

Decision No. 29276

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of PACIFIC GAS AND ELECTRIC COMPANY, a corporation, granting to applicant a certificate of public convenience and necessity, to exercise the right, privilege and franchise granted to applicant by Ordinance No. 185 of the Board of Supervisors of the County of Humboldt; and a preliminary order under Section 50 (c) of the Public Utilities Act re the exercise of a franchise hereafter to be obtained from the City of Trinidad, Humboldt County, State of California.

ORIGINAL

Application No. 21041.

BY THE COMMISSION:

FIRST SUPPLEMENTAL OPINION AND ORDER

In its Decision No. 29855, dated June 14, 1937, the Commission ordered in part, as follows:

- "2. That public convenience and necessity require and will require the exercise by Pacific Gas and Electric Company of the right and privilege to be granted to it by a franchise which it contemplates receiving from the City Council of the City of Trinidad, Humboldt County, and the Commission will hereafter, upon application by Pacific Gas and Electric Company, when it shall have obtained the right, privilege and franchise which it contemplates securing from the City of Trinidad, Humboldt County, as herein in this application set forth, issue to applicant a certificate authorizing the exercise of same."

On October 19, 1937, Pacific Gas and Electric Company filed its first supplemental application, alleging that on or about June 14, 1937, the City Council of the City of Trinidad adopted an ordinance designated as Ordinance No. 59, which granted to applicant, its successors and assigns, for the term of fifty (50) years, the right, privilege and franchise to erect, construct and

use facilities for the distribution of electrical energy in so many and such parts of the public streets, ways and places within said City of Trinidad, Humboldt County, as applicant may elect. A copy of said ordinance, marked Exhibit "A," is attached to and made a part of the first supplemental application.

Applicant has stipulated that it, its successors or assigns, will never claim before the Commission, or any court or public body, any value for said franchise granted by Ordinance No. 59, in excess of the actual cost thereof, which cost was One hundred and 00/100 Dollars (\$100.00), exclusive of the Fifty Dollar (\$50) filing fee.

It appears that the portion of said first supplemental application involving Ordinance No. 59 of the City of Trinidad should be granted, and that further hearing on same is not necessary; therefore,

IT IS HEREBY ORDERED that Pacific Gas and Electric Company be and it is hereby granted a certificate of public convenience and necessity, authorizing it to exercise the right, privilege and franchise granted to it by Ordinance No. 59 of the City Council of the City of Trinidad, County of Humboldt.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 1st day of Nov., 1937.

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Commissioners.