

Decision No. 28877

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
PACIFIC GAS AND ELECTRIC COMPANY, a
corporation, for an order of the
Railroad Commission of the State of
California, granting to applicant a
certificate of public convenience
and necessity, to exercise the right,
privilege and franchise granted to
applicant by Ordinance No. 289 of the
City Council of the City of Arcata,
Humboldt County, State of California.

ORIGINAL

Application No. 20574

BY THE COMMISSION:

O P I N I O N

In this application Pacific Gas and Electric Company asks this Commission to make its decision and order granting to applicant a certificate 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. 289 of the City Council of the City of Arcata, County of Humboldt, a copy of which is annexed to and made a part of the application.

Applicant alleges that it is now and since the year 1905, it or its predecessors have been furnishing electric service to the inhabitants of the City of Arcata under and pursuant to the franchise granted by the provisions of Section 19 of Article XI of the Constitution of the State of California as it existed prior to the amendment adopted October 10, 1911.

Applicant further alleges that the present and future public convenience and necessity require and will require that

it exercise the right, privilege and franchise granted to it by the aforesaid Ordinance No. 289 in order that applicant may continue to furnish and supply electric energy to said City and the inhabitants thereof for all lawful purposes.

Applicant further alleges that no person, firm, or public or private corporation, other than applicant, is now engaged in the public utility business of furnishing, distributing or selling electricity for light, heat and other lawful purposes to said City of Arcata or to the inhabitants thereof.

Applicant has stipulated to the effect that it, its successors or assigns will never claim before the Railroad Commission of the State of California, or before any court or other public body, any value for the aforesaid franchise in excess of the actual cost thereof, which cost is \$125.00.

It is the opinion of the Commission that this application should be granted and that a public hearing in the matter is not necessary.

ORDER

Pacific Gas and Electric Company having applied to the Railroad Commission of the State of California for an order granting to applicant a certificate 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 application 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 Pacific Gas and Electric Company of the right or privilege under the franchise granted to it by Ordinance No. 289 of the City of Arcata, County of Humboldt, as fully set forth and described in Exhibit "A" attached to and made a part of the application herein and that a certificate of public convenience and necessity authorizing such exercise be and it is hereby granted to applicant.

The effective date of this Order is the date hereof.

Dated at San Francisco, California, this 8th day of June, 1936.

M. B. Lewis
Leon Whittell
W. H. Lewis
William H. Lewis
Frank R. Lewis
Commissioners