

Decision No. _____

ORIGINAL

Decision No. 5101

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
 of SAN DIEGO CONSOLIDATED GAS &)
 ELECTRIC COMPANY, a corporation,)
 for an order preliminary to a)
 declaration that public convenience)
 and necessity require and will re-)
 quire the exercise by it of the)
 rights and privileges to be granted)
 to said corporation by the County)
 of San Diego.)

Application No. 3146.

BY THE COMMISSION.

FIRST SUPPLEMENTAL ORDER

SAN DIEGO CONSOLIDATED GAS & ELECTRIC COMPANY hav-
 ing on January 26, 1918 filed with the Railroad Commission a veri-
 fied copy of the franchise and the stipulation to which reference
 is made in Decision Number 4630, dated September 8, 1917;

NOW, THEREFORE, THE RAILROAD COMMISSION HEREBY
 DECLARES that public convenience and necessity require and will
 require the exercise by San Diego Consolidated Gas and Electric
 Company of the rights and privileges granted to it by Ordinance
 Number 242 of the Board of Supervisors of San Diego County, approved
 and adopted November 19, 1917, it being understood that petitioner
 will not sell electrical energy in the territory now served by Del
 Mar Water, Light and Power Company or by Escondido Mutual Water Com-
 pany unless it should acquire the electrical distributing systems
 of these companies;

THE RAILROAD COMMISSION HEREBY FURTHER DECLARES that San Diego Consolidated Gas & Electric Company has filed herein in accordance with the provisions of Decision Number 4630, dated September 8, 1917, a stipulation in form satisfactory to the Railroad Commission, duly authorized by the Board of Directors of the San Diego Consolidated Gas & Electric Company, declaring that San Diego Consolidated Gas and Electric Company, its successors and assigns, will never claim before the Railroad Commission or before any court or other public body in any proceeding had for the purpose of fixing rates or for the valuation of property of the said San Diego Consolidated Gas & Electric Company any value for the franchise and permit granted to said San Diego Consolidated Gas & Electric Company by the Board of Supervisors of the County of San Diego, State of California, in and by Ordinance Number 242, approved November 19, 1917, in excess of the compensation paid by the San Diego Consolidated Gas & Electric Company to the County of San Diego for the rights and privileges thus conferred, which compensation is stated in said stipulation to have been \$100.00.

Dated at San Francisco, California, this 4th day of February, 1918.

Max Shelton
H. L. Loveland
Wm. Gordon
Commissioners.