

ORIGINAL

Decision No. 61301

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. 513 of the Board of)
 Supervisors of the COUNTY OF SAN)
 LUIS OBISPO, State of California.)
 (Electric))

Application No. 42902

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 San Luis Obispo, California, permitting the installation, maintenance and use of an electric distribution and transmission system in the public roads of said county.

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 provisions of the laws of the State of California which relate to the granting of franchises by counties 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 \$544.45, which amount does not include costs incident to this application.

Applicant has served electricity within the County of San Luis Obispo without competition for many years. As of August, 1960, it served 9,932 electric customers in unincorporated area of the county. No objection to the granting of the requested certificate has been received and a public hearing is not necessary.

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. 513, of the County of San Luis Obispo, California.

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 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 county therefor at the time of the acquisition thereof.

ORDER

The above-entitled application having been filed, and the Commission being informed in the premises,

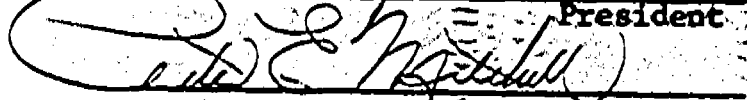
IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and it is granted to Pacific Gas and Electric Company to exercise the rights and privileges granted by the County of San Luis Obispo, California, by Ordinance No. 513, adopted September 19, 1960.

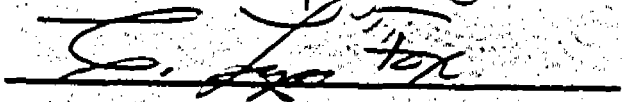
The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 4th day of January, 1961.



President





Commissioners