

Decision No. 69156

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. 4.29 of the Board of)
 Supervisors of the COUNTY OF SANTA)
 CLARA, State of California.)
(Gas))

Application No. 47552
(Filed May 4, 1965)

O P I N I O N

Pacific Gas and Electric Company, in this proceeding, asks for a certificate of public convenience and necessity to exercise the rights and privileges of a franchise granted by the County of Santa Clara, permitting the installation, maintenance, and use of a gas distribution and transmission system in the unincorporated area 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 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 \$14,806.62, which amount does not include costs incident to this application.

Applicant has served gas in and about the County of Santa Clara for many years. As of February 28, 1965, it served 36,116 customers within the unincorporated area of the County from approximately 697 miles of gas mains therein. No objection to the granting of the requested certificate has been received and a public hearing is not necessary.

After consideration it is hereby found as a fact that public convenience and necessity require the exercise by applicant of the right, privilege and franchise granted to applicant by Ordinance No. 4.29 of the County of Santa Clara.

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

IT IS HEREBY ORDERED that a certificate of public convenience and necessity is hereby granted to Pacific Gas and Electric Company to exercise the rights and privileges of the franchise granted by the County of Santa Clara by Ordinance No. 4.29 adopted January 13, 1964.

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

Dated at San Francisco, California, this 15th day of JUNE, 1965.

Fredrick B. Holbrook
President
Paul E. Ashwell
Wojcik

I dissent.
George G. Grover

William B. Beaud
Commissioners