

Decision No. 28797

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. 792 of  
The City of South Pasadena, County of  
Los Angeles, State of California.

Application No. 20482

**ORIGINAL**

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 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. 792, dated March 11, 1936, of the City of South Pasadena, County of Los Angeles, State of California, a copy of which franchise is attached to and made a part of the application and marked Exhibit "B".

Applicant states that on or about July 28, 1913, the City of South Pasadena granted to it a franchise under Ordinance No. 387 for the transportation and distribution of gas in said City, but because the present validity of the franchise granted by the afore-said Ordinance has been questioned applicant has applied for and has been granted a new franchise for a term of forty (40) years by the City Council of South Pasadena by its Ordinance No. 792 for the transporations and distribution of gas for heat, light, power and other purposes throughout the territory designated on the map

which is attached to and made a part of the application and marked Exhibit "C".

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. 792.

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 \$200.

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. 792 of the City of South Pasadena, County of Los Angeles, as fully set forth and described in Exhibits "B" and "C" 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 11<sup>th</sup> day of May, 1936.

W B Harris  
Leon Whittell  
W A Cunniff  
Malcolm ...  
John R. ...  
Commissioners.