

ORIGINALDecision No. 65184

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. 455 of the Board of)
 Supervisors of the COUNTY OF MERCED,)
 State of California.)
 (Gas) }

Application No. 45240

O P I N I O N

Pacific Gas and Electric Company, in this proceeding, requests a certificate of public convenience and necessity to exercise the rights and privileges of a franchise granted by the County of Merced, California, permitting the installation, maintenance, and use of a gas 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 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 percent 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 \$723.20, which amount does not include costs incident to this application.

Applicant has served gas in portions of the County of Merced without competition for many years. As of December, 1962, it served 5,913 customers within the county from approximately 196.34 miles of gas mains therein. No objection to the granting of the requested certificate has been received. A public hearing is not necessary.

After consideration the Commission finds that public convenience and necessity require the exercise by applicant of the right, privilege and franchise granted to applicant by Ordinance No. 455 of the County of Merced, California.

The certificate of public convenience and necessity herein granted is subject to the following provision of law:

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

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Pacific Gas and Electric Company to exercise the rights and privileges granted by the County of Merced, California, by Ordinance No. 455, adopted December 4, 1962.

2. Applicant shall not exercise said franchise for the purpose of serving those portions of the County of Merced not now served by it, except by extensions from its existing system made in the ordinary course of business as contemplated by Section 1001 of the Public Utilities Code of the State of California.

3. The Commission may hereafter, by appropriate proceeding and order, limit the authority herein granted as to any territory within the County of Merced not then being served by applicant.

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

Dated at San Francisco, California, this 9th day of APRIL, 1963.

George L. Hoover
President

W. E. Marshall

Walter W. Page

Fredrick B. Holchoff

William W. Brund
Commissioners