

**ORIGINAL**

Decision No. 52084-

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 )  
 convenience and necessity require )  
 the exercise of the rights and priv- )  
 ileges granted by Ordinance )  
 No. 105,800 of the City of Los )  
 Angeles. )

Application No. 37182

James R. Elliott, for applicant;  
 Department of Public Utilities and Trans-  
 portation, City of Los Angeles, by  
T. M. Chubb and M. Kroman, interested  
 party.

O P I N I O N

Pacific Lighting Gas Supply Company by the above-entitled application filed August 2, 1955, 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, repair and replacement of a pipeline not over 26 inches nominal internal diameter in street locations all within the City of Los Angeles and described as follows:

<u>Street Locations</u>		
<u>In</u>	<u>Between</u>	<u>And</u>
Tennessee Avenue	Sepulveda Boulevard	Terminus easterly of Fox Hills Drive
Sepulveda Boulevard	Tennessee Avenue	Point approximately 300 feet south.

A public hearing was held before Examiner Carl E. Crenshaw on September 23, 1955, 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 provisions of the charter of the City of Los Angeles and ordinances of the City of Los Angeles governing franchises and expires January 19, 1972.

A fee is payable annually to the City, computed at the rate of 26 cents per lineal foot of pipe. The first annual payment is to be computed by applying said rate to the distances along center lines of the routes as designated. The second and each subsequent annual payment will be computed by applying said rate to all pipe which had been installed or maintained pursuant to this franchise at any time, excepting therefrom any pipe which, pursuant to the provisions of this franchise and prior to the anniversary on which the payment accrues, had been removed, abandoned in place, or for which franchise rights hereunder had been assigned by the grantee.

The costs incurred by applicant in obtaining the franchise are stated to have been \$300, which amount does not include costs incident to this application.

According to the record applicant has entered into a written agreement for the purchase of natural gas from the Universal Consolidated Oil Company, production of which is in the Beverly Hills oil field, situated in Los Angeles, and it is essential for applicant to construct pipeline facilities in said City in order to accept delivery of such gas.

According to Exhibit No. 1, applicant proposes to construct a pipeline from the Beverly Hills oil field near Fox Hills Drive, along Tennessee Avenue to the Southern California Gas Company's West Los Angeles Station at Sepulveda Boulevard. Applicant is, and has been for some time, engaged in the sale of gas at wholesale to Southern California Gas Company and Southern Counties Gas Company of

California, which are affiliates of applicant. The additional gas which is to be obtained would augment the supply of gas now available to these two distributing companies from applicant. This pipeline is to be used by applicant for transmission of gas and is not to be used for distribution purposes and therefore it will not compete with the Southern California Gas Company which is now distributing gas in this area.

No objection to the granting of the requested certificate has been entered and it appears from the record that the certificate should be granted.

The certificate of public convenience and necessity herein granted is subject to the following provisions of law:

1. 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 for any amount of money 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.
2. 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.

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. 105,800 of the City of Los Angeles.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and it is granted to Pacific Lighting Gas Supply Company to exercise the rights and privileges granted by the City of Los Angeles by Ordinance No. 105,800 adopted June 23, 1955.

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

Dated at San Francisco, California, this 18<sup>th</sup> day of October, 1955.

[Signature]  
President  
[Signature]  
[Signature]  
[Signature]  
[Signature]  
Commissioners