

Decision No. 24549.

## BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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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. 165 of  
 the Board of Supervisors of the  
 County of Lassen, State of California.

Application No. 17799.

ORIGINAL

C. P. Cutten and R. W. Duval, by R. W. Duval  
 for Applicant.

BY THE COMMISSION:

OPINION

Pacific Gas and Electric Company, a corporation, has asked the Railroad Commission for an order declaring that public convenience and necessity require the exercise by it of the rights and privileges of franchise granted by the County of Lassen and the extension of its electric distribution system from the town of McArthur, Shasta County to the town of Bieber, Lassen County.

A public hearing was held in Susanville, before Examiner Johnson, on January 6, 1932, at which time testimony was received and the matter submitted for decision upon the filing of the necessary stipulation and affidavit of publication. No one appeared to oppose the granting of this application.

Witness for applicant testified that applicant proposes to extend an eleven kilovolt line from McArthur to Bieber, a distance of eighteen miles, passing through the towns of Pittville and Big Valley

City on the way and to install adequate distribution facilities in these towns and adjacent rural territory. The estimated cost of this extension is \$69,192.00, and the amount of revenue to be expected therefrom, as evidenced by applications received by applicant, is sufficient to warrant this expenditure under the provisions of its authorized extension rule.

It is in connection with the fulfillment of this program that a franchise has been secured and construction work begun. As a matter of fact, upon insistence by the citizens of Bieber applicant rushed its main line to completion so that they might more fittingly celebrate the completion of the tie line between the Great Northern Railway system and the Western Pacific Railway system on November 8, 1931.

Ordinance No. 165, adopted October 5, 1931, by the Board of Supervisors of Lassen County, grants applicant the right, privilege and franchise of erecting, constructing and maintaining electric lines and facilities on all public roads, streets or highways in said county for the purpose of transmitting and distributing electric energy. This franchise, a copy of which is attached to the application, is for a term of fifty (50) years and carries the usual provision for a tax of two (2) per cent upon the gross revenue obtained through its exercise, such tax to become effective five (5) years from and after date of grant.

No other utility is at present serving the territory for which this extension is being built. Lassen Electric Company, the only other electric utility in Lassen County, supplies the town of Susanville and contiguous rural territory, sixty miles or more distant from Bieber and applicant alleges that it is not seeking this certificate of public convenience and necessity for the purpose of entering into competition with Lassen Electric Company,

and that if granted, it will not, without further permission of the Railroad Commission, make any extensions thereunder into territory now served by Lassen Electric Company or into any territory reasonably contiguous to that company's existing lines.

Applicant has filed with this application a resolution of its Board of Directors to the effect that it, its successors or assigns will never claim before this Commission, or before any court, or other public body, any value for the above mentioned franchise in excess of the actual cost thereof which is stated to be two hundred seventy-four and two one-hundredths dollars (\$274.02).

If the desired certificate is granted, applicant proposes to apply in this territory its regular rates with the exception of certain rates applying to limited areas specifically described in the provisions governing those rates.

#### ORDER

Pacific Gas & Electric Company, a corporation, having applied to the Railroad Commission of the State of California for an order declaring that public convenience requires and will require the exercise of the right, privilege and franchise granted to it by the Board of Supervisors of Lassen County under Ordinance No. 165, and the construction of a certain electric distribution system, a public hearing having been held, the matter having been submitted, and now being ready for decision,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA hereby declares that public convenience and necessity require and will require the exercise by Pacific Gas & Electric Company, a corporation, of the right, privilege and franchise granted to it by

Ordinance No. 165 of the Board of Supervisors of Lassen County and the construction of an extension of its electric distribution system from the town of McArthur in Shasta County to the town of Bieber in Lassen County, passing through and including the towns of Pittville in Shasta County and Big Valley City in Lassen County, provided that the Railroad Commission may hereafter, by appropriate proceedings and orders, revoke or limit as to territory not then served by Pacific Gas and Electric Company or its successors in interest the authority herein granted.

The effective date of this Order shall be twenty (20) days from and after the date hereof.

Dated at San Francisco, California, this 7<sup>th</sup> day of March, 1932.

C. S. Harvey  
Leon A. [unclear]  
W. J. [unclear]  
W. B. Harris  
Fred G. [unclear]  
 Commissioners.