

ORIGINAL

Decision No. 63364

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
HARVEY E. WEST SR., HARVEY E. WEST, JR.,
and ROBERT WEST, doing business as
GRAEAGLE WATER COMPANY, for a certifi-
cate of public convenience and necessity
to operate a public utility system in
Graeagle Subdivision, Plumas County.

First Supplemental
Application No. 42423

O P I N I O N

Applicants, in this proceeding, request a certificate of public convenience and necessity to exercise the rights and privileges of a franchise granted by the County of Plumas, California, permitting the installation, maintenance and use of water pipelines and a water distribution and transmission system in public streets, alleys and public easements in portions of said county as described in said franchise.

The franchise referred to, a copy of which is attached to the application, is for a term of 50 years. A fee is payable annually to the county, after the first five years succeeding the grant, equivalent to 2 percent of the gross receipts arising from the use, operation, or possession of the franchise.

The Commission, by Decision No. 61400 herein, dated January 24, 1961, which granted to applicants a certificate to construct and operate a public utility water system in Graeagle, Plumas County, stated in its order that upon the filing of a supplemental application and a copy of the franchise issued by the county, the Commission would issue a certificate authorizing the exercise of such franchise.

After consideration it is found as a fact that public convenience and necessity require the exercise by applicants of the right, privilege and franchise granted to applicants by Ordinance No. 453, of the County of Plumas. A public hearing is not necessary.

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 first supplemental 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 Harvey E. West, Sr., Harvey E. West, Jr., and Robert West to exercise the rights and privileges granted by the County of Plumas, California, by Ordinance No. 453, adopted November 6, 1961.

2. Applicants shall not exercise said franchise for the purpose of supplying water in those parts or portions of Plumas County not now served by them except through extensions of their existing system made in the ordinary course of business as contemplated by Section 1001 of the Public Utilities Code.

The Commission may hereafter by appropriate proceeding and order limit the authority herein granted to applicants as to any territory within said county not then being served by them.

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

Dated at San Francisco, California,
this 10th day of MARCH, 1967

Carroll W. Pegg
President
W. E. R. [unclear]
S. [unclear]
Frederick B. Hallock

Commissioners