

Decision No. 24214

**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 Southern California Gas Company for )  
 a Certificate that Public Convenience )  
 and Necessity Require the Exercise of ) Application No. 24214  
 Rights and Privileges Granted to it )  
 by Ordinance No. 174 of the City of )  
 Rialto. )

T. J. REYNOLDS and L. T. RICE by L. T. RICE,  
for Applicant.

BY THE COMMISSION:

O P I N I O N

Southern California Gas Company has applied for author-  
ity to exercise rights and privileges pertaining to gas service  
expressed in a franchise granted it by the City of Rialto, San  
Bernardino County.

This franchise is one authorized by the Franchise Act  
of 1937, and is in lieu of asserted franchises under which Appli-  
cant or its predecessors in interest have rendered gas service  
continuously in that city for many years. It is indeterminate  
in duration and provides that the grantee shall during the term  
thereof pay to the City of Rialto an amount not less than one  
per cent (1%) of the gross annual receipts derived by grantee  
from the sale of gas within the limits of said city.

A public hearing on this application was held June 27,  
1941, in the City of Rialto at which time Applicant testified  
that the cost of the franchise was \$39.60, exclusive of the \$50.00  
filing fee for the present application and \$3.60 for the publi-  
cation of notice of the hearing.

According to the testimony introduced on behalf of the applicant, it is evident that the requested authority should be given.

O R D E R

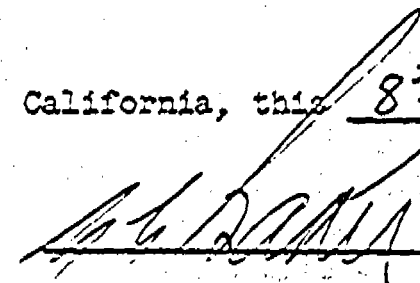
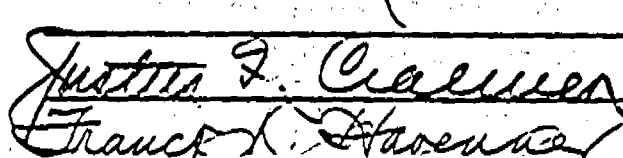

The application of Southern California Gas Company having been considered and,

IT BEING FOUND AS A FACT that public convenience and necessity so require,

IT IS HEREBY ORDERED, that Southern California Gas Company be and is hereby granted a certificate for the exercise of rights and privileges granted it by the City of Rialto, San Bernardino County, under its Ordinance No. 174, adopted April 16, 1941. This grant is subject to the condition, however, that Southern California Gas Company, its successors or assigns will never claim before this Commission or any court or other public body a value for said franchise or for the authority hereby granted in excess of the actual cost thereof.

The effective date of this Order shall be the date hereof.

Dated at San Francisco, California, this 8<sup>th</sup> day of July, 1941.

  
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Justice F. Cravener  
  
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Francis D. Havens  
  
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Nathan K. Kachere  
Commissioners