

Decision No. 57756

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of SOUTHERN COUNTIES GAS COMPANY
OF CALIFORNIA for a special ruling
on gas service to Huntington Beach
Steam Station of Southern California
Edison Company.

Application No. 40253

Milford Springer, Robert M. Olson, Jr., attorneys,
and Reginald L. Vaughan, special counsel, for
applicant.

Rollin E. Woodbury, Harry W. Sturges, Jr., and
Richards Barger, by Rollin E. Woodbury and
Richards Barger, attorneys, for Southern California
Edison Company, protestant.

L. R. Knerr for San Diego Gas & Electric Company;
and William W. Evers for California Manufacturers
Association; interested parties.

Clarence Unnevehr, for the Commission staff.

ORDER OF DISMISSAL

Southern Counties Gas Company of California, a corpo-
ration, by the above-entitled application, filed July 11, 1958,
seeks a finding by the Commission that it has properly applied the
provisions of Section D of its Rule No. 20 with respect to gas
service to the Huntington Beach Steam Station of Southern California
Edison Company, and that the advance in aid of construction to be
made by Edison in accordance with a proposal of the Commission
staff, accepted by applicant, is just and reasonable. An order by
the Commission is also sought for the installation by the applicant
of the gas main extension to Edison's Huntington Beach Steam Station,

together with an order requiring Edison to make the advance in aid of construction and take gas service upon the terms and conditions recited in Edison's letter of application dated October 11, 1957. Applicant also asks the Commission to retain jurisdiction in the matter.

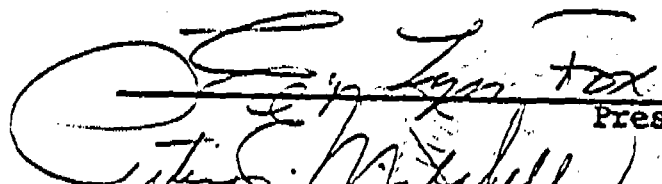
Public hearings were held before Commissioner Ray E. Untereiner and Examiner Stewart C. Warner on September 16 and 30, and October 1, 1958, at Los Angeles. Edison protested the application on the grounds that the applicant requests the specific performance of an alleged contractual commitment. At the September 16 hearing, Edison made a motion that the matter be dismissed for lack of jurisdiction by the Commission over any claim for specific performance of a contract or for damages.

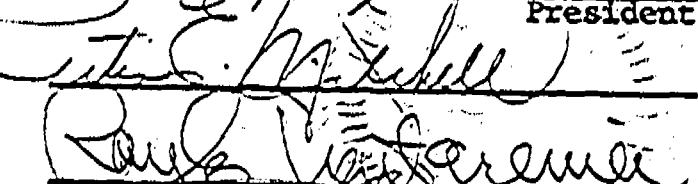
Applicant, by written request from its attorneys, dated December 19, 1958, seeks dismissal of this matter, alleging that the disputed issues have been settled between applicant and Southern California Edison Company.


Therefore, good cause appearing,

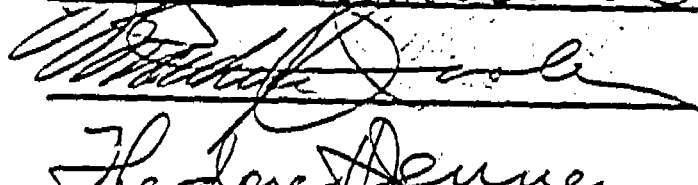
IT IS ORDERED that Application No. 40253 be and it is dismissed.

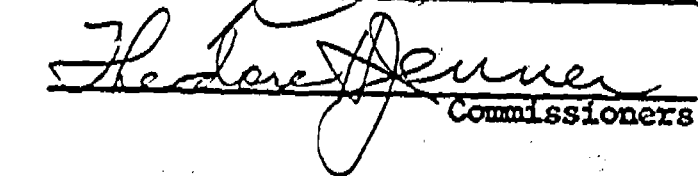
Dated at San Francisco, California, this 30th day of December, 1958.



President







Commissioners