

ORIGINAL

Decision No. 21545.

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 trans-
 mission lines and systems herein
 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; and fixing and establishing
 fair and reasonable rates and charges
 to be collected by applicant from its
 consumers in the City of Fresno and
 suburbs for the service of natural gas.

Application No. 15696.

BY THE COMMISSION:

SUPPLEMENTAL OPINION AND ORDER

In Decision No. 21421, dated August 3, 1929, this Commission made its order granting Pacific Gas and Electric Company a certificate of public convenience and necessity for the construction and operation of a certain natural gas transmission project in Fresno and Kings Counties, and for the exercise of franchise rights granted under Ordinance No. 141 of the County of Kings. Such certificate was made contingent upon the following, among other conditions:

- "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 actual 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."

In conformity with the above, Pacific Gas and Electric Company has now filed its supplemental application accompanied by certified copies of franchises granted by the Counties of Fresno and Kings and stipulation as to the value of the permits, easements and franchises, all in proper form, and asks the Commission to make its order and decision granting to applicant a certificate of public convenience and necessity for the exercise of franchise rights in Fresno County.

O R D E R

Pacific Gas and Electric Company, having applied to this Commission for an order declaring that public convenience and necessity require and will require the exercise by it of rights and privileges granted to it by the County of Fresno under Ordinance No. 273,

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 of the

rights and privileges granted under Ordinance No. 273 of the County of Fresno in so far as the exercise of such franchise may be necessary in supplying natural gas to the City of Fresno and suburbs.

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

Dated at San Francisco, California, this 12th day of September, 1929.

Thos B. Lovitt
Ch. Leaver
Ernest J. ...
Leon ...
M. J. ...
 Commissioners.