

Decision No. 22263

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application  
of Coast Counties Gas and Electric  
Company, a corporation, for a  
certificate of public convenience  
and necessity authorizing it to  
exercise certain rights and per-  
mits under a franchise which it  
contemplates securing from the  
Town of Walnut Creek, and author-  
izing it further to exercise the  
rights and privileges granted  
under Ordinance No. 130 of the  
County of Contra Costa which have  
not heretofore been authorized to  
be exercised by the Railroad Com-  
mission of the State of California.

**ORIGINAL**

Application No. 15,995.

Felix T. Smith and R. L. Vaughan - for applicant.  
C. P. Cutten for Pacific Gas & Electric  
Company, protestant.  
Edward Shary for Consumers Gas Company,  
T. J. Reynolds for Southern California Gas  
Company.

WEITSELL, COMMISSIONER.

O P I N I O N

In this application Coast Counties Gas and Electric  
Company asks the Railroad Commission of the State of California  
for a certificate of public convenience and necessity authorizing  
it to exercise certain rights and permits under a franchise  
which it contemplates securing from the Town of Walnut Creek  
and further to exercise the rights and privileges granted to  
it under Ordinance No. 130 of the County of Contra Costa which  
have not heretofore been authorized to be exercised by the  
Railroad Commission of the State of California, comprising the  
communities of Bay Point, Walnut Creek, Danville, Alamo, San  
Ramon, Osage, Los Medanos, Oakley, Brentwood and Byron.

Public hearings were held upon this application at

San Francisco, California, on November 27, 1929, and on January 28, 1930.

At these hearings testimony was introduced to show that applicant had made a survey of the territory it contemplated serving under certificate applied for in this application, such survey indicating that the extensions to applicant's system necessary to serve the communities in question would cost between \$250,000 and \$300,000; that these communities are not now receiving gas service; that a large number of the residents therein have petitioned applicant to extend gas service to them; that the revenue from such service would justify the expenditure necessary thereto; and that public convenience and necessity require and will require that these communities be served with natural gas.

I recommend the following form of order:

O R D E R

Coast Counties Gas and Electric Company having asked the Railroad Commission of the State of California for a certificate of public convenience and necessity authorizing applicant to construct transmission and distribution facilities to serve natural gas to the communities of Bay Point, Walnut Creek, Denville, Alamo, San Ramon, Osage, Los Medanos, Oakley, Brentwood and Byron, and to exercise the rights and privileges necessary thereto, granted to applicant by franchise under Ordinance No. 130 of the County of Contra Costa and under franchise which applicant contemplates securing from the Town of Walnut Creek, public hearings 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, maintenance and use by Coast Counties Gas and Electric Company of the natural gas transmission and distribution facilities above mentioned, and the exercise by applicant of the rights and privileges of the franchise granted to applicant under Ordinance No. 130 of the County of Contra Costa and under the franchise which applicant contemplates securing from the Town of Walnut Creek, in so far as both of these franchises are necessary to the construction, maintenance and use of this specific project, provided that the Railroad Commission may hereafter by appropriate proceedings and orders revoke or limit, as to territory not then served by Coast Counties Gas and Electric Company, the authority herein granted.

The above authorization is subject to the following conditions and not otherwise:

1. That Coast Counties Gas and Electric Company shall file with this Commission certified copies of the franchise from the Town of Walnut Creek, and of the franchise granted to applicant under Ordinance No. 130 of the County of Contra Costa.

2. That Coast Counties Gas and Electric Company shall file with this Commission stipulations duly executed on authority of its Board of Directors, agreeing that applicant, its successors or assigns will never claim a value for these franchises in excess of the original cost thereof.

3. Upon the filing of the franchises and stipulations referred to in paragraphs (1) and (2) in the proper form, this Commission will issue its supplemental order authorizing the exercise of the rights and privileges conferred by such franchises. Said franchises and stipulations shall be filed on or before April 30, 1930.