

Decision No. 67718**ORIGINAL**

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. 19 of the City Council )  
 of the CITY OF RIDGECREST, County of )  
 Kern, State of California. )  
(Gas)

Application No. 46827  
 (Filed July 21, 1964)

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 right, privilege and franchise granted to it by Ordinance No. 19 of the City of Ridgecrest. The franchise grants to Pacific Gas and Electric Company the right to install, maintain and use in the city streets all pipes and appurtenances for transmitting and distributing gas to the public within the city.

The franchise referred to, a copy of which is attached to the application and designated as Exhibit A, was granted by the city in accordance with the Franchise Act of 1937. It is by its terms, indeterminate. It provides that during the term thereof payment shall be made to the city of two percent of the gross annual receipts but in no event less than one percent of the gross annual receipts derived from the sale of gas within the city limits.

The costs incurred by applicant in obtaining the franchise are stated to have been \$92.50, which amount does not include costs incident to this application.

Applicant has served gas in the territory now comprising the City of Ridgecrest for a number of years without competition. The present population of the city is 7,221. No objection to the granting of the requested certificate has been received and 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. 19, of the City of Ridgecrest.

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

1. 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. 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 municipality therefor at the time of the acquisition thereof.

ORDER

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 City of Ridgecrest, by Ordinance No. 19, adopted March 26, 1964.

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

Dated at San Francisco, California, this 18<sup>th</sup> day of AUGUST, 1964.

Frederic B. Holcomb  
President

George P. Travis  
Commissioners

William L. Dennis  
Commissioners