

Decision No. 8618

ORIGINAL

BEFORE THE RAILROAD COMMISSION  
OF THE STATE OF CALIFORNIA

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In the Matter of the Application of )  
SOUTHERN CALIFORNIA GAS COMPANY for )  
a certificate of public convenience ) Application No. 6085  
and necessity relative to the exer- )  
cise of the rights under a certain )  
franchise in the City of Burbank. )

A. D. Peat, D. E. Sweeney and A. C.  
Johnston, for Applicant.

BY THE COMMISSION:

O P I N I O N

Southern California Gas Company applies to the Rail-  
road Commission for a certificate declaring that public con-  
venience and necessity require and will require the exercise  
of the rights and privileges under a certain franchise of the  
City of Burbank.

At a hearing duly held in the City of Los Angeles it  
was shown that Southern California Gas Company had heretofore  
been operating in the City of Burbank under a franchise which  
contained a provision requiring Southern California Gas Company  
to complete the construction of its facilities for the distri-  
bution of gas thereunder within a period of three years from

date of said franchise. This three year period has elapsed.

Thereupon applicant applied for and was granted by the City of Burbank a franchise designated as Ordinance No. 140 dated July 13, 1920 for a term of forty years, which by its terms repeals the previous franchise, and grants to Southern California Gas Company the right not only to maintain and operate but likewise to lay and construct additions to its distributing system during its entire term. A certified copy of Ordinance No. 140 of the City of Burbank is filed with the application, and also a stipulation duly executed by the Board of Directors of Southern California Gas Company that it will never claim before the Railroad Commission or before any court or other public body a value for the rights and privileges secured under the franchise granted by Ordinance No. 140 of the City of Burbank in excess of the actual cost to Southern California Gas Company of acquiring said franchise, which cost is stated as the sum of \$267.85. This stipulation is in form satisfactory to the Railroad Commission

It appears that the exercise of the franchise rights granted to Southern California Gas Company by Ordinance No. 140 of the City of Burbank is essential for the proper conduct of the business of Southern California Gas Company and that public convenience and necessity require the immediate exercise thereof.

#### O R D E R

Southern California Gas Company having applied to the Railroad Commission for an order declaring that public conveni-

ence and necessity require the exercise by it of the rights and privileges of a franchise granted under Ordinance No. 140 of the City of Burbank, a hearing having been duly held, and the Railroad Commission finding that public convenience and necessity require the exercise of said rights.

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require and will require the exercise by Southern California Gas Company of the rights and privileges acquired by it under the franchise designated as Ordinance No. 140 of the City of Burbank, dated July 13, 1920.

Dated at San Francisco, California, this  
14<sup>th</sup> day of February, 1921.

H. A. Loveland  
Charles H. Power  
H. B. Brundage

Commissioners.