

Decision No. 29233

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. 703,
Fourth Series, of the Council of the
City of Sacramento, Sacramento County,
State of California.

} Application No. 20810

ORIGINAL

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. 703, Fourth Series, of the Council of the City of Sacramento, a copy of which is marked Exhibit "A" and is annexed to and made a part of the application.

Applicant alleges that it is now and for many years last past it or its predecessors have been furnishing gas service to the inhabitants of the City of Sacramento under and pursuant to franchise granted to applicant's predecessors by the Board of Supervisors of the County of Sacramento and the Council of the City of Sacramento, including Ordinances Nos. 92 and 98 of the County of Sacramento and Ordinance No. 467 of the City of Sacramento and under and pursuant to the franchises 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 alleges that the franchise granted to it by the aforesaid Ordinance No. 703, Fourth Series, of the Council of the City of Sacramento supercedes the three existing franchises above mentioned and the terms of all said franchises terminate upon the effective date of the franchise granted by said Ordinance No. 703, Fourth Series, namely, August 24, 1936.

Applicant alleges that the present and future public convenience and necessity require and will require that applicant exercise the right, privilege and franchise granted to it by the aforesaid Ordinance No. 703, Fourth Series, of the Council of the City of Sacramento in order that applicant may continue to furnish and supply gas service 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 gas for light, heat and other lawful purposes to said City of Sacramento or to the inhabitants thereof.

Applicant finally alleges that the actual cost to it of the franchise granted by the said City of Sacramento by Ordinance No. 703, Fourth Series, was the sum of Two Hundred Fifty Dollars (\$250.00) and applicant in its application agrees that it, its successors or assigns will never claim before the Railroad Commission of the State of California or before any court or public body, any value for the aforesaid franchise in excess of the said cost thereof.

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

Pacific Gas and Electric Company having applied to the Commission 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. 703, Fourth Series, of the Council of the City of Sacramento, County of Sacramento, State of California, 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 24 day of November, 1936.

M. B. Lewis
Leon A. White
W. J. C. C.
W. J. C. C.
W. J. C. C.
Commissioners