

ORIGINAL

Decision No. 8075

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of )  
PACIFIC GAS AND ELECTRIC COMPANY, )  
for an order granting a certificate )  
of public convenience and necessity ) Application No. 5999.  
for the exercise of certain franchise )  
rights and the construction of a high )  
pressure transmission main in the )  
County of Yolo. )

Chas. P. Cutten, for Applicant.

DEVLIN, Commissioner:

O P I N I O N

In this proceeding Pacific Gas and Electric Company seeks an order of the Railroad Commission granting to it certain certificates of public convenience and necessity for the exercise of franchise rights acquired from the County of Yolo and to be acquired from the City of Davis and for the construction of a high pressure gas transmission main in the County of Yolo, State of California.

A hearing was held in San Francisco on August 26, 1920 and the matter thereupon submitted.

Pacific Gas and Electric Company owns and operates a gas manufacturing plant and distribution system in the City of Woodland, Yolo County and has supplied this community for many years. Its gas manufacturing plant in Woodland has become inadequate to supply the increased demands of that community for gas and, by reason of its location on the principal street in the City of Woodland, has become objectionable to that community. In order to provide sufficient gas for the increasing demands of the City of Woodland and to remove the objectionable features of

the existing gas manufacturing plant, Pacific Gas and Electric Company is now constructing a high pressure gas transmission line from its plant in the City of Sacramento through certain portions of Yolo County set forth in the application, through which gas manufactured at its Sacramento plant will be delivered into the distributing system of the City of Woodland and permit the removal of the present gas plant. It is further proposed to supply gas to several communities in Yolo County along the route of the transmission line, especially the unincorporated town of Broderick and the incorporated city of Davis. The Railroad Commission has, through its engineers, already investigated the necessity for the removal of the Woodland gas plant and the construction of the transmission line herein referred to. The construction of this line is now under way and it is expected that gas will be delivered through it before the end of the current year.

Pacific Gas and Electric Company has heretofore obtained from the Board of Supervisors of the County of Yolo a grant of franchise designated as Ordinance No. 103, dated July 12, 1920, wherein and whereby Pacific Gas and Electric Company, its successors and assigns, was granted for a term of fifty years the right, privilege and franchise of laying, maintaining and using, for the purpose of conveying, distributing and supplying gas to the public and particularly to the inhabitants of Yolo County, gas pipes and mains in certain public highways of the County of Yolo. A copy of Ordinance No. 103 of the County of Yolo has been duly filed with the Commission.

It further appears that Pacific Gas and Electric Company has made written application, accompanied by the proper form of ordinance, to the Board of Trustees of the City of Davis for a grant of franchise to lay, maintain and use for the purpose of

distributing and supplying gas to the public and particularly to the inhabitants of the City of Davis, gas pipes and mains in the highways, streets and alleys in the City of Davis. It further appears that the said Board of Trustees of the City of Davis, on June 21, 1920, adopted a resolution declaring its intention to grant this franchise, and provided for the sale thereof to the highest bidder. The Pacific Gas and Electric Company intends to bid in good faith for this franchise, and, upon being granted same, will by supplemental petition ask the Railroad Commission for an order declaring that its exercise is required by public convenience and necessity.

Upon the completion of this high pressure gas transmission line gas will be supplied by applicant from its manufacturing plant located in the City of Sacramento to the City of Woodland and, upon the construction of the distributing systems in the unincorporated town of Broderick and in the city of Davis, gas will be supplied to the inhabitants thereof.

Petitioner will hereafter file with the Railroad Commission a certified copy of such franchise as the City of Davis may grant to it, and also stipulations that it or its successors or assigns will never claim before the Railroad Commission or before any court or other public body values for the rights and privileges, in excess of the actual costs to it of acquiring said rights and privileges of the franchise heretofore granted to it by Ordinance No. 103 of the County of Yolo and of the franchise to be hereafter acquired by it from the City of Davis.

I recommend that the petition be granted and submit the following form of order:

O R D E R

Pacific Gas and Electric Company having filed herein a petition for an order declaring that public convenience and necessity require the construction of a gas transmission line in the County of Yolo and the exercise of the franchise heretofore granted to it by Ordinance No. 103 of the County of Yolo and the exercise of a franchise to be obtained by it from the City of Davis, a public hearing having been held and this proceeding being now ready for decision,

The Railroad Commission of the State of California hereby declares that public convenience and necessity require and will require the construction by Pacific Gas and Electric Company of a high pressure gas transmission line in the County of Yolo to supply the City of Woodland and other portions of the County of Yolo, and that, upon the filing of the stipulation as set forth in the Opinion which precedes this Order, the Railroad Commission will declare that public convenience and necessity require and will require the exercise by Pacific Gas and Electric Company the rights and privileges granted to it by Ordinance No. 103 of the County of Yolo, subject to such terms and conditions as the Railroad Commission may prescribe.

The Railroad Commission of the State of California further declares that hereafter, upon the filing of a certified copy of the Ordinance of the City of Davis granting to Pacific Gas and Electric Company a franchise, and of a stipulation as set forth in the Opinion which precedes this Order, the Railroad Commission will declare that public convenience and necessity re-

quire and will require the exercise by petitioner of the rights and privileges to be granted to it by such Ordinance of the City of Davis, subject to such terms and conditions as the Railroad Commission may prescribe.

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 13<sup>th</sup> day of September, 1920.

Edwin C. Ege  
H. D. Loveland  
Frank R. Dwyer  
H. B. Anderson

Commissioners.