

Decision No. 40976

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
 PACIFIC GAS AND ELECTRIC COMPANY for  
 an order of the Public Utilities  
 Commission of the State of California  
 granting to applicant a certificate  
 of public convenience and necessity  
 to exercise the right, privilege and  
 franchise granted to applicant by  
 Ordinance No. 497 of the Board of  
 Supervisors of the COUNTY OF SAN  
 JOAQUIN, State of California.  
 (Gas)

ORIGINAL

Application No. 28820

R. W. DuVal for applicant.

O P I N I O N

Pacific Gas and Electric Company asks for a certificate of public convenience and necessity to exercise a franchise granted by the County of San Joaquin permitting the installation and maintenance of gas facilities upon the roads and highways of said county.

The franchise referred to, a copy of which is attached to the application and marked Exhibit A, conforms to the provisions of the Broughton Act and is for a term of fifty years. A fee is payable annually to the county equivalent to two per cent of the gross annual receipts arising from the use, operation, or possession of the franchise.

The costs incurred by applicant in obtaining the franchise are stated to have been \$197.20.

A hearing on this application was held by Examiner Daly at which no opposition to the granting of the requested certificate was manifested.

As this utility has for many years served gas throughout the County of San Joaquin without competition, it is evident that the requested certificate should be granted.

The certificate of public convenience and necessity herein granted is subject to the following provisions 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, a public hearing having been held thereon, the matter having been submitted, 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 PACIFIC GAS AND ELECTRIC COMPANY to exercise the rights and privileges granted by the County of San Joaquin, by Ordinance No. 497, adopted April 28, 1947.

The effective date of this Order shall be the date hereof.

Dated at San Francisco, California, this 1<sup>st</sup> day of December, 1947.

Harold P. Kula

Justus F. Galvan

Quart Russell

R. J. [Signature]

Commissioners.