

DECISION NO. 7490

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of the Valley Natural Gas Company )  
for a Certificate of Public Con- ) Application No. 5327.  
venience and Necessity for the ex- )  
ercise of certain franchise rights. )

Murray Bourne, for Applicant.

BY THE COMMISSION.

O P I N I O N

This application of the Valley Natural Gas Company is for a certificate of public convenience and necessity relative to the exercise of the rights under a certain franchise, being Ordinance No. 163 of the County of Kern, dated December 15, 1919, heretofore granted said Company by the Board of Supervisors of Kern County.

A public hearing was held in Los Angeles on March 30, 1920, before Examiner Satterwhite, and the matter thereupon submitted.

Petitioner shows that the Valley Natural Gas Company has heretofore been operating in Kern County under a franchise granted to C. E. Colby designated as Ordinance No. 115, dated December 11, 1915, and covering only a portion of Kern County. Said franchise contained a provision requiring the applicant to complete all construction thereunder within a period of

three years from the date thereof, and that after the expiration of said three years, further construction could be made only upon obtaining further authority from the Board of Supervisors of Kern County.

The new franchise for which certificate is herein sought, grants Valley Natural Gas Company the continued right to construct and maintain its gas system for a period of fifty (50) years.

Petitioner has duly stipulated, in form satisfactory to this Commission, that Valley Natural Gas Company, or its successors or assigns, will never claim before the Railroad Commission, or any court or other public body, a value for said rights and privileges, granted by Ordinance No. 163 of Kern County, in excess of the actual cost to it of acquiring said rights and privileges, which cost is stated in its stipulation to be the sum of \$307.80.

#### O R D E R

Valley Natural Gas Company having applied to the Railroad Commission for a certificate of public convenience and necessity for the exercise of the rights and privileges under a certain franchise of the County of Kern; a public hearing having been held; copies of said franchise and stipulation as to its claim for the value thereof having been duly filed with this Commission,

The Railroad Commission of the State of California hereby declares that the public convenience and necessity require, and will require, the exercise, by Valley Natural

Gas Company or its assigns, of the rights and privileges of the franchise granted to it by Ordinance No. 163 of the County of Kern.

The foregoing opinion and order is 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 26<sup>th</sup> day of April, 1920.

W. H. Boardman  
Frank P. Nelson  
H. B. Brundage

Commissioners.