

Decision No. 22110.

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 line and system herein described; and to exercise the right, privilege and franchise granted to applicant by Ordinance No. 118 of the Board of Supervisors of the County of San Benito; and fixing and establishing fair and reasonable rates to be charged and collected by applicant from its consumers for the natural gas service herein referred to.

ORIGINAL

Application No. 15697.

WHITSELL, COMMISSIONER:

SECOND SUPPLEMENTAL OPINION AND ORDER

In this Second Supplemental Application No. 15697, Pacific Gas and Electric Company incorporates its Original and First Supplemental Applications No. 15697, upon which this Commission has rendered its Decisions No. 21363 and No. 21508, respectively, granting to applicant a certificate of public convenience and necessity covering the construction and operation by applicant of the natural gas transmission project outlined therein, extending from a point on applicant's Kettleman-Milpitas transmission line, near Hollister, to applicant's gas plants situated in the cities of Salinas and Monterey, County of Monterey, and the authority for the exercise of franchises granted to applicant under Ordinance No. 118 of the Board of Supervisors of the County of San Benito, and under Ordinance No. 371 of the

Board of Supervisors of the County of Monterey.

Applicant alleges that on August 28, 1929, the City Council of the City of Carmel-by-the-Sea, County of Monterey, granted to applicant, under its Ordinance No. 98, a franchise to lay, maintain and use gas mains for the purpose of distributing gas in said city, a copy of said Ordinance being attached to and made a part of its Second Supplemental Application and marked Exhibit "A".

In this application, Pacific Gas and Electric Company asks the Commission for an order granting to applicant a certificate of public convenience and necessity covering the construction and operation of the transmission line extension and distribution system necessary to serve the City of Carmel-by-the-Sea and the authority to exercise the franchise rights granted to applicant under said Ordinance No. 98, by the City of Carmel-by-the-Sea.

A public hearing was held on this application before Commissioner Whitsell at San Francisco, California, on February 1, 1930, at which hearing testimony was introduced by witness for applicant, setting forth the following:

That applicant is now and for many years last past its predecessor has been the only utility furnishing gas in the County of Monterey; that the City of Carmel-by-the-Sea now has no gas service whatsoever; that a large number of inhabitants of said city has signified their desire to purchase gas service from applicant; that applicant is adequately prepared to finance this project by the sale of securities or from cash on hand; that the estimated cost of said project is approximately \$133,000; that the possible number of consumers is between 500 and 750 and

that public convenience and necessity require and will require the construction, maintenance and operation of said project and the exercise of said franchise by applicant.

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 a second supplementary order and decision granting to applicant a certificate of public convenience and necessity covering the construction, maintenance and operation of the transmission and distribution project set forth in the above opinion, together with the authority to exercise the franchise rights granted to it under Ordinance No. 98 by the City of Carmel-by-the-Sea, 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 construction, maintenance and operation by Pacific Gas and Electric Company of the natural gas transmission and distribution project set forth above and the exercise by said utility of the franchise rights granted to it under Ordinance No. 98 by the City of Carmel-by-the-Sea, County of Monterey.

The above certification is subject to the following condition and not otherwise:

That Pacific Gas and Electric Company shall file with this Commission on or before April 30, 1930, a stipulation duly executed on authority of its Board of Directors, agreeing that it will never claim for said franchise, a value in excess

of the cost thereof.

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 11th day of February, 1930.

Cl. Sawyer
Ernest C. ...
Leon ...
Thos. ...
H. A. ...
 Commissioners.