

Decision No. 28982

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. 164 of the City of Carmel-by-the-Sea, Monterey County, State of California.

ORIGINAL

Application No. 20637.

BY THE COMMISSION:

O P I N I O N

In this application Pacific Gas and Electric Company asks that the Commission make its decision and order granting to applicant a certificate declaring that present and future public convenience and necessity require and will require the exercise by applicant of the right, privilege and franchise granted to it by Ordinance No. 164 of the City Council of the City of Carmel-by-the-Sea, Monterey County, a copy of which is annexed to and made a part of the application.

Applicant alleges that it is now and, since the year 1912, it or its predecessor has been furnishing electric service to the inhabitants of the City of Carmel-by-the-Sea, under and pursuant to the provisions of a special franchise (Ordinance No. 335) granted by the Board of Supervisors of the County of Monterey under date of September 6, 1911.

Applicant 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. 164 of the City Council of the City of Carmel-by-the-Sea 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 and/or selling electricity for light, heat or other lawful purposes to said City of Carmel-by-the-Sea and/or to the inhabitants thereof.

Applicant has stipulated 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 was \$223.00.

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, privilege and franchise granted to it by Ordinance No. 164 of the City Council of the City of Carmel-by-the-Sea, Monterey County, all 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 12th day of July, 1936.

W. B. Lewis

Leon A. Kelly

M. H. Cunniff

W. H. [unclear]

John R. [unclear]

Commissioners.