

Decision No. 28551.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
Los Angeles Gas and Electric Corpo-
ration for a Certificate that Public
Convenience and Necessity Require the
Exercise of Rights and Privileges
granted to it by Ordinance No. 307
of the City of Monterey Park, County
of Los Angeles, State of California.

ORIGINAL
Application No. 20358

BY THE COMMISSION:

O P I N I O N

In this application Los Angeles Gas and Electric Corporation asks that the Commission make its decision and order declaring that public convenience and necessity require and will require the exercise by applicant of the right, privilege and franchise granted to it by Ordinance No. 307 dated January 13, 1936, of the City Council of the City of Monterey Park, County of Los Angeles, a copy of which franchise is attached to and made a part of the application and marked "Exhibit B."

Applicant alleges that under and by virtue of a certain franchise granted to it by Ordinance No. 329 (N.S.) dated July 28, 1913, of the County of Los Angeles, the right to exercise which was authorized by certificate of public convenience and necessity granted to applicant by the Commission in its Decision No. 1347, dated March 17, 1914, applicant has heretofore constructed, maintained and operated and is

now operating a gas distribution system in, under and along those certain public streets and thoroughfares described in said Ordinance No. 307 of the City of Monterey Park, all as shown on map designated as "Exhibit A" and attached to and made a part of the application.

Applicant further alleges that it has been and is now serving gas to consumers in the remainder of the City of Monterey Park under and by virtue of Ordinance No. 25 of said city dated May 26, 1917, the exercise of which was authorized by certificate of public convenience and necessity granted to applicant by the Commission in its Decisions Nos. 4504 and 4592 dated August 1, 1917 and August 29, 1917, respectively.

Applicant finally alleges that public convenience and necessity require and will require the exercise by applicant of the right and privilege granted to it by said Ordinance No. 307 in order to enable it to continue to meet the demands for gas service made upon it by its present and future consumers in the area here involved.

Applicant has filed with the Commission a stipulation setting forth a resolution duly adopted by its Board of Directors agreeing that applicant, its successors or assigns will never claim before the Railroad Commission or any other court or public body a value for the franchise granted to it by said Ordinance No. 307 in excess of the actual cost thereof, which cost is \$257.80.

After careful consideration, it is the opinion of the Commission that this application should be granted and that a public hearing in the matter is not necessary.

O R D E R

Los Angeles Gas and Electric Corporation having applied to the Railroad Commission of the State of California for an order declaring that public convenience and necessity require and will require the exercise by applicant of the right, privilege and franchise granted to it by the Ordinance described in the foregoing Opinion, the Commission having considered the matter and being of the opinion that the same should be granted,

The Railroad Commission of the State of California Hereby Orders and Declares that public convenience and necessity require and will require the exercise by Los Angeles Gas and Electric Corporation the right, privilege and franchise granted to it by Ordinance No. 307 of the City of Monterey Park, County of Los Angeles, as fully set forth and described in "Exhibit B" attached to and made a part of the application, provided that the Railroad Commission of the State of California may hereafter, by appropriate proceedings and orders, revoke or limit, as to territory not then served by Los Angeles Gas and Electric Corporation, the authority herein granted.

The effective date of this Order is the date hereof.

Dated at San Francisco, California, this 10th day of February, 1936.

W. B. Lewis
Leon Whitely
M. A. Cunn
W. A. Thompson
Frank R. Deven
Commissioners.