Decision No. 1223

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

ORIGINAL

Decision No. 1223

In the Matter of the Application of E. M. WILSON, NETTIE B. HARRIS and LAWRENCE A. WILSON for a Certificate that Public Convenience and Necessity Require the Construction of an Electric Line, Plant or System in certain territory in Modoc and Lassen Counties, California.

App. No. 677.

O. L. Berry, for Applicants.
I. Karmel, for Pit River Power Company.

LOVELAND, Commissioner:

O P I N I O N.

Applicants own and operate a small hydro-electric system which supplies electricity for lighting the town of Adin, in Modoc County, California.

Applicants now desire to extend this system so as to serve the towns of Biever and Lookout, both in Modoc County. The territory into which applicants desire to extend their system is not, at present, served by any utility of like character.

The Pit River Power Company, in Application No. 470, has asked for a certificate that public convenience and necessity require the construction of an electric light and power system in the northeast portion of Shasta County and in Modoc and Lassen Counties.

The Pit River Power Company is, at present, constructing a hydro-electric system at Burney Falls, in Shasta County.

The Commission, on December 9, 1913, made an order declaring that upon obtaining franchises by the Pit River Power Company in the Counties named, the Commission would issue a certificate declaring that public convenience and necessity require

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the exercise of these franchises. Thereafter the Pit River Power Company obtained from the Board of Supervisors of Shasta County a franchise to operate a hydro-electric system in portions of that County.

The Commission thereupon, on January 7, 1914, issued a second order in Application No. 470, declaring that public convenience and necessity required the exercise, in a certain specified portion of Shasta County, of the rights granted to said Company by the Board of Supervisors of Shasta County in said franchise.

The Pit River Power Company has no franchise to operate in Modoc County, and is, at present, conducting no operations of any character within said County.

Applicants in this proceeding have already constructed a hydro-electric system at Adin, in Modoc County, and with a view to extending this system to serve other portions of Modoc County, have procured from the Board of Supervisors of Modoc County in Ordinance No. 51 passed on December 6, 1913, a franchise to construct, maintain and operate any and all necessary appliances, fixtures and transmission lines on, over or under public highways or private rights of way in and through the territory embraced within Townships numbered 37, 38, 39, 40 and 41 North, and in Ranges numbered 6, 7, 8, 9 and 10 East, M.D.M., in Modoc County, California.

Applicants have now filed a supplemental application in this proceeding requesting a certificate declaring that public convenience and necessity require the exercise of the rights granted to applicants by the Board of Supervisors of Modoc County, in this franchise.

I am of the opinion that this application should be granted, and submit herewith the following form of order:

O R D E R.

E. M. Wilson, Nettie B. Harris and Lawrence A. Wilson having applied to this Commission for a certificate declaring that

public convenience and necessity require the exercise by applicant of the rights granted to applicants by the Board of Supervisors of Modoc County, in Ordinance No. 51, passed on December 6, 1913; and a public hearing having been held upon this matter, and it appearing to the Commission that the application should be granted,--

IT IS HEREBY DECLARED that public convenience and necessity require the exercise by applicant of the rights granted to them by the Board of Supervisors of Modoc County, in Ordinance No. 51, passed on December 6, 1913, and granting to applicants the right to construct, maintain and operate any and all necessary appliances and fixtures and transmission lines on, over and under public highways or private rights of way in and through the territory embraced within the Townships numbered 37, 38, 39, 40 and 41 North, and in Ranges 6, 7, 8, 9 and 10 East M.D.M., in Modoc County, California.

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 23rd day of January, 1914.

H D Loveland

Max Thelen

Edwin O. Edgerton

Commissioners.