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Decision No. 33301

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 heretofore granted to  
 applicant's predecessor in interest San  
 Joaquin Light and Power Corporation by  
 Ordinance No. 86 N.S. of the City  
 Council of the CITY OF MADERA, County  
 of Madera, State of California.

ORIGINAL

Application No. 22752

R. W. DuVal, Attorney for Applicant.

BY THE COMMISSION:

Pacific Gas and Electric Company has applied for auth-  
 ority to exercise rights and privileges pertaining to electric  
 service expressed in a franchise granted it by the City of  
 Madera, Madera 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 ren-  
 dered 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.

ORDER

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 Madera, Madera County, under its Ordinance No. 86 N.S. adopted June 20, 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 B. Smith  
Ray B. ...  
W. H. ...  
Arthur J. ...