

Decision No. 33289

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 Rail-
road Commission of the State of Califor-
nia, granting to applicant a certificate
of public convenience and necessity, to
exercise the right, privilege and fran-
chise granted to applicant by Ordinance
No. 155 of the City Council of the CITY
OF LOS BANOS, County of Merced, State
of California.

ORIGINAL

Application No. 23437

R. W. DuVal, Attorney for Applicant.

BY THE COMMISSION:

Pacific Gas and Electric Company has applied for authority to exercise rights and privileges pertaining to electric service expressed in a franchise granted it by the City of Los Banos, Merced County. This franchise is one authorized by the Franchise Act of 1937 and is in lieu of an asserted franchise under which applicant or its predecessors in interest have rendered electric service in that city for many years.

A public hearing on the application was held and it is evident that the requested authority should be given.

O R D E R

IT IS HEREBY FOUND AS A FACT that public convenience and necessity require and will require, and Pacific Gas and Electric Company is hereby granted a certificate for the exercise of the rights and privileges granted it by the City of Los

Banos, Merced County, under its Ordinance No. 155 adopted January 17, 1940. This grant is subject to the condition, however, that Pacific Gas and Electric Company, its successors or assigns, will never claim before this Commission or any court or other public body a value for that franchise or for the authority hereby granted in excess of the actual cost thereof.

This Order shall be effective immediately.

Dated at San Francisco, California, this 3rd day of July, 1940.

Ray L. Riley
James P. DeWitt
Robert W. DeWitt
H. W. DeWitt
Justus J. Coe
Commissioners