

Decision No. 52387

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 or certificates of public convenience and necessity to exercise the rights, privileges and franchises heretofore granted to applicant's predecessor in interest, Midland Counties Public Service Corporation, by Ordinances No. 247 and No. 307 of the Board of Trustees and/or the City Council of the CITY OF LOMPOC, County of Santa Barbara, State of California.

ORIGINAL

APPLICATION NO. 22732

R. W. DuVal, for Applicant.
A. G. Oliver, City Attorney for
City of Lompoc.

BY THE COMMISSION:

Pacific Gas and Electric Company applies for authority to exercise two electric franchises granted to its predecessor, Midland Counties Public Service Corporation by the City of Lompoc, Santa Barbara County, presumably under the terms of the Broughton Act of 1905.

Applicant or its predecessors for a number of years has operated under these franchises which are restrictive in character using certain streets specified therein for the delivery of electric energy to the City of Lompoc for distribution by it to its inhabitants and for the transmission of electric energy through the city for distribution by Applicant to its

customers outside the city limits. A public hearing upon the application has been held and 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 rights or privileges under those certain franchises granted by the City of Lompoc, by Ordinance No. 247 of May 3, 1927 and Ordinance No. 307 of February 16, 1937 subject to the condition, however, that no claim of value for such franchises 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 Los Angeles, California, this 26th day of September, 1939.

Robert W. Higgins
Ray L. Reedy
W. H. White
Justice J. Cameron
(Commissioners)