

ORIGINAL

Decision No. 8621

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
MIDWAY GAS COMPANY for a certificate)	
of public convenience and necessity)	Application No. 6088
relative to the exercise of the rights)	
under a certain franchise in the)	
County of Los Angeles.)	

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

By the Commission:

O P I N I O N

Midway Gas Company applies to the Railroad Commission for a certificate declaring that public convenience and necessity require and will require the exercise of the rights and privileges under a certain franchise of the County of Los Angeles.

At a hearing duly held in the City of Los Angeles it was shown that Midway Gas Company had heretofore operated in the County of Los Angeles under a franchise which contained a provision requiring Midway Gas Company to complete the construction of its facilities for the distribution 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 County of Los Angeles a franchise designated as Ordinance No. 630, dated August 9, 1920, for a term of forty years,

which by its terms repeals the previous franchise and grants to Midway 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. 630 of the County of Los Angeles is filed with the application.

Midway Gas Company has also filed with the Railroad Commission a stipulation duly executed by its Board of Directors declaring that Midway Gas Company, 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 secured under Ordinance No. 630 of the County of Los Angeles in excess of the actual cost to Midway Gas Company of acquiring said franchise, which cost is stated as \$289.80. This stipulation is in form satisfactory to the Railroad Commission.

It appears that the exercise of the franchise rights granted Midway Gas Company by Ordinance No. 630 of the County of Los Angeles is essential for the proper conduct of the business of Midway Gas Company and that public convenience and necessity require the immediate exercise thereof.

O R D E R

Midway Gas Company having applied to the Railroad Commission for an order declaring that public convenience and necessity require the exercise by it of the rights and privileges granted under Ordinance No. 630 of the County of Los Angeles, 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 Midway Gas Company of the
rights and privileges acquired by it under the franchise desig-
nated as Ordinance No. 630 of the County of Los Angeles, dated
August 9, 1920.

Dated at San Francisco, California, this 14th
day of February, 1921.

H. D. Loveland
Charles H. Rouse
H. B. ...

Commissioners.