

S2386

**ORIGINAL**

Decision No. \_\_\_\_\_

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 Pacific Power & Light Company for )  
 an order issuing to applicant a )  
 certificate of public convenience )  
 and necessity to exercise the right, )  
 privilege and franchise granted to )  
 applicant's predecessor by Ordinance )  
 No. 427 of the Board of Supervisors )  
 of the County of Shasta, California. )  
 (Electric) }

Application No. 43582

O P I N I O N

Pacific Power & Light Company, in this proceeding, requests a certificate of public convenience and necessity to exercise the rights and privileges of a franchise granted to The California Oregon Power Company, applicant's predecessor, by the County of Shasta, California, permitting the installation, maintenance and use of an electric distribution and transmission system upon 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 under and pursuant to 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 \$2,398.05, which amount does not include costs incident to this application.

Applicant, by operation of law, succeeded to the rights granted to The California Oregon Power Company by said franchise by virtue of the merger of that company with applicant on June 21, 1961 (Decision No. 62141, dated June 16, 1961, in Application No. 43184). As of December 31, 1960 applicant owned and operated 69.5 miles of electric lines in Shasta County and served 307 customers in territory in the northwest portion thereof generally north of the 7th standard parallel and west of the 122nd meridian, including customers in the communities of Delta, La Moine, Gibson and Castella.

Applicant alleges that it, or its predecessors, Siskiyou Electric Power and Light Company, California-Oregon Power Company and The California Oregon Power Company, has been providing electric service in portions of Shasta County since 1911, and that it is advised that Pacific Gas and Electric Company, the City of Redding, and the Shasta Dam Area Public Utility District also are engaged in the business of furnishing electricity to the public in portions of said county. Applicant states that it is not competing with Pacific, Redding or the District and that the sought certificate is not for the purpose of authorizing applicant to supply service to the public within the portions of said county now supplied by the said three entities, or to compete with them in the business of furnishing and supplying electric service in the portions of the county now served or hereafter served by them through extensions made in the ordinary course of business. Applicant also agrees that any Commission order approving the application herein shall not constitute a determination of applicant's service area within Shasta County.

No objection to the granting of the requested certificate has been received. 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 by Ordinance No. 427 of the County of Shasta, California.

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, and the Commission being informed in the premises,

IT IS HEREBY ORDERED that:

1. A certificate of public convenience and necessity be and it is granted to Pacific Power & Light Company to exercise the rights and privileges granted by the County of Shasta, California, by Ordinance No. 427, adopted March 27, 1961.

2. Pacific Power & Light Company shall not exercise said franchise for the purpose of supplying electric service in those parts or portions of said county now being served by Pacific Gas and Electric Company, the City of Redding, or the Shasta Dam Area Public Utility District.

3. Pacific Power & Light Company shall not exercise said franchise for the purpose of supplying electric service in those parts or portions of Shasta County not now being 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.

4. 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 August, 1961.

Ernest A. Rago  
President  
John E. Mitchell  
E. J. Fox  
George E. Over  
Frederick B. Holbrook  
Commissioners