

ORIGINAL

Decision No. 1347

BEFORE THE RAILROAD COMMISSION
OF THE STATE OF CALIFORNIA.

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ORIGINAL

In the Matter of the Application of
LOS ANGELES GAS AND ELECTRIC CORPORATION
for a certificate that public convenience
and necessity require it to make certain
construction in the County of Los Angeles,
and to exercise rights and privileges
granted to it by Ordinance No. 329 (New
Series) of the County of Los Angeles.

Application No. 944.

Paul Overton for applicant.

ESHELMAN, Commissioner.

O P I N I O N .

The applicant herein applies to this Commission for a certificate that the present and future public convenience and necessity require it to construct, maintain and operate a system of gas pipes and gas mains in the following described territory in the County of Los Angeles:

All that portion of the County of Los Angeles lying south of the north line of Township 1 North, San Bernardino Base and Meridian, and west of the west line of Range 10 West, San Bernardino Base and Meridian, and west of the east line of Range 11 West, San Bernardino Base and Meridian, said line being the dividing line between Range 11 and Range 10 West, San Bernardino Base and Meridian; excepting therefrom all pieces or parcels of land included in any incorporated city or town; and excepting therefrom public roads and highways mentioned in Ordinance No. 319 (New Series) of the County of Los Angeles.

and to exercise rights and privileges granted to it by Ordinance No. 329 (New Series) of the Board of Supervisors of Los Angeles County.

No opposition is raised to the granting of this application, but I find similar objections to those discussed in the opinion in Application 921 to this franchise. The representative of the applicant indicated his willingness, at the hearing, to take

action similar to that taken by the Southern California Gas Company in Application Nos. 921, 922 and 923, and on filing a stipulation similar in form to the one therein set out, I recommend that the application be granted on the terms prescribed in the order hereto.

I submit the following order:

O R D E R .

LOS ANGELES GAS AND ELECTRIC CORPORATION having applied to this Commission for a certificate that the present and future public convenience and necessity require and will require it to lay, construct, maintain and operate gas pipes and gas mains under and along certain public roads and highways in the County of Los Angeles, hereinbefore described, and to exercise rights and privileges granted to it by the Board of Supervisors of Los Angeles County in Ordinance No. 329 (New Series), passed and approved on the 28th day of July, 1913; and a hearing having been held, and being fully apprised in the premises,

THE COMMISSION HEREBY FINDS AS A FACT that the present and future public convenience and necessity require and will require the laying, construction, operation and maintenance by this applicant of gas pipes and gas mains, as hereinbefore referred to, and the exercise by it of the rights and privileges granted to it by Ordinance No. 329 (New Series), of the Board of Supervisors of the County of Los Angeles.

And basing its order on the foregoing findings of fact,

IT IS HEREBY ORDERED that permission is granted to the applicant to lay, construct, maintain and operate a system of gas pipes and gas mains, as aforesaid, and to exercise rights and privileges granted to it under Ordinance No. 329 (New Series), passed and approved by the Board of Supervisors of the County of Los Angeles on the 28th day of July, 1913, under the following conditions, and not otherwise:

1. Neither the language from Section 4 of said ordinance, as follows:

"The grantee of such franchise shall, upon request of any person residing, or having a place of business upon, property abutting upon any street or highway along which a pipe line, shall be constructed, and upon the payment of the grantee's reasonable charges for making the connection and for furnishing gas, furnish to such person an adequate supply of gas for domestic or manufacturing use."

nor any other language, nor any part thereof, shall be construed by or on behalf of said applicant or the Board of Supervisors of Los Angeles County as limiting in any way the lawful power of the Railroad Commission of the State of California at any time to make and enforce, as fully and effectually as though said condition had not been inserted in said franchise, any order concerning or affecting the making by said applicant of extensions or of service connections or the payment of the cost of making any of the same, or concerning or affecting the persons for whose benefit the extensions or connections shall be made.

2. The applicant herein and the County of Los Angeles shall file with this Commission a stipulation in the general form set out in the opinion in Application No. 921, substantially embodying the conditions set out in condition No. 1 hereof, and not until the filing of a stipulation which shall meet with the approval of this Commission in this regard shall this order become effective.

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 17th day of March, 1914.

Wm. M. Eshleman
W. H. K. K. K.
W. H. K. K. K.
Wm. Sheehan
Edwin O. Edgerton
Commissioners.