

Decision No. 33444

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. 24233
Rights and Privileges Granted to it)	
by Ordinance No. 618 of the City of)	
Colton.)	

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

CRAEMER, COMMISSIONER:

O P I N I O N

Southern California Gas Company has applied for authority to exercise rights and privileges pertaining to gas service expressed in a franchise granted it by the City of Colton, San Bernardino 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 continuously in that city for many years. It is indeterminate in duration and provides that the grantee shall during the term hereof pay to the City of Colton 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 Colton at which time Applicant testified that the cost of the franchise was \$53.67, exclusive of the \$50.00 filing fee for the present application and \$4.00 for the publication 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.

I recommend the following form of Order.

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 hereby is granted a certificate for the exercise of rights and privileges granted it by the City of Colton, San Bernardino County, California, under its Ordinance No. 618, adopted April 21, 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.

The foregoing Opinion and Order are hereby approved and filed as the Opinion and Order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 29th day
of July, 1941.

[Signature]

Justus F. Casner
Frank L. Havenner
[Signature]
Commissioners.