

Decision No. 59219

ORIGINAL

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 a certificate of
 public convenience and necessity to
 exercise the right, privilege and
 franchise granted to applicant by
 Ordinance No. 412 N. S. of the Board
 of Supervisors of the COUNTY OF
 ALAMEDA, State of California.
 (Electric)

Application No. 41304

F. T. Searls, John C. Morrissey and John S. Cooper, ...
 by Mrs. 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 Alameda, 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 October 19, 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 city 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 \$734.99, which amount does not include costs incident to this application.

No objection to the granting of the requested certificate has been entered.

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. 412 N. S., of the County of Alameda.

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:

1. 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 Alameda, by Ordinance No. 412 N. S., adopted February 3, 1959.

2. That Pacific Gas and Electric Company shall not exercise said franchise for the purpose of supplying electricity in those parts or portions of Alameda County 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.

3. 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 Los Angeles, California, this 3rd day of November, 1959.

Ernest R. Page
 President

Ed. M. ...

W. ...

E. Fox

Theodore ...
 Commissioners