

Decision No. 6101

BEFORE THE RAILROAD COMMISSION OF THE
STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application)
of SOUTHERN COUNTIES GAS COMPANY)
OF CALIFORNIA for a certificate)
that public convenience and nec-)
essity require the exercise of)
rights and privileges under a)
franchise granted to it by the)
County of Los Angeles by Ordin-)
ance No. 500, (New Series.))

Application
No. 3699

Hunsaker, Britt and Le Roy M. Edwards
for Applicant.
O'Melveny, Milliken and Tuller, by R. V.
Reppy for Southern California Gas Company.

LOVELAND, Commissioner.

O P I N I O N

This is an application by Southern Counties
Gas Company for a certificate that public convenience
and necessity require the exercise of rights and privi-

leges under a franchise granted to it by the County of Los Angeles by Ordinance No. 500, (New Series). Applicant shows that it is engaged in the business of distributing gas in certain sections of the Counties of Los Angeles and Orange; that many of the franchises in the County of Los Angeles under which applicant has heretofore been operating have expired, and without franchises it is unable to further extend its operations; that applicant applied to the Board of Supervisors of the County of Los Angeles for a new franchise, and that the Board of Supervisors of the County of Los Angeles, in compliance with the Statutes of the State of California, duly passed its Ordinance No. 500, (New Series), on the 25th day of February 1918, wherein and whereby applicant was granted a franchise for a period of 40 years to lay and maintain gas pipes in certain highways in the County of Los Angeles, and which franchise is operative in certain territory set forth in detail in said Ordinance No. 500 and delineated on a map attached to the petition herein.

It further appears that in certain of the territory in which applicant has been granted the rights and privileges and franchise set forth in said Ordinance No. 500, that one or more other gas utilities are engaged in supplying gas to certain of the inhabitants thereof. Applicant states that it is not its intention or desire

to extend its pipes or mains in any territory now served by a similar utility.

A hearing was held in Los Angeles on May 4th, 1918, at which time evidence was introduced and the matter submitted. Subsequent to the hearing, namely, on the 30th day of January 1919, the Board of Directors of said Southern Counties Gas Company by resolution duly stipulated that it, its successors and assigns, will never claim before the Railroad Commission or any court or other public body a value for the rights and privileges and franchise granted under said Ordinance No. 500, (New Series), of the County of Los Angeles in excess of the actual cost to said applicant of acquiring said franchise, which cost is stated in said stipulation to be the sum of \$643.95. This stipulation has been duly filed with the Railroad Commission, and is in form satisfactory to this Commission in so far as may be necessary for the purposes of this proceeding.

I find as a fact that public convenience and necessity require the exercise by Southern Counties Gas Company of the right, privilege and franchise granted by said Ordinance No. 500, (New Series) of the County of Los Angeles in that portion of the territory described therein except as noted in the order hereinafter.

I submit the following form of Order:

O R D E R

Southern Counties Gas Company having applied to the Railroad Commission for a certificate that public convenience and necessity require the exercise of the rights and privileges under a franchise granted to it by the County of Los Angeles by Ordinance No. 500, (New Series), a hearing having been held, the matter submitted, and Southern Counties Gas Company having stipulated, in form satisfactory to this Commission, as to its claim for the value of said franchise,

The Railroad Commission of the State of California does hereby certify and declare that public convenience and necessity require the exercise by Southern Counties Gas Company of the right, privilege and franchise granted by said Ordinance No. 500, (New Series), of the County of Los Angeles, in that portion of the territory described therein, excepting that until further order of this Commission, the right, privilege and franchise granted by said Ordinance shall not be exercised at any points within said territory which are within one-half mile of the pipes, pipe lines or appurtenances connected therewith for

supplying gas, of any other gas utility now operating
in the territory described in said Ordinance No. 500,
(New Series) of the County of Los Angeles.

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

13th day of February, 1919.

Edwin O. Edgerton

H. D. Loveland

Frank R. Dewey

H. K. B. ...

James Martin

COMMISSIONERS