

ORIGINAL

Decision No. _____

BEFORE THE RAILROAD COMMISSION
OF THE STATE OF CALIFORNIA.

Decision No. 5000

---oOo---

In the Matter of the Application of
the MIDWAY GAS COMPANY for an order
authorizing the purchase by it from
the Southern California Gas Company
of certain private rights of way and
the taking over of the privileges
under that certain Ordinance No. 332,
New Series, to construct, maintain
and operate a natural gas pipe line
and of the Southern California Gas
Company for permission to assign and
transfer such rights of way and pri-
vileges.

APPLICATION

NO. 2023

A. B. Macbeth and A. E. Peat
for applicants.

EDGERTON, Commissioner.

O P I N I O N

In this application Midway Gas Company and
Southern California Gas Company requests the Commis-
sion's authority to purchase and sell, respectively,

certain private rights of way which the latter company acquired and on which is located a certain natural gas transmission line which was constructed by Southern California Gas Company for the Midway Gas Company and which was paid for and now is the property of the Midway Gas Company, and the rights and privileges under that certain Ordinance No. 332, New Series, of the County of Los Angeles, to construct, maintain and operate said natural gas transmission, for the sum of \$2,410 to cover cost of rights of way and the sum of \$500 to reimburse Southern California Gas Company for legal and other expenses incident to securing a release of said rights of way and franchise privileges from the lien of the Southern California Gas Company's first mortgage.

Under date of May 11, 1915 Southern California Gas Company made a certain contract with the Standard Oil Company for the purchase of natural gas from the Murphy-Coyote fields located near Fullerton. Under date of July 29, 1915 an agreement was entered into between Midway Gas Company and Southern California Gas Company whereby the latter was to construct an 8-1/4 inch transmission main from the fields to a point near Lynwood to connect with the Southern California Gas Company's Long Beach pipe line. The Midway Gas Company agreed to pay all costs for the construction of the line.

The pipe line so constructed is located partly along public highways and was constructed by the Southern California Gas Company under the rights and privileges

granted it by the County of Los Angeles under Ordinance No. 332, New Series, and partly along private rights of way obtained from the following persons:

Mrs. Frances Gephard	John Dolland
Harold A. Berryman	Marius Meyer
James E. Coke and	Jacob Stern
Alice E. Coke	Jacob Stern & M. N.
Thomas N. Ellis	Newmark
Roger Weber	Chas. V. Hall
Sacramento Duarte	F. R. Strong
John Paddison	Harry B. Clow, Trustee
Alfred Belieu	The City of Whittier.

The route above mentioned is located within the County of Los Angeles, State of California, and is particularly described in a proposed memorandum agreement of transfer between the parties filed with this Commission under date of January 20, 1916, as follows:

"COMMENCING at the Compressor Station of the Standard Oil Company of California located in the South half of Section 13, Township 3 South, Range 11 West, S.B.B. & M., thence in a Northwesterly direction to a point on the West line of said Section 13 located about six hundred and seventy-eight (678) feet from the Southwest corner of said Section; thence Northerly along said West line about nineteen hundred sixty-two (1962) feet; thence Westerly and at right angles to said West line across Section 14 in the same Range and Township; thence Northerly along the West line of said Section 14 to the dividing line between Sections 10 and 15 in the same Range and Township; thence Westerly and at right angles to the last mentioned course on a substantially straight course and for a distance of about seven and one-quarter (7-1/4) miles to a point in Curtin Road located two hundred and sixty-three (263) feet Northwest, measured along said Road from the intersection of said Road with College Road No. 2; thence on a substantially straight course along Curtin Road and across private right of way to the Easterly end of Downey and Florence Road; thence on and along said last mentioned Road and the Westerly continuation thereof known as Downey and Los Angeles Road to the intersection of the last mentioned Road with Long Beach Boulevard."

The transfer is in accordance with the policy of the two companies, which are closely allied, that the Midway Gas Company control the production and transmission of natural gas from oil fields to the general transmission and distribution systems of the Southern California Gas Company, the Southern California Gas Company to handle the local transmission and distribution and sale of gas in Los Angeles and vicinity.

I believe, under the conditions of distribution of gas in and about Los Angeles, that it is advisable that one company should control the delivery of gas to the local distributing companies as by this means the division of gas between the local utilities will be made more flexible and handled more advantageously.

Ordinance No. 332, New Series, of the County of Los Angeles provides in Section 19 thereof

"That said grantee, or its successors or assigns shall not sell, transfer or assign said franchise or any of the rights or privileges granted thereby, except by a duly executed instrument in writing filed in the office of the Board of Supervisors of the County of Los Angeles * * *."

Midway Gas Company is now owner of the transmission main for which the rights of way and franchise privileges are requested. These rights of way are to

be transferred at cost to the purchasing company and I recommend that the transfer be approved.

O R D E R

Midway Gas Company and Southern California Gas Company having made application to this Commission for authority to purchase and sell certain rights of way and franchise rights and privileges necessary in the construction and operation of a certain transmission line owned and operated by Midway Gas Company, and the matter being submitted and now ready for decision,

IT IS HEREBY ORDERED as follows:

(a) Southern California Gas Company is hereby authorized to transfer and convey to Midway Gas Company the right, privilege and authority under and by virtue of said franchise by Ordinance No. 332, New Series, of the County of Los Angeles, owned by the Southern California Gas Company, to lay and construct on and along every portion of said route or location of said gas transmission main, which route is set forth in the opinion preceding this order, said transmission main together with all necessary renewals, additions and adjuncts and to maintain and operate the same for the purposes as set

forth in Exhibit "B" attached to the application and in accordance with the qualifications set forth in said exhibit.

(b) Southern California Gas Company is hereby authorized to transfer and convey to Midway Gas Company those certain private rights of way obtained by it from Mrs. Frances Gephard, Harold A. Berryman, James E. Coke and Alice E. Coke, Thomas N. Ellis, Roger Weber, Sacramento Duarte, John Paddison, Alfred Belieu, John Dolland, Marius Meyer, Jacob Stern, Jacob Stern & M. N. Newmark, Chas. V. Hall, F. R. Strong, Harry B. Clow, Trustee, and The City of Whittier, upon which is located the said transmission line of Midway Gas Company.

(c) Midway Gas Company is hereby authorized to pay to Southern California Gas Company for said private rights of way and expenses incurred in the transfer of the same, and those certain privileges herein authorized, the sum of \$2,910.

The authority herein made is upon the following conditions:

(1) The authority herein granted shall not be binding in any proceeding upon this Commission or any tribunal, court or public body as a finding by this Commission of the value of the property and rights to be transferred for any purposes other than those relating to this application.

(2) The authority herein granted shall extend only to such transfers as shall have been executed with-

in 90 days from the date hereof.

(3) Within 10 days after any such transfer is executed the grantor in said transfer or conveyance shall report in writing to the Commission the facts of such transfer with the date thereof and shall file with the Railroad Commission a copy of such transfer.

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 31st
day of December, 1917.

Max Thelen

Alfred Gordon

Edwin V. Edgerton

Frank W. Welch
Commissioners