

Decision No. _____

ORIGINAL

BEFORE THE RAILROAD COMMISSION
OF THE STATE OF CALIFORNIA.

In the Matter of the Application
of FERDINAND R. BAIN and SOUTHERN
COUNTIES GAS COMPANY OF CALIFOR-
NIA for an order authorizing the
transfer of a franchise granted
to Ferdinand R. Bain by the County
of Orange by Ordinance No. 123, and
for Certificate of Public Conveni-
ence and Necessity.

Application No. 2286.

BY THE COMMISSION:

O R D E R.

FERDINAND R. BAIN having applied to this Commis-
sion for authority to transfer to Southern Counties Gas
Company of California a certain franchise granted to said
Ferdinand R. Bain by the Board of Supervisors of the County
of Orange, State of California, in Ordinance No. 123, ap-
proved December 22, 1914, which franchise grants the right
to construct and operate a gas distributing system along
certain highways in said County; and Southern Counties Gas
Company of California having joined in this application and
having asked for a certificate declaring that public con-
venience and necessity require the exercise of the rights
and privileges granted by said franchise; and it appearing
that the territory covered by said franchise is contiguous
to territory which is now served with gas by Southern
Counties Gas Company of California and that the territory
covered by said franchise is not now served by a public

utility of like character, and that this is not a case in which a hearing is necessary and that the application should be granted,--

IT IS HEREBY ORDERED that FERDINAND R. BAIN be, and he is hereby, authorized to convey to Southern Counties Gas Company of California that certain franchise granted to Ferdinand R. Bain by the Board of Supervisors of the County of Orange, State of California, in Ordinance No. 123 of said County, approved on December 22, 1914, on the following condition and not otherwise, to-wit:

That Southern Counties Gas Company of California shall first have filed with the Railroad Commission of the State of California a stipulation duly authorized by its board of directors, agreeing that Southern Counties Gas Company of California, its successors and assigns, will never claim before the Railroad Commission or any other public authority any value for the franchise granted by said Ordinance No. 123 of the Board of Supervisors of Orange County, California, in excess of the actual cost thereof to Ferdinand R. Bain, which cost shall be stated in the stipulation, and shall have secured from the Railroad Commission a supplemental order herein, declaring that such stipulation, satisfactory to the Railroad Commission, has been filed.

AND IT IS HEREBY DECLARED that public convenience and necessity require the exercise by Southern Counties Gas Company of California of the rights and privileges granted by the Board of Supervisors of the County of Orange in said Ordinance No. 123.

Dated at San Francisco, California, this 22nd day of May, 1916.

Max Thelen
H. H. Holland
Alex. Gordon
Edwin O. Edgerton
Stanley R. Fisher
Commissioners.