

Decision No. 34842

**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. 28 (N.S.) of the City of )  
Parlier. )

Application No. 24363

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 seeks authority to exercise a franchise granted by the City of Parlier 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 \$61.10.

As this utility has for many years served gas within and about the City of Parlier, Fresno 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 Parlier by Ordinance No. 28 (N.S.) adopted June 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 9<sup>th</sup> day of December, 1941.

H. G. Baker  
Ray L. Riley  
Justus F. Coe

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Commissioners.

Application No. 24363 - Southern California Gas Company,  
City of Parlier - Gas Service.

DISSENT

We dissent on the grounds set forth in 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.

Francis R. Havenner  
Richard L. Lachse  
Commissioners