

Decision No. 34844

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
SOUTHERN CALIFORNIA GAS COMPANY under)
Section 50(b) of the Public Utilities)
Act, for a Certificate that Public)
Convenience and Necessity Require the)
Exercise of Rights and Privileges)
Granted to it by Ordinance No. 272 of)
the County of Riverside.)

Application No. 24484.

T. J. Reynolds and L. T. Rice,
by Neal G. Locke, for Applicant.

BY THE COMMISSION:

O P I N I O N

Southern California Gas Company presents its application for certificate to exercise a franchise granted by the County of Riverside permitting the maintenance of gas facilities upon the highways throughout said county.

This newly acquired franchise is for a term of fifty years. The costs incurred by the applicant in obtaining the franchise totaled \$349.25. The annual fee payable by the utility is fixed at 2 per cent of the gross receipts arising from the use of the franchise.

Applicant now renders gas service in the westerly part of Riverside County, both within and without the Cities of Palm Springs, Beaumont, Benning, Hemet, San Jacinto, Elsinore, Perris, Riverside, and Corona. The Indio Gas Company serves the City of Indio and adjacent territory and the Blythe Gas Company supplies the City of Blythe and adjacent territory within the county. However, applicant does not propose, and should not be permitted to exercise the franchise so as to invade the fields reserved to other utilities.

With appropriate limitations imposed, we believe the requested authority 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 County of Riverside by Ordinance No. 272 adopted August 11, 1941, within such parts or portions of said County as are now served by it, or as hereinafter may be served by it through extensions of its existing system made in the ordinary course of business as contemplated by Section 50(e) of the Public Utilities Act; provided, however, that this certificate shall be subject to the following conditions:

1. That extensions of applicant's distribution lines in said County of Riverside may be made only in accordance with such applicable rule or rules as may be prescribed or approved by the Commission and in effect at the time covering such extensions, or in accordance with any general or special authority granted by the Commission.

2. That, except upon further certificate of this Commission first obtained, applicant shall not exercise such franchise for the purpose of supplying gas within those parts or portions of said County now being served with gas by any other public utility.

3. That the Commission may hereafter, by appropriate proceeding and order, limit the authority herein granted to

applicant as to any territory within said County not then being served by it, and

4. 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 9th day of December, 1941.

[Signature]
[Signature]
Justus F. Coe

Commissioners.

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Application No. 24484

Application No. 24484 - Southern California Gas Company,
County of Riverside - 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. Laska

Commissioners