

ORIGINAL

Decision No. 56981

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
SOUTHERN CALIFORNIA GAS COMPANY, a)	
corporation, under Sections 1002 and)	
1005 of the Public Utilities Code,)	Application No. 39697
for a certificate that public conven-)	
ience and necessity require the exercise)	
of the rights and privileges granted by)	
Ordinance No. 4434 of the City of)	
Pasadena, California.)	

T. J. Reynolds, Harry P. Letton, Jr., and
Henry F. Lippitt, 2nd, for applicant.

O P I N I O N

Southern California Gas Company, a corporation, pursuant to Section 1002 of the California Public Utilities Code, is applying for a certificate that public convenience and necessity require the exercise of rights and privileges under a franchise granted to it by the City of Pasadena in Ordinance No. 4434.

A public hearing was held in Los Angeles before Examiner Mark V. Chiesa. Evidence having been adduced, the matter was submitted for decision. The usual notice of hearing was published. The application is not opposed.

The Commission finds:

That applicant is a public utility of a class specified in Section 1001 of said Public Utilities Code, to wit, a gas corporation, and that it is engaged in the purchase, distribution and sale of gas within the central and southern portions of the State of California, having its principal place of business in Los Angeles.

That the City of Pasadena, on July 16, 1957, adopted Ordinance No. 4434, which ordinance became effective August 17, 1957, granting to applicant a franchise for a period of thirty years. The ordinance supersedes a previous franchise (see Decision No. 30441) and authorizes applicant to use city streets for the transmission and distribution of gas to its customers. It provides for an annual payment to the city of a sum equal to two percent (2%) of the gross revenues received from the operation of its business within the city and calls for an additional payment based on a specified rate per mile of pipeline in place during any calendar year whether used or not and devoted exclusively to the transportation of gas through the city for use outside the city. A performance bond has been filed with the city. Applicant has stipulated that it will not claim a value for the franchise in excess of the actual cost thereof which is \$166.21.

That applicant has approximately 312 miles of pipe lines and 43,000 meters serving within the city which has a population in excess of 120,000. Payments under the franchise, based on 1957 revenues and pipeline charges, amounted to \$95,959.56.. Of said sum \$925 was for so-called pipeline payment.

That public convenience and necessity require the exercise of said franchise, and therefore a certificate will be granted 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

A public hearing having been held, the Commission being fully advised in the premises and having found as hereinabove set forth,

IT IS ORDERED that a certificate of public convenience and necessity be, and it hereby is, granted to Southern California Gas Company, a corporation, authorizing it to exercise the rights and privileges granted by the City of Pasadena in Ordinance No. 4434, adopted July 16, 1957.

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

Dated at San Francisco, California,
this 15th day of JULY, ¹⁹⁵⁷~~1948~~. *88*

E. Lynn Fox
President
Robert Mitchell
Ray B. DeKruyer

Commissioners.

Matthew J. Dooley
Commissioner Theodore H. Jenner, being necessarily absent, did not participate in the disposition of this proceeding.