

ORIGINALDecision No. 49758

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)
 PACIFIC LIGHTING GAS SUPPLY COMPANY,)
 a corporation, under Sections 1002)
 and 1005 of the Public Utilities Code)
 for a Certificate that Public Conven-)
 ience and Necessity require the)
 exercise of the rights and privileges)
 granted by Ordinance No. 102,316 of)
 the City of Los Angeles.)

Application No. 34991

Oscar Sattinger, for applicant.

O P I N I O N

Pacific Lighting Gas Supply Company in this proceeding asks for a certificate of public convenience and necessity to exercise the rights and privileges of a franchise granted by the City of Los Angeles, permitting the installation, maintenance and use of a gas pipeline in certain streets of said city as set forth in detail in the ordinance. A public hearing was held before Commissioner Verne Scoggins and Examiner C. E. Crenshaw on February 17, 1954 in Los Angeles.

The franchise referred to, a copy of which is attached to the application and designated as Exhibit "A", was granted by the city in accordance with the City Charter of the City of Los Angeles and is for a term of 21 years. A fee is payable annually to the city, computed at the rate of one cent per lineal foot of pipe for each inch, or fraction thereof, of actual diameter of pipe, but not less than eight cents per lineal foot of pipe installed or maintained pursuant to the provisions of said franchise.

The costs incurred by applicant in obtaining the franchise are stated to have been \$300.00, which amount does not include costs incident to this application in the amount of \$57.50. The total cost of the franchise, including the incidental costs, is \$357.50.

Applicant has acquired the interests of the Southern California Gas Company in portions of a 26-inch pipeline heretofore installed in areas covered by this new franchise. Upon acquisition, said portions of the 26-inch pipeline became an integral part of the pipeline system of applicant which extends on both sides of the franchise areas.

In order for applicant to maintain and operate said portions of the 26-inch pipeline acquired from the Southern California Gas Company, which are located in the northeasterly roadway of San Fernando Road in the City of Los Angeles, it was necessary to obtain a franchise from the City of Los Angeles.

The annual payment to the City of Los Angeles under Ordinance No. 102,316 is estimated to be about \$925.00.

No objection to the granting of the requested certificate has been entered. It is the Commission's opinion that the requested authority should be granted.

The certificate of public convenience and necessity herein granted is 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

The above-entitled application having been filed, a public hearing having been held, the matter having been submitted and now being ready for decision,

IT IS HEREBY FOUND AS A FACT that public convenience and necessity require the exercise by applicant of the right, privilege and franchise granted to applicant by Ordinance No. 102,316 of the City of Los Angeles.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and is granted to Pacific Lighting Gas Supply Company to exercise the rights and privileges granted by the City of Los Angeles by Ordinance No. 102,316 adopted October 29, 1953.

The effective date of this order shall be twenty days after the date hereof.

Dated at Los Angeles, California, this 9th day of March, 1954.

[Signature]
 President

JUSTIN F. [Signature]

[Signature]

[Signature]

Verne [Signature]
 Commissioners