

Decision No. 37011

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
SOUTHERN COUNTIES GAS COMPANY OF
CALIFORNIA, a corporation, for a
Certificate of Public Convenience
and Necessity under Section 50 of the
Public Utilities Act, for Authority to
Exercise the Franchise acquired from
the City of Santa Maria by Ordinance
No. 212.

ORIGINAL

Application No. 25898

LeRoy M. Edwards for Applicant

BY THE COMMISSION:

O P I N I O N

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

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 for all sales of gas by Applicant within the City. The direct costs to Applicant in obtaining the franchise are stated to have been \$108.65.

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

O R D E R

A public hearing having been held upon the application of Southern Counties Gas Company of California, 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 Counties Gas Company of California be and hereby is granted a certificate to exercise the rights and privileges granted by the City of Santa Maria by Ordinance No. 212, adopted November 1, 1943, 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 at San Francisco, California, this 18th day of April, 1944.

Richard J. Schaefer

Francis J. Havens

Leo A. Russell

Thomas W. Brown

Commissioners