gas and Electric Company, the nearest electric utility serving in Santa Cruz County, is some four or five miles away from the prospective consumers indicated by applicant and that these prospective consumers are nearer to the facilities of applicant than the facilities of any other electric utility. The testimony makes apparent that public convenience and necessity require and will require electric service in this area.

No one appeared in opposition to the application and applicant stipulated that it would not, without permission from the Railroad Commission, make any extension of its electric system in territory in Santa Cruz County now supplied with electric service by any other electric utility or in territory reasonably contiguous to the electric lines of any other utility.

The Board of Supervisors of Santa Cruz County on January 23, 1928, granted to applicant a franchise (Ordinance No. 293), marked Exhibit "A" and made a part of the application, to construct, maintain and operate electric facilities in Santa Cruz County. Applicant has filed with this Commission a resolution of its Board of Directors to the effect that applicant, its successors or assigns, would never claim before the Railroad Commission or any

court or public body any value for the aforesaid franchise in excess of the actual cost thereof, which cost was One hundred dollars (\$100.00).

We have carefully considered the evidence in this proceeding and are of the opinion that this application should be granted subject to certain restrictions.

O R D E R

Pacific Gas and Electric Company having applied to the Railroad Commission for a certificate of public convenience and necessity for the exercise of certain rights and privileges granted by the County of Santa Cruz under Ordinance No. 293, public hearing having been held, the matter being submitted and now 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 Pacific Gas and Electric Company of the rights and privileges granted by Ordinance No. 293 of the Board of Supervisors of Santa Cruz County, subject to the following conditions:

(1) That applicant will not, without further permission of the Railroad Commission authorizing it so to do, make any extension of its electric system in territory in Santa Cruz County now or subsequently supplied with electric service by any other electric utility, or in territory reasonably contiguous to the electric lines of any other utility.

(2) That the Railroad Commission may hereafter by appropriate proceedings and orders revoke or limit, as to territory not then served in Santa Cruz County by Pacific

Gas and Electric Company, the authority herein granted.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 30th day of March, 1928.

Leon W. Hill

C. S. ...

Paul S. ...

M. J. ...

Commissioners.