

Decision No. 22567

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 of public convenience and necessity, to exercise the right, privilege and franchise granted to applicant by Ordinance No. 162 of the City Council of the Town of Fortuna, County of Humboldt, State of California.

ORIGINAL

APPLICATION NO. 22567

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 Fortuna, Humboldt 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.

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 Fortuna, Humboldt County, under its Ordinance No. 162 adopted August 1, 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 30th day of July, 1940.

Frank S. ...
Rodolph ...
H. ...
Justice J. ...
Commissioners