

Decision No. 25110.

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. 132 of the City Council of the City of EL CERRITO, County of Contra Costa, State of California.

**ORIGINAL**

Application No. 18273.

C. P. Cutten, Attorney for Pacific Gas  
and Electric Company.

CARR, COMMISSIONER.

O P I N I O N

This is an application by Pacific Gas and Electric Company for a certificate of public convenience and necessity authorizing applicant to exercise the right, privilege and franchise granted to it by Ordinance No. 132 of the City Council of the City of El Cerrito, County of Contra Costa, covering the service of gas in said city.

A public hearing was held on the application at San Francisco, California, on August 17, 1932, when testimony and evidence set forth the facts that applicant has for the past twenty (20) years been serving gas in said community by virtue of authority granted to it by Ordinance No. 134 of the Board of Supervisors of the County of Contra Costa dated May 14, 1914; that the City of El Cerrito, incorporated subsequent to the

granting of said county franchise now requires applicant to serve consumers in said city under a city franchise; that no other person, firm, or corporation than applicant is now engaged in the public utility business of serving gas in said city and that present and future public convenience and necessity require and will require the exercise by applicant of said franchise granted under Ordinance No. 132.

Being of the opinion that this application should be granted, I recommend the following form of Order:

O R D E R

Pacific Gas and Electric Company, having applied for a certificate of public convenience and necessity authorizing applicant to exercise the right, privilege, and franchise granted to it for a term of fifty (50) years by Ordinance No. 132 of the City Council of the City of El Cerrito, County of Contra Costa, dated May 25, 1932, a 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 a certificate of public convenience and necessity be and the same is hereby granted to Pacific Gas and Electric Company authorizing applicant to exercise the right, privilege, and franchise granted to it by Ordinance No. 132 of the City Council of the City of El Cerrito, County of Contra Costa, State of California, dated May 25, 1932.

IT IS HEREBY FURTHER ORDERED that Pacific Gas and Electric Company file with this Commission a stipulation, duly authorized by its Board of Directors, agreeing that applicant,

its successors or assigns will never claim for said franchise a value greater than the actual cost thereof.

The effective date of this Order is the date hereof.

The foregoing Opinion and Order is 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 29<sup>th</sup> day of August, 1932.

C. W. Wainwright  
Leon Oberholser  
M. J. Carr  
W. B. Hanna  
Fred G. Atkinson  
 Commissioners.