

ORIGINAL

Decision No. 6630

BEFORE THE RAILROAD COMMISSION
OF THE STATE OF CALIFORNIA

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In the Matter of the Application)
of SOUTHERN COUNTIES GAS COMPANY)
OF CALIFORNIA for a certificate)
that public convenience and neces-)
sity require the exercise of)
rights and privileges under fran-)
chises which applicant has secured)
from the City of Chino and the)
County of Santa Barbara.)

Application

No. 4736

Hunsaker, Britt & Edwards,
for Applicant.

LOVELAND, Commissioner.

O P I N I O N

This is an application by Southern Counties Gas Company for an order declaring that public convenience and necessity require the exercise by it of the rights and privileges of franchises granted it by the Board of Trustees of the City of Chino, under Ordinance No. 85, and by the Board of Supervisors of the County of Santa Barbara, under Ordinance No. 397. A hearing was held in Los Angeles on July 24th, 1919.

Applicant at the present time is supplying inhabitants of the City of Chino with natural gas for light and power purposes, and is the only utility distributing gas in said city. Applicant has heretofore been supplying consumers with gas under franchise granted by the Board of Trustees of said City by Ordinance No. 50, approved the 12th day of December, 1917.

Applicant alleges that said franchise provided that the laying of pipes and the construction of gas system in the City of Chino should be completed within five months from the granting of franchise; that said period has long since expired, and it is now necessary for applicant, in order to make additional extensions to its system in the City of Chino, to obtain a new franchise, which, on the 17th day of June, 1919, the trustees of the City of Chino duly and regularly granted to Southern Counties Gas Company, by Ordinance No. 85, permitting it, for a term of twenty years, to install and maintain a gas distributing system in the City of Chino.

Subsequent to the hearing in this matter, the Board of Directors of Southern Counties Gas Company, by resolution dated August 20th, 1919, duly stipulated that it, its successors and assigns, would never claim before the Railroad Commission, or any court or other public body, a value for the rights and privileges granted in said franchise under Ordinance No. 85 of the City of Chino in excess of the actual cost to said Southern Counties Gas Company of acquiring said franchise, which cost is stated in said stipulation to be the sum of \$100.00.

I find as a fact that public convenience and necessity require the exercise by Southern Counties Gas

Company of the rights and privileges of the franchise granted to it by Ordinance No. 85 of the City of Chino.

Applicant has also purchased a franchise from the County of Santa Barbara, granted by the Board of Supervisors of the City and County of Santa Barbara by its Ordinance No. 397 under date of June 16th, 1919, which permits Southern Counties Gas Company, for a period of fifty years, to lay and maintain gas pipes in that portion of Santa Barbara County described in said franchise. Copy of said franchise has been filed as an exhibit herein.

Applicant states that it is its intention to supply the inhabitants of the territory described in said franchise, wherever practicable, with gas for heat, light and power purposes, and further, that there is no other gas utility serving in said territory.

Subsequent to the hearing in this matter the Board of Directors of Southern Counties Gas Company, by resolution dated August 20th, 1919, duly stipulated that it, its successors and assigns, will never claim before the Railroad Commission, or any court, or any other public body, a value for the rights and privileges granted in said franchise under Ordinance No. 397 of the County of Santa Barbara in excess of the actual cost to said Southern Counties Gas Company of acquiring said franchise, which cost is stated in said stipulation to be the sum of \$100.00.

I find as a fact that public convenience and necessity require the exercise by Southern Counties Gas Company of the rights and privileges granted it by Ordinance No. 397 of the Board of Supervisors of the

County of Santa Barbara.

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 declaring that public convenience and necessity require the exercise of the rights and privileges under certain franchises of the City of Chino and the County of Santa Barbara, a hearing having been held, copies of said franchises and stipulations as to its claims for the values thereof having been duly filed by Southern Counties Gas Company in form satisfactory to the Commission,

The Railroad Commission of the State of California hereby declares that public convenience and necessity require the exercise by Southern Counties Gas Company of the rights and privileges of the franchises granted to it by Ordinance No. 85 of the City of Chino, as approved on the 17th day of June 1919 by the Board of Trustees of said City of Chino, and by Ordinance No. 397 of the County of Santa Barbara, as approved on the 16th day of June 1919 by said Board of Supervisors of the County of Santa Barbara.

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
30th day of August, 1919.

Edwin O. Edgerton

N. D. Portland

Francis R. Devlin

H. K. Brundage

Dwight Martin

Commissioners.