

Decision No. 79566

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. 117 of the
 Board of Supervisors of the County of
 Colusa, State of California.

ORIGINAL

Application No. 20971

BY THE COMMISSION:

O P I N I O N

In this application Pacific Gas and Electric Company asked 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. 117, dated February 17, 1936, of the Board of Supervisors of the County of Colusa, State of California, 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 since the year 1924 has been furnishing and supplying artificial gas service to customers in the County of Colusa and that prior to the adoption and taking effect of said Ordinance No. 117 applicant was not in possession of the right, privilege or franchise of distributing or supplying gas to the public in said County of Colusa.

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. 117 in order that applicant may continue to furnish and supply gas to said County and the inhabitants thereof.

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, power or other purpose to said County of Colusa or 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 \$286.40.

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. 117 of the Board of Supervisors of the County of Colusa, 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 subject to the following conditions and not otherwise:

- (1) That applicant, its successors or assigns, will never claim before the Railroad Commission or any other public authority, a value for the aforesaid franchise in excess of the actual cost thereof, which is stated by applicant to be the sum of \$286.40.
- (2) The rights and privileges herein authorized may not be discontinued, sold, leased, transferred nor assigned unless the written consent of the Railroad Commission to such discontinuance, sale, lease, transfer or assignment has first been obtained.
- (3) Applicant shall file a written acceptance of the certificate herein granted within a period of not to exceed fifteen (15) days from the date hereof.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 15 day of
March, 1937.

W. H. ...
John ...
Greg ...
Ray ...
Ray ...
Commissioners.