Decis. No. 10275.

ORIGINAL

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 for the exercise of certain franchise rights and the construction, operation and maintenance of a high pressure transmission main and distribution system in the Town of Corte Madera, County of Marin, State of California.	Application No. 7560

BENEDICT, Commissioner:

O P I N I O N

Pacific Gas and Electric Company asks the Railroad Commission to declare that public convenience and necessity require the exercise by applicant of the rights and privileges granted by Ordinance No. 44, passed and adopted January 3rd, 1922 by the Board of Trustees of the Town of Corte Madera. A copy of this Ordinance has been filed in this proceeding.

In general, it grants to Pacific Gas and Electric Company, its successors and assigns, for a term of fifty years the right to lay and maintain gas pipes, mains and conduits in the highways, streets and alleys of the Town of Corte Madera, and to use the same for the purpose of conveying, distributing and supplying gas to the public and particularly to the inhabitants of

the Town itself, all being subject to the terms of the Ordinance.

Among other things the Ordinance requires that the applicant, its successors and assigns, pay during the life of the franchise to the said Town of Corte Madera an amount equal to two per cent (2%) of the gross annual receipts arising from the use, operation or possession of the franchise, provided that no payments need be made during the first five years succeeding the date on which the franchise was granted.

The Ordinance contains certain other conditions with which applicant or its successors and assigns must comply. These conditions are, however, set forth fully in the Ordinance and need not be re-enumerated herein.

Evidence shows that no other utility is at present supplying gas in said Town of Corte Madera, that applicant has adequate facilities for so doing and moreover desires and intends, if authorized by this Commission, to proceed at once to install the necessary transmission and distribution system to adequately render this service.

Applicant reports the cost of procuring this franchise at One Hundred ($100.00) Dollars and has filed a stipulation agreeing that neither it nor its successors and assigns will ever claim before the Railroad Commission of the State of California or any court or other public body having jurisdiction a value for this franchise in excess of One Hundred ($100.00) Dollars.

I hereby submit the following form of Order:

O R D E R

Pacific Gas and Electric Company having asked the

Railroad Commission to declare that public convenience and necessity require applicant, its successors and assigns, to exercise the rights and privileges granted to it by the Town of Corte Madera under Ordinance No. 44, passed and adopted on January 3rd, 1922 by the Board of Trustees of the Town of Corte Madera, a public hearing having been held, and it appearing to the Railroad Commission that public convenience and necessity require the exercise by applicant, its successors and assigns, of the rights and privileges referred to in said Ordinance; now, therefore,

The Railroad Commission of the State of California hereby declares that public convenience and necessity require, and will require, the exercise by Pacific Gas and Electric Company, its successors and assigns, of the rights and privileges conferred upon it by Ordinance No. 44, passed and adopted on January 3rd, 1922 by the Board of Trustees of the Town of Corte Madera.

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 5th day of April, 1922.

H. W. Brundige

Irving Martin

Charles D. Hornwell

T. J. Tenedick

Commissioners.