

Decision No. 40525

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of SOUTHERN CALIFORNIA GAS COMPANY, a corporation, and SOUTHERN COUNTIES GAS COMPANY OF CALIFORNIA, a corporation, under Section 50(b) of the Public Utilities Act of the State of California, as amended, for a certificate that public convenience and necessity require the exercise of the rights and privileges granted by Ordinance No. 91,670 of the City of Los Angeles.

ORIGINAL

Application No. 28507

O P I N I O N

In this application, Southern California Gas Company and Southern Counties Gas Company of California jointly ask for a certificate of public convenience and necessity to exercise a franchise granted by the City of Los Angeles, permitting the installation and maintenance of gas facilities upon certain streets of said city.

This franchise, a copy of which is attached to the application as Exhibit B, was granted by the city for a term of approximately five years expiring September 1, 1952 and provides that a fee shall be paid annually to the city equivalent to 15 cents per lineal foot of pipe line installed in the specified portions of streets.

The costs incurred by applicants in obtaining this franchise are stated to have been \$300.

By Decision No. 40280, in Applications Nos. 28250 and 28361, the Commission authorized applicants to exercise franchises granted by the cities of Los Angeles, Lynwood, South Gate, and Compton, and by the County of Los Angeles, permitting the installation and maintenance in specified streets of said cities and county of a 26-inch pipe line extending some 30 miles from Glendale to Long Beach, which had been acquired from Pacific Lighting Corporation on June 4, 1946.

It now appears that two short sections of streets traversed by this pipe line within the City of Los Angeles were not included in the franchise upon which Application No. 28250 was partially based, and that the city has subsequently granted applicants another franchise embracing these particular sections, which franchise is the one underlying this application.

As the possession of satisfactory franchises for the entire length of this pipe line is essential to its future operation by applicants, and as the purpose of its operation was fully set forth in comprehensive oral and written evidence at the hearing on Application No. 28250, it appears that this application should be granted and that a hearing in the matter is not necessary.

The authority herein given shall be subject to the following provision of law:

That the Commission shall have no power to authorize the capitalization of the franchise involved herein or this certificate of public convenience and necessity or the right to own, operate or enjoy such franchise or certificate of public convenience and necessity in excess of the amount (exclusive of any tax or annual charge) actually paid to the state or to a political subdivision thereof as the consideration for the grant of such franchise, certificate of public convenience and necessity or right.

O R D E R

Application as above entitled having been filed, the Commission being fully advised in the premises and hereby finding that public convenience and necessity so require,

IT IS HEREBY ORDERED that a certificate of public convenience and necessity is hereby granted to Southern California Gas Company and Southern Counties Gas Company of California to exercise the rights and privileges granted by the City of Los Angeles by Ordinance No. 91,670 adopted April 25, 1947.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 22nd day of July, 1947.

Harold P. Huls
Justus F. Lawrence
W. H. Powell
R. F. [unclear]

Commissioners