

granted to applicant by the Commission in Decision No. 40976, dated December 1, 1947, in Application No. 28820. It applied for and obtained the new franchise which it herein seeks authority to exercise in order to extend more definitely its franchise rights in the County of San Joaquin which, in turn, will effect qualification of future issues of bonds as legal investments for savings banks and trust funds.

The costs incurred by applicant in obtaining the franchise are stated to have been \$475.25, which amount does not include costs incident to this application.

Applicant has served gas in and about the County of San Joaquin without competition for many years. As of December 31, 1964, it served 25,646 customers within the county from approximately 441.83 miles of gas distribution mains therein. Applicant has 193.51 miles of transmission mains in said county in addition to the distribution mains. 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 rights, privilege and franchise granted to applicant by Ordinance No. 1228 of the County of San Joaquin.

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 Joaquin by Ordinance No. 1228, adopted March 30, 1965.

IT IS HEREBY FURTHER ORDERED that:

1. Pacific Gas and Electric Company shall not exercise said franchise for the purpose of supplying public utility gas service in those parts or portions of San Joaquin County not now served by it except through extensions of its existing system made in the ordinary course of business as contemplated by Section 1001 of the Public Utilities Code.

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

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

Dated at San Francisco, California, this 7th day of July, 1965.

Fredrick B. Holbrook
President
W. E. Mitchell
George G. Grover
Augustin
William W. Bennett
Commissioners