

Decision No. 28677

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of SOUTHERN COUNTIES GAS COMPANY OF CALIFORNIA, a corporation, for a Certificate of Public Convenience and Necessity under Section 50 of the Public Utilities Act for Authority to Exercise Franchise acquired from the City of El Monte.

Application No. 20432.

BY THE COMMISSION:

O P I N I O N

In this application, Southern Counties Gas Company of California 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. 205 dated February 24, 1936, of the City Council of the City of El Monte, County of Los Angeles, a copy of which franchise is attached to and made a part of the application and marked Exhibit "A."

Applicant claims that from 1912 to date it has furnished and supplied gas to the City of El Monte and its inhabitants without any franchise whatsoever.

Applicant further states that it is now and has been at all times since 1919 the only utility serving gas to the City of El Monte and its inhabitants and that pursuant to a request from said city that it take out a franchise applicant has applied for a Broughton Act Franchise within the City of El Monte.

Applicant alleges that public convenience and necessity will be served by the exercise of the rights and privileges granted

to it under said Ordinance No. 205.

Applicant has stipulated in the application that in consideration of the granting to it of a certificate of public convenience and necessity by the Commission to exercise said franchise neither the applicant nor its successors nor assigns will ever claim before the Railroad Commission of the State of California, or any other court body, a value in excess of the actual cost thereof, which cost is \$411.02.

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

Southern Counties Gas Company of California 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 Southern Counties Gas Company of California the right, privilege and franchise granted to it by Ordinance No. 205 of the City of El Monte, County of Los Angeles, as fully set forth and described in Exhibits "A" and "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 Southern Counties Gas Company, the authority herein granted.

The effective date of this Order is the date hereof.

Dated at San Francisco, California, this 30th day
of March, 1936.

M. B. Lewis
Leon Whitwell
H. A. Cline
Walter Brown
Frank R. Brown
Commissioners.