

Decision No. 32376

## 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. 40 of the City Council of the City of BELMONT, County of San Mateo, State of California.

Application No. 22416

ORIGINAL

R. W. DuVal, for Applicant.  
J. E. McCurdy, City Attorney, for  
City of Belmont.

## BY THE COMMISSION:

Pacific Gas and Electric Company applies for authority to exercise a gas franchise granted by the City of Belmont, San Mateo 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 and its predecessors for many years have rendered gas service within the City of Belmont. It is evident that the requested authority should be given.

ORDER

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 Belmont

by Ordinance No. 40 of April 25, 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~~ <sup>Los Angeles</sup>, California, this 26<sup>th</sup> day of September, 1939.

Ray B. Wakefield  
Ray H. Greer  
H. H. Baker  
Justin J. Cramer  
Commissioners