

ORIGINAL

Decision No. 65971

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. 607 of the Board of)
Supervisors of the COUNTY OF SAN)
LUIS OBISPO, State of California.)

Application No. 45094
(Filed January 7, 1963)

(Gas)

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 San Luis Obispo, 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 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 \$530.45, which amount does not include costs incident to this application.

Applicant plans to supply the gas needs and requirements of customers in certain portions of San Luis Obispo County pursuant to its applicable rates, rules and regulations on file with the Commission, subject to and in accordance with the provisions of two agreements with Southern Counties Gas Company of California, dated November 1, 1962, relating to service areas within the county and to exchange of gas and tapping of mains, authorized by the Commission on August 20, 1963 (Decision No. 65882, Application No. 45065, amended; Decision No. 65883, Application No. 45066, amended).

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. 607 of the County of San Luis Obispo, 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 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

San Luis Obispo, California, by Ordinance No. 607, adopted April 9, 1962.

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

Dated at San Francisco, California, this 10th day of SEPTEMBER, 1963.

William M. Bennett
 President

John J. [unclear]

Wesley [unclear]

Frederick B. Hulsehoff

Commissioners

Commissioner George G. Grover
present but not voting.