

ORIGINAL

Decision No. 14547

Decision No. _____

BEFORE THE RAILROAD COMMISSION
OF THE STATE OF CALIFORNIA.

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In the Matter of the Application
of COAST COUNTIES GAS & ELECTRIC
COMPANY, a corporation, for per-
mission to exercise the rights
granted to it under Ordinance No.
290 of the CITY OF GILROY.

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Application No. 2983.

S. Waldo Coleman for Applicant.

BY THE COMMISSION:

O P I N I O N.

This is the application of the Coast Counties
Gas & Electric Company for a certificate of public
convenience and necessity to exercise rights and
privileges granted to it by the City of Gilroy and
Ordinance No. 290 passed and adopted on the 7th day
of May 1917 by the City Council of the City of
Gilroy.

A public hearing in this matter was held before Examiner Encall at Gilroy on July 17, 1917.

Coast Counties Gas & Electric Company is the lessee of an electric distribution system owned by the City of Gilroy under a lease entered into on the first day of December 1915 for a period of ten years from and after February 20, 1916. In the above mentioned lease the lessee agreed "to remove its high tension pole line on Monterey Street from Lewis Street to I.O.O.F. Avenue prior to said first day of October 1916". In order to carry out this provision of the lease, applicant obtained permit by Ordinance No. 290 of the City of Gilroy and thereafter filed with the Railroad Commission its application for the right to exercise said permit.

Ordinance No. 290 grants authority to Coast Counties Gas & Electric Co. to change part of the route of electric power lines along and across certain highways, rights-of-way of the City of Gilroy, which said route is maintained under Ordinance No. 243 of the City of Gilroy. It appears that a certificate to exercise this permit should be granted.

O R D E R

COAST COUNTIES GAS & ELECTRIC COMPANY having applied to this COMMISSION for a certificate to exercise the rights granted to it by Ordinance No. 290 of the

City of Gilroy and a public hearing having been held thereon and the Railroad Commission being fully advised in the premises,

IT IS HEREBY DECLARED that the present and future public convenience and necessity require and will require the exercise by Coast Counties Gas & Electric Company, its successors and assigns, of the rights and privileges conferred by Ordinance No. 290 of the City of Gilroy, adopted by the Mayor and Common Council of the City of Gilroy on the 7th day of May 1917, on the following conditions and not otherwise to-wit:-

That Coast Counties Gas and Electric Company, a corporation shall first have filed with the Railroad Commission of the State of California, a stipulation duly authorized by its board of directors agreeing that Coast Counties Gas & Electric Company, its successors or assigns, will never claim before the Railroad Commission or any other public authority any value for the ~~franchise~~^{permit} granted by said Ordinance No. 290 of the Board of Trustees of the City of Gilroy in excess of the actual cost thereof to the said Coast Counties Gas & Electric Company, a corporation, which cost shall be stated in the stipulation and shall have secured from the Railroad Commission a supplemental order herein, declaring that such

stipulation in form satisfactory to the Commission
has been filed.

Dated at San Francisco, California, this 29th
day of August, 1917.

Max Miller

Alex Gordon

Frank Kohn
Commissioners.