

ORIGINAL

Decision No. 91421.

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 construct the gas
 transmission lines and systems
 therein described, and to exercise
 the right, privilege and franchise
 granted to applicant by Ordinance
 No. 141 of the Board of Supervisors
 of the County of Kings.

Application No. 15696.

C. P. Cutten, for Applicant.
 T. J. Reynolds and A. B. MacBeth,
 for Southern California Gas Company.

WEITSELL, COMMISSIONER:

O P I N I O N

In this application, in which Pacific Gas and Electric Company, applicant, refers to and incorporates therein its Application No. 15602, applicant alleges that, in addition to the proposed pipe lines and project for the transmission of natural gas covered by Application No. 15602, it proposes to lay, install and maintain a single pipe line from Kettleman Station in Kings County, in Section 25, Township 22 South, Range 18 East, M.D.B.&M., to the gas plant of applicant at Fresno. Said pipe line to be approximately sixty (60) miles in length, to be built of pipe eight (8) inches in diameter, having a daily delivery capacity of approximately eleven million (11,000,000) cubic feet of gas per day and the cost of which would be approximately six hundred thousand (600,000) dollars.

Applicant further alleges that said pipe line would be

constructed on private rights-of-way and on the public highways under franchises from the proper governmental divisions and agencies of this state, including the right, privilege and franchise granted to it under Ordinance No. 141 of the Board of Supervisors of the County of Kings, under date of April 15, 1929.

Public hearings on this application were held at San Francisco on June 13, 20 and 21, 1929.

Evidence presented indicates that Pacific Gas and Electric Company is now supplying manufactured gas of 550 B.t.u. heat content to its consumers in the City of Fresno and suburbs.

If the application is granted, Pacific Gas and Electric Company will construct the necessary transmission line and facilities from Kettleman Hills oil field to supply straight natural gas of approximately 1100 B.t.u. heat content to its consumers in the City of Fresno and suburbs.

The source of natural gas to communities now supplied with manufactured gas, when feasible, is clearly a matter of public convenience and necessity.

The application will be granted subject to such limitations as seem warranted.

Copy of franchise which has been granted to applicant, namely for the County of Kings, has been filed with this Commission.

I recommend the following form of order:

O R D E R

Pacific Gas and Electric Company having applied to the Railroad Commission of the State of California for an order and decision certifying that public convenience and necessity require and will require the exercise by applicant of the right, privilege and franchise granted to it by the County of Kings and the grant-

ing and conferring upon applicant all necessary permission and authority to construct, complete, operate and maintain the pipe line project set forth in the opinion of this order, public hearings having been held, the matter being submitted and now ready for decision,

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and the same is hereby granted to Pacific Gas and Electric Company to construct and operate the natural gas transmission project referred to in the opinion above and for the exercise of the franchise rights granted to it under Ordinance No. 141 by the Board of Supervisors of the County of Kings, in so far as the exercise of such franchise may be necessary for such transmission of natural gas and subject to the following conditions and not otherwise:

(1) That all of the natural gas transported by means of said pipe line shall be disposed of, allocated and distributed in accordance with the orders of this Commission.

(2) That applicant shall, at the discretion of this Commission, and when transmission line and compressor capacities permit, transmit natural gas for other utilities, the volumes of gas thus transported, and the transportation charges made therefor being subject to the approval of this Commission.

(3) That no natural gas transported through said pipe line shall be delivered or sold for resale except under such conditions as may be specifically approved by this Commission.

(4) That Pacific Gas and Electric Company shall not occupy or use any of the public highways or roads of the County of Fresno, or other county, in the construction of said pipe line, the right to the occupancy or use of which it does not now have, unless and until it files with this Commission certified copies of franchise or franchises granting to it such rights and privileges.

(5) That Pacific Gas and Electric Company shall file with this Commission a stipulation, duly executed on authority of its Board of Directors, agreeing that applicant, its successors or assigns, will never claim before the Railroad Commission or any court or other public body, a value for any of the permits, easements and franchises used in connection with this project in excess of the original cost thereof.

(6) Upon the filing of the franchises and stipulations referred to in paragraphs (4) and (5), in the proper form, this Commission will issue its supplemental order authorizing the exercise of rights conferred by such franchises. Said franchises and stipulations shall be filed on or before September 30, 1929.

The authorization herein granted, except as otherwise specifically provided, shall be effective from and after the date of this order.

For all other purposes the effective date of this order shall be twenty (20) days from and after the date hereof.

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 3rd day
of August, 1929.

David L. Lott

Leon Whittell

W. H. Carr
Commissioners.