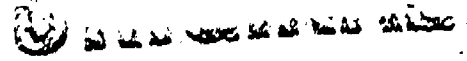


Decision No. 23408



BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application)	
of SOUTHERN COUNTIES GAS COMPANY)	
OF CALIFORNIA, a corporation,)	
for a certificate of public con-)	
venience and necessity under)	Application No. 17155
Section 50 of the Public Utilities)	
Act, for authority to exercise Fran-)	
chise acquired.)	

LeRoy M. Edwards, for Applicant.

CARR, COMMISSIONER :

O P I N I O N

Southern Counties Gas Company of California applies for a certificate of public convenience and necessity for the exercise of the franchise granted by Ordinance No.C-1011 of the City of Long Beach.

A public hearing was held on this application at Los Angeles, California, on February 11, 1931.

Applicant serves Terminal Island at Los Angeles Harbor with natural gas. Heretofore it has maintained its pipeline across San Pedro Harbor but has experienced some difficulty in its maintenance because it is occasionally broken by the dragging of anchors by steamships passing in and out of the harbor.

The franchise which it seeks to exercise provides for an alternative route to reach Terminal Island with its pipeline.

The franchise granted by the City of Long Beach, a copy of which is attached to the application, specifically provides that it "shall at no time be used for the purpose of serving consumers within said city".

It clearly appears from the testimony and evidence that public convenience and necessity require and will require the exercise by applicant of the rights and privileges extended by this franchise.

I recommend the following form of Order:

O R D E R

Southern Counties Gas Company of California having asked that the Commission 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 by franchise under Ordinance No. C-1011 of the City of Long Beach, public hearing having been held, the matter being submitted and now ready for decision,

The Railroad Commission of the State of California hereby orders and declares that public convenience and necessity require and will require the exercise by applicant of the rights and privileges granted by franchise under Ordinance No. C-1011 of the City of Long Beach.

The above certificate is subject to the following conditions:

- (1) That Southern Counties Gas Company of California shall file with this Commission on or before March 10, 1931, a stipulation duly executed upon authority of its Board of Directors that applicant, its successors or assigns will never claim before the Railroad Commission, or any other body or court, a value for such franchise in excess of the actual cost thereof.
- (2) Upon the filing in satisfactory form of the stipulation and agreement, the Commission will issue its supplemental order authorizing the exercise by applicant of the rights and privileges granted by franchise under Ordinance No. C-1011 of the City of Long Beach.

The effective date of this order except as otherwise specifically set forth shall be twenty days from 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 16th day of February, 1931.

C. Seamy

L. W. Bell

M. A. Con

M. B. Harris

Fred C. Stewart

Commissioners.