

Decision No. 33294

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 Cali-  
fornia, granting to applicant a certi-  
ficate of public convenience and neces-  
sity, to exercise the right, privilege  
and franchise granted to applicant by  
Ordinance No. 621 of the Council of the  
CITY OF OROVILLE, County of Butte,  
State of California.

ORIGINAL

Application No. 22507

R. W. DuVal, Attorney for Applicant.  
J. F. Good, City Attorney, for City of Oroville.

BY THE COMMISSION:

Pacific Gas and Electric Company has applied for authority to exercise rights and privileges pertaining to gas service expressed in a franchise granted it by the City of Oroville, Butte County. This franchise is one authorized by the Franchise Act of 1937 and is in lieu of asserted franchises under which applicant or its predecessors in interest have rendered gas 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 Oroville, Butte County, under its Ordinance No. 621 adopted June 13, 1938. 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 3<sup>rd</sup> day of July, 1940.

Ray L. Rice  
Frank Allen  
Raymond B. ...  
H. H. ...  
Justin J. ...  
Commissioners.