

Decision No. 22875

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 exercise the right,
 privilege and franchise granted to
 applicant by Ordinance No. 128 of the
 Board of Supervisors of the County of
 Sierra, State of California.

ORIGINAL

Application No. 16635.

R. W. DuVal for applicant.

DECOTO, COMMISSIONER:

O P I N I O N

In this application Pacific Gas and Electric Company, a corporation, organized and existing under and by virtue of the laws of the State of California, asks that the Railroad Commission of the State of California make its order and decision declaring that public convenience and necessity require and will require the exercise by applicant of the rights and privileges granted to it by Ordinance No. 128 of the Board of Supervisors of the County of Sierra, State of California.

The application shows that Pacific Gas and Electric Company is now and for some time past has been furnishing and supplying electric energy to the inhabitants of and industries situated in certain parts of the County of Sierra by means of electric plants, properties and facilities which it acquired from C. J. York (formerly doing business under the name of Downieville Electric Light and Power Company) and from Middle Yuba Hydro-Electric

Company; that prior to the time of the obtaining of the aforesaid franchise granted by Ordinance No. 128 the applicant did not own or enjoy a franchise to occupy the public highways, streets or roads of the County of Sierra for the purpose of transmitting, distributing and supplying electricity.

A public hearing was held at Downieville, Sierra County, California, on September 10, 1930, before Commissioner Decoto, at which time evidence was introduced and the matter submitted for decision. No one appeared to protest the granting of the application.

N. R. Sutherland, witness for applicant, testified that the Town of Downieville is now being served by a transmission line from the applicant's main transmission network and that consumers in the County of Sierra are and will receive service under rates identical with those for similar service in the balance of applicant's territory.

Witness further testified that if this application is granted, Pacific Gas and Electric Company will not engage in the public utility business of furnishing and supplying electric service in said county of Sierra in competition to either Loyalton Light and Water Plant or Sierra Pacific Power Company and counsel for applicant further stipulated that this application, if granted, would not be used for the purpose of engaging in a competitive business with the aforesaid utilities.

Pacific Gas and Electric Company has shown that it has been serving electric energy in Sierra County from its system at rates which are identical to those under which it renders similar service to other comparable territory of its system, and it therefore appears that public convenience and necessity will be served

by the continuation of this service.

Applicant has stipulated to the effect that applicant, its successors or assigns, will never claim before the Railroad Commission or any court or public body, any value for the afore-said franchise in excess of the actual cost thereof, which is stated to be the sum of Two Hundred Forty-eight Dollars and Twenty-seven Cents (\$248.27).

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 certifying that public convenience and necessity require and will require the exercise of the rights and privileges granted to it by Ordinance No. 128 of the Board of Supervisors of the County of Sierra, State of California, a public hearing having been held, the matter being submitted and now ready for decision,

IT IS HEREBY ORDERED that Pacific Gas and Electric Company be and it is hereby authorized to exercise the rights and privileges granted to it by Ordinance No. 128 of the Board of Supervisors of the County of Sierra in so far as the exercise of such rights and privileges are necessary for the transmission, distribution and sale of electric energy in said County.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 16th day of September, 1930.

W. J. Sawyer
Edward R. ...
Leon ...
W. H. ...

Commissioners.