

ORIGINAL

Decision No. 48906

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)

GAS SUPPLY COMPANY OF CALIFORNIA,)
a corporation,)

- (a) for authority to issue at par not to exceed \$22,500,000 par value of its common shares for the acquisition of property,)
- (b) for an order declaring that the Commission will issue certificates of convenience and necessity to exercise rights and privileges under various franchises,)
- (c) for a certificate that public convenience and necessity require the maintenance and operation of the property to be acquired,)
- and (d) for an order of this Commission establishing the appropriate accounting entries for property proposed to be dedicated to public use.)

) Application
) No. 33905
) (Second Supplemental)

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OPINION AND ORDER ON
SECOND SUPPLEMENTAL APPLICATION

In a second supplemental application filed in the above entitled proceeding on July 15, 1953, Pacific Lighting Gas Supply Company, a California corporation formerly named Gas Supply Company of California, reports that it has acquired certain franchise rights from the cities of Burbank and Signal Hill and from the County of Los Angeles and it requests the Commission to issue certificates declaring that public convenience and necessity require the exercise by it of rights and privileges. It reports that under two of the Los Angeles County franchises it has acquired rights and privileges within the City of Long Beach, the city having succeeded, in part, as grantor upon annexation by it of portions of the county.

In Decision No. 48088, dated December 22, 1952, wherein the Commission after a hearing reviewed the acquisition by applicant of

the rights and properties of Pacific Lighting Gas Supply Company, a Nevada corporation, the Commission provided that it would issue certificates of public convenience and necessity upon the filing of supplemental applications by applicant showing that it has acquired franchises.

The Commission has considered the second supplemental application now pending before it and is of the opinion that it should enter an order granting applicant's request. The certificates of public convenience and necessity issued herein are 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.

Additionally, for those franchises issued by cities under the Franchise Act of 1937, the certificates of public convenience and necessity are subject to the following provisions of law:

That the franchise involved herein shall never be given any value before any court or other public authority in any proceeding of any character in excess of the cost to the grantee of the necessary publication and any other sum paid by it to the municipality therefor at the time of the acquisition thereof.

The Commission is of the opinion that a further hearing is not necessary in this proceeding on the second supplemental application; therefore,

IT IS HEREBY FOUND AS A FACT that public convenience and necessity require the exercise by applicant of the rights and privileges under each of the following franchises:

City of Burbank
City of Signal Hill
Los Angeles County

Ordinance No. 481
Ordinance No. 347
Ordinance No. 2420

IT IS HEREBY FOUND AS A FACT that public convenience and necessity require the exercise by applicant of the rights and privileges within the City of Long Beach, California, under each of the following franchises:

Los Angeles County
Los Angeles County

Ordinance No. 583
Ordinance No. 2035

IT IS HEREBY ORDERED that certificates of public convenience and necessity in accordance with the foregoing findings be, and they hereby are, granted to Pacific Lighting Gas Supply Company, a California corporation, to exercise the rights and privileges granted by each of said franchises.

IT IS HEREBY FURTHER ORDERED that the effective date of this order shall be 20 days after the date hereof.

Dated at San Francisco, California, this 4th day of August, 1953.

A. T. Anderson
President

James J. Cresswell
Harold A. Hilde

Bernard P. Potter
Edw. E. Mitchell
Commissioners