

Decision No. _____

34727

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
rights and privileges granted to it by
Ordinance No. 123 of the City of Delano.

Application No. 24318

L. T. Rice, for Applicant

BY THE COMMISSION:

O P I N I O N

Southern California Gas Company seeks authority to exercise a franchise granted by the City of Delano permitting the maintenance of gas facilities upon the streets of said City.

As the franchise referred to is one granted by the City in accordance with the Franchise Act of 1937, it is provided therein that it shall be of indeterminate duration. A fee is payable annually to the City equivalent to 2 per cent of the gross receipts arising from the use of the franchise, but not less than 1 per cent of all sales of gas by applicant within the City. The declared cost to applicant in obtaining the franchise is \$119.20.

As this utility has for many years served gas within and about the City of Delano, Kern County, without competition, it is evident that its request for a certificate to exercise a franchise should be granted.

O R D E R

A public hearing having been held upon the application of Southern California Gas Company, the matter considered, and it appearing to the Commission and it being found as a fact that public convenience and necessity so require, therefore,

IT IS ORDERED that Southern California Gas Company be and hereby is granted a certificate to exercise the rights and privileges granted by the City of Delano by Ordinance No. 183, adopted May 19, 1941, subject to the condition, however, that no claim of value for such franchise or the authority herein granted in excess of the actual cost thereof shall ever be made by grantee, its successors, or assigns, before this Commission or before any court or other public body.

The effective date of this Order shall be the twentieth day from and after the date hereof.

Dated, San Francisco, California, this 4th day of November, 1941.

W. L. B. [Signature]
Ray L. Riley
Justice J. Calderon

Commissioners

Application No. 24318 - Southern California Gas Company,
City of Dolano - Gas Service.

DISSENT

We dissent on the grounds specified in today's Decision No. 34723,
in Application No. 23634 (Southern California Edison Company Ltd.), for a
certificate of public convenience and necessity for electric service in
Riverside County, California.

Frank R. Haven

Richard L. Laska
Commissioners