

Decision No. 23499

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
SAN DIEGO CONSOLIDATED GAS & ELECTRIC  
COMPANY, a corporation, for a certifi-  
cate of public convenience and neces-  
sity authorizing it to exercise fran-  
chise rights granted by the City of  
El Cajon.

Application No. 23499

Chickering & Gregory, By Walter C. Fox, Jr.,  
For applicant.

Lester J. Penry, City Attorney, For the City  
of El Cajon.

BY THE COMMISSION:

San Diego Consolidated Gas and Electric Company has applied for authority to exercise rights and privileges pertaining to electric service expressed in franchise granted it by the City of El Cajon. This franchise was granted by the City Council of the City of El Cajon, California, May 27, 1935, and will expire on July 25, 1979, and is in lieu of an asserted franchise under which applicant, or its predecessors in interest, have been rendering 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 San Diego Consolidated Gas

and Electric Company is hereby granted a certificate for the exercise of the rights and privileges granted it by the City of El Cajon, San Diego County, under its Ordinance No. 150, adopted May 27, 1935. This grant is subject to the condition, however, that San Diego Consolidated Gas and Electric Company, its successors or assigns, will never claim before this Commission, or any court or other public body, a value for the 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 16<sup>th</sup> day of

July, 1940.

Frank A. ...  
Rafael ...  
H. ...  
Justin J. Casner  
Commissioners.