

**ORIGINAL**Decision No. 35043

## 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. 493 of the City of Corona.

Application No. 24650

T. J. Reynolds and L. T. Rice, by  
L. T. Rice, for Applicant.  
W. S. Clayson, City Attorney, for  
the City of Corona.

CRAEMER, COMMISSIONER:

O P I N I O N

Southern California Gas Company seeks authority to exercise a franchise granted by the City of Corona 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 direct costs to applicant in obtaining the franchise are stated to have been \$104.10.

As this utility has for many years served gas within and about the City of Corona without competition, it is evident that its request for a certificate to exercise said 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 HEREBY ORDERED that Southern California Gas Company be and hereby is granted a certificate to exercise the rights and privileges granted by the City of Corona by Ordinance No. 493, adopted October 21, 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 foregoing Opinion and Order are hereby approved and ordered filed as the Opinion and Order of the Railroad Commission of the State of California.

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

Dated, San Francisco, California, this 17<sup>th</sup> day of February 1942.

Justin F. Cradler  
Ray L. Riley  
H. H. B. B. B.  
Francis G. Stevenson  
Richard L. ...

Commissioners