

Decision No. 20636.

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 declaring that public convenience and necessity require the exercise of the right, privilege and franchise granted by Ordinance No. 153 of the Board of Trustees of the Town of Belvedere, and the construction, operation and maintenance of the transmission mains and distribution systems referred to herein.

ORIGINAL

Application No. 15214.

C. P. Cutten and R. W. Duval, by R. W. Duval for applicant.

BY THE COMMISSION:

O P I N I O N

Pacific Gas and Electric Company, a corporation, has asked the Railroad Commission for an order declaring that public convenience and necessity require the exercise by it of the rights and privileges of a franchise granted by the Town of Belvedere and the construction of a certain gas transmission main and distribution system in Marin County and in the Town of Belvedere.

A public hearing was held in San Francisco on December 13, 1928, at which time testimony was received and the matter submitted for decision. No one appeared to oppose the granting of this application.

It appears that Pacific Gas and Electric Company now has a high pressure gas transmission main connecting Sausalito and intermediate towns with its San Rafael generating plant and that the desired service can be supplied by a suitable connection to

this main.

Witness for applicant testified that applicant proposes to install a four-inch high pressure transmission main between its Mill Valley metering station and the Town of Belvedere and to install in the Town of Belvedere and the unincorporated area of Tiburon and Corinthian Island a distribution system to serve two hundred six (206) prospective domestic, commercial and industrial consumers. The estimated cost of the combined transmission and distribution facilities is \$67,989.

It is in connection with the above program and the further development of the same in the Town of Belvedere that a franchise has been secured.

Ordinance No. 153, adopted November 5, 1928, by the Board of Trustees of the Town of Belvedere, grants applicant a franchise to install and maintain gas transmission and distribution facilities within the incorporated limits of the town. This franchise, a copy of which is attached to the application, is for a term of fifty (50) years and carries the usual provision for a tax of two (2) per cent upon the gross revenue, such tax to become effective five (5) years from and after the date of grant.

The remaining portion of the system, located without the incorporated limits of the Town of Belvedere, will be governed by an existing franchise previously granted by the Board of Supervisors of Marin County.

No other utility is at present serving gas in Marin County.

Applicant has filed with this Commission a resolution of its Board of Directors to the effect that applicant, its successors or assigns will never claim before the Railroad Com-

mission, or before any court or other public body, any value for the above mentioned franchise in excess of the actual cost thereof which is stated to be One Hundred (100) Dollars.

If the desired certificate is granted, applicant proposes to apply to this area its gas Schedule 13-G under which service is supplied to Petaluma, Novato, Mill Valley, Sausalito and adjacent suburban areas of similar character in Marin County.

O R D E R

Pacific Gas and Electric Company, a corporation, having applied to the Railroad Commission of the State of California for an order declaring that public convenience and necessity require and will require the exercise of rights and privileges heretofore granted to it by the Town of Belvedere, under Ordinance No. 153, and the construction of a certain gas transmission and distribution system, a public hearing having been held, the matter having been submitted and now being ready for decision,

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, a corporation, of the rights and privileges as contained in the franchise granted by Ordinance No. 153 of the Board of Trustees of the Town of Belvedere and the construction of a gas transmission main between its Mill Valley metering station and the Town of Belvedere and a distribution system within the Town of Belvedere

and the unincorporated area in and about Tiburon and Corinthian Island.

The effective date of this order shall be twenty (20) days from and after the date hereof.

Dated at San Francisco, California, this 28th day of December, 1928.

Leon Whittell

O. Stearns

John D. Barrett

M. A. Cunn

Commissioners.