

Decision No. 32302

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. 200 of the City Council of the CITY OF SUNNYVALE, County of Santa Clara, State of California.

ORIGINAL

Application No. 22363.

R. W. DuVal, for Applicant.

Niles E. Wretman, City Attorney, for  
City of Sunnyvale.

BY THE COMMISSION:

Pacific Gas and Electric Company applies for authority to exercise an electric franchise granted by the City of Sunnyvale, Santa Clara County. A public hearing upon the application has been held. Such franchise is one authorized by the Franchise Act of 1937, and is in lieu of certain asserted franchises under which applicant for many years has rendered electric service within the City and surrounding territory. It is evident that the requested authority should be given.

O R D E R

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and hereby is granted to Pacific Gas and Electric Company to exercise the right or privilege under that certain franchise granted by the City of Sunnyvale by Ordinance No. 200 of February 21, 1938, subject to the condition, however, that no claim of value

for such franchise or the authority hereby granted, in excess of the actual cost thereof, shall ever be made by the grantee before this Commission or before any court or other public body.

Dated at San Francisco, California, this 12<sup>th</sup> day of September, 1939.

Ray W. Wadsworth  
James R. DeWitt  
Carl E. Rice  
W. H. Hall  
Justus J. Casper  
Commissioners.