

Decision No. 29199

ORIGINAL
FILED

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
E. N. FROST, Laytonville, Mendocino
County, California, for certificate
of public convenience and necessity
to exercise certain franchise rights
in the Town of Laytonville and with-
in a radius of six miles from said
town, under franchise applied for by
applicant.

Application No. 20681

E. N. Frost, W. F. Whitney and H. LaMontague
for Applicant.

BY THE COMMISSION:

O P I N I O N

In this application E. N. Frost of Laytonville, Mendocino County, California, asks the Commission for a certificate of public convenience and necessity authorizing him to exercise the franchise granted to him by Ordinance No. 252 of the Board of Supervisors of Mendocino County and to fix rates for the electric service which he intends to render in the Town of Laytonville and within a radius of six miles around said Town, under said franchise.

Attached to the application and made a part thereof is a copy of said Ordinance No. 252 and a petition to the Board of Supervisors of Mendocino County, signed by forty-seven residents of Laytonville, requesting the granting of the franchise and setting forth the desirability and necessity of electric service in the community.

A public hearing in the matter was held at Laytonville before Examiner C. C. Brown, on September 30, 1936, at which time testimony and evidence were received and the matter submitted for decision. No one appeared to protest or oppose the application.

Applicant, E. N. Frost, testified that if the certificate is granted he will install, at his own expense, an oil engine driven electric generator and the necessary overhead electric distribution system to serve electricity to the residents of Laytonville and of the area included in a circle of six miles radius of Laytonville.

He further testified that he is financially able to and will proceed with the installation of these facilities at once, starting with the Town of Laytonville and immediately adjacent territory; that public convenience and necessity require the electric service that he desires to render and that no other person, firm or utility is now engaged in the generation, distribution or sale of electric energy in the area involved.

Applicant further testified that he desires to file rates for the service, identical to those in effect in the Town of Covelo, Mendocino County, which is served by the Point Arena Electric Light and Power Company.

Applicant has filed with the Commission a stipulation that he, his successors or assigns, will never claim before the Railroad Commission or any court or public body any value for the franchise granted to him by said Ordinance No. 252, in excess of the actual cost thereof, which actual cost is Fifty (50) Dollars.

It appears that this application should be granted.

O R D E R

E. N. Frost, having asked the Commission for a certificate of public convenience and necessity authorizing him to exercise the franchise granted to him by the Ordinance above described and to fix rates for electric service to be rendered by him under said certificate, public hearing having been held, the matter being submitted and now ready for decision,

The Railroad Commission of the State of California
Hereby Orders and Declares that public convenience and necessity require and will require the exercise by E. N. Frost of the right, privilege and franchise granted to him by Ordinance No. 252 of the Board of Supervisors of the County of Mendocino and that a certificate of public convenience and necessity authorizing such exercise be and it is hereby granted to applicant.

IT IS HEREBY FURTHER ORDERED that upon the completion by applicant of the facilities to render the electric service above described, applicant shall file with the Commission rates for such service not higher than the then existing rates for similar service applicable in the Town of Covelo, Mendocino County.

The authority herein granted shall be subject to the following conditions and not otherwise:

1. The authorization herein granted shall lapse and become void if not exercised within one (1) year from the date hereof, unless further time is granted by subsequent Order.

2. The Railroad Commission may hereafter, by appropriate proceedings and orders, revoke or limit as to territory not then served by E. N. Frost or his successors in interest, the authority herein granted.

The effective date of this Order shall be the date hereof.

Dated at San Francisco, California, this 19th day of October, 1936.

M. B. Harris
Leon Whitwell
W. A. Cunn
Walter A. Chase
John R. Cullen
Commissioners.