

Decision No. 22191.

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. 193 R.S. of the City Council of the City of Benicia; and the construction, operation and maintenance of the transmission main and distribution system referred to herein.

ORIGINAL

Application No. 16130.

C. P. Cutten, for applicant.

WEITSELL, COMMISSIONER:

O P I N I O N

In this application Pacific Gas and Electric Company asks the Railroad Commission of the State of California for a certificate of public convenience and necessity, authorizing applicant to construct, operate and maintain a gas transmission and distribution system for the purpose of furnishing gas to the residents of the City of Benicia, and the exercise by applicant of the right, privilege and franchise granted to it by Ordinance No. 193 R.S. of the City Council of the City of Benicia, County of Solano.

A public hearing was held upon this application at San Francisco, California, on January 28, 1930, at which hearing testimony was introduced setting forth the facts that applicant is the only public utility engaged in the furnishing of gas in the County of Solano; that the inhabitants of the City of Benicia

are not now receiving any gas service whatsoever; that on October 15, 1929, the City of Benicia did grant to applicant a franchise covering the service of gas under its Ordinance No. 193 R.S. for a term of fifty (50) years; that applicant's existing gas transmission and distribution system in the County of Solano extends from applicant's gas manufacturing plant at Vallejo to a point outside the city limits of the City of Vallejo; that applicant owns and possesses the right, privilege and franchise to lay, maintain and use gas lines in the County of Solano; that some 425 residents of the City of Benicia have signified their desire for gas service; that the application contemplates the service first of manufactured gas under Rate Schedule No. G-13, and later the service of natural gas to the residents of the City of Benicia; that public convenience and necessity will require the construction and operation of this project and the exercise of the rights, franchises and permits necessary thereto.

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 certificate of public convenience and necessity authorizing it to construct, operate and maintain a gas transmission and distribution project for the purpose of furnishing gas to the residents of the City of Benicia, and the exercise by applicant of the right, privilege and franchise granted to it by Ordinance No. 193 R.S. of the City of Benicia, County of Solano, public hearing having been held, the matter being submitted and now ready for decision,

The Railroad Commission of the State of California hereby declares that public convenience and necessity require and

will require the construction by Pacific Gas and Electric Company of the transmission and distribution project described in the opinion above and the exercise by Pacific Gas and Electric Company of the right, privilege and franchise granted to applicant by Ordinance No. 193 R.S. of the City Council of the City of Benicia, County of Solano, State of California, in so far as such right, privilege and franchise are necessary thereto.

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 1, 1930, a stipulation, duly authorized upon authority of its Board of Directors, that applicant, its successors or assigns will never claim a value for the franchise granted to it under Ordinance No. 193 R.S., a value in excess of the cost thereof.

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.

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

Dated at San Francisco, California, this 11th day of March, 1930.

P. L. Seamy

Leon A. White
Thomas D. Lovell

W. J. Carr

Commissioners.