

ORIGINAL

Decision No. 58555

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)
PACIFIC GAS AND ELECTRIC COMPANY for)
an order issuing to applicant a)
certificate of public convenience)
and necessity to exercise the right,)
privilege and franchise granted to)
applicant by Ordinance No. 191 of)
the Board of Supervisors of the)
COUNTY OF MARIPOSA, State of)
California. (Electric.))

Application No. 40843

F. T. Searls, John C. Morrissey and John S. Cooper
by Jewel M. Larson, for applicant.

O P I N I O N

Pacific Gas and Electric 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 County of Mariposa, permitting the installation, maintenance and use of an electric distribution and transmission system within the unincorporated area of said County. A public hearing was held before Examiner Thomas E. Daly, on May 20, 1959, at San Francisco.

The franchise referred to, a copy of which is attached to the application and designated as Exhibit A, was granted by the County in accordance with the Broughton Act and is of indeterminate duration. A fee is payable annually to the County equivalent to 2 per cent of the gross receipts arising from the use, operation, or possession of the franchise.

The costs incurred by applicant in obtaining the franchise are stated to have been \$331.64, which amount does not include costs incident to this application.

No objection to the granting of the requested certificate has been entered. As of December 31, 1958, it served approximately 2,100 electric customers within the unincorporated area of Mariposa County.

After consideration it is 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. 191, of the County of Mariposa.

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 ORDERED that a certificate of public convenience and necessity be and it is granted to Pacific Gas and Electric

Company to exercise the rights and privileges granted by the County of Mariposa, by Ordinance No. 191, adopted April 10, 1958, subject, however, to the following conditions:

1. That applicant shall not exercise said franchise for the purpose of supplying electricity in those parts or portions of the County of Mariposa not now served by it, except through extensions of its existing system made in the ordinary course of business as contemplated by Section 1001 of the Public Utilities Code, and
2. That the Commission may hereafter, by appropriate proceeding and order, limit the authority herein granted to applicant as to any territory within said county not then being served by it.

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

Dated at San Francisco, California, this 8th day of June, 1959.

[Signature]
President

[Signature]

[Signature]

[Signature]
Commissioners

Commissioner...Everett C. McKeage, being necessarily absent, did not participate in the disposition of this proceeding.