

DECISION NO. 31977

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
Southern California Gas Company for
a Certificate that Public Convenience
and Necessity Require the Exercise of
Rights and Privileges Granted to it by
Ordinance 351 of the City of Hanford.

Application No. 22631

L. T. Rice, for Applicant.

BY THE COMMISSION:

O P I N I O N

Southern California Gas Company requests a certificate of public convenience and necessity under Section 50(b) of the Public Utilities Act, authorizing the exercise of rights and privileges under a gas franchise granted to it by Ordinance No. 351 of the City Council of the City of Hanford, adopted December 27, 1938, a copy of which is attached as Exhibit "B" to the application. Said franchise is for an indeterminate period, adopted pursuant to the Franchise Act of 1937.

A public hearing was held April 5, 1939, before Examiner Crenshaw, at Hanford, California, at which time the matter was submitted. No one appeared to protest the granting of the application.

According to the testimony introduced on behalf of the applicant, applicant and its predecessors have been rendering service to the inhabitants of the City of Hanford for many years prior hereto, pursuant to a franchise granted in 1902 by Ordinance No. 115 for an indefinite period in excess of twenty-five years, which raised a legal question as to whether or not a city at that time could grant such a franchise. In view of this condition, applicant deemed it advisable to obtain a new franchise.

Applicant now renders gas service in substantially all parts of the City of Hanford and according to the testimony no other utility renders like service therein.

It is clear from the evidence that present and future convenience and necessity require that applicant exercise the franchise granted to it by said Ordinance No. 351 in order that it may continue to furnish gas to the inhabitants of the City of Hanford.

At the hearing applicant stipulated, and has subsequently filed a resolution passed by its Board of Directors, dated April 11, 1939, that it, its successors or assigns will never claim before the Railroad Commission of the State of California or any court or public body, any value for the aforesaid franchise and certificate of public convenience and necessity prayed for greater than the actual cost of the franchise, which is \$104.00, exclusive of the \$50.00 fee for filing the present application.

O R D E R

IT IS FOUND AS A FACT that public convenience and necessity require, and Southern California Gas Company is

hereby granted a certificate to exercise the rights and privileges granted to it by Ordinance No. 351 of the City of Hanford.

This order shall be effective immediately.

Dated, Los Angeles, , California, May 2 1939.

Raymond Johnson
Frank P. DeWitt
Walter & Riecy
H. H. H. H.
Justice J. Coenen
Commissioners