

**ORIGINAL**

Decision No. 70522

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
Pacific Power & Light Company for )  
an Order Issuing to Applicant a )  
Certificate of Public Convenience )  
and Necessity to Exercise the Right, )  
Privilege and Franchise Granted to )  
Applicant by Ordinance No. 276 of )  
the Board of Supervisors of the )  
County of Trinity, California.

Application No. 48255  
(Filed February 14, 1966)

(Electric)

O P I N I O N

Pacific Power & Light Company, in this proceeding, requests a certificate of public convenience and necessity under Section 1002 of the Public Utilities Code to exercise the rights and privileges of a franchise granted by the County of Trinity permitting the installation, maintenance and use of an electric distribution and transmission system upon the public roads and highways of said county.

The franchise referred to, a copy of which is attached to the application and designated as Exhibit A, is of indeterminate duration and was granted by the county to replace a franchise which was granted in 1915 and expired by its terms in 1965. 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 \$329.50, which amount does not include the costs incident to this application.

Applicant or its predecessors have been providing electric service in portions of Trinity County lying north of 40°50' north latitude since prior to 1915. In 1965, it conveyed a portion of its electric distribution facilities therein, and more particularly in the vicinity of Trinity Center, to Pacific Gas and Electric Company. Applicant presently serves customers in Trinity County only from the Altoona Mine eastward to the Trinity County-Shasta County Line approximately 6 miles west of Castella. Other portions of Trinity County are served electricity by Pacific Gas and Electric Company and by California-Pacific Utilities.

As of June 1965, applicant had 3 customers (2 U.S. Forest Service accounts and the Altoona Mine) in Trinity County. No objection to the granting of the certificate has been entered. A public hearing is not necessary.

The Commission finds that public convenience and necessity require the exercise by applicant of the right, privilege and franchise granted by Ordinance No. 276, of the County of Trinity.

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 Power & Light Company to exercise the rights and privileges granted by the County of Trinity, by Ordinance No. 276, adopted February 2, 1965.

2. Applicant shall not exercise said franchise for the purpose of supplying electric service in those parts or portions of the County of Trinity not now served by it except through extensions of its existing systems made in the ordinary course of business as contemplated by Section 1001 of the Public Utilities Code.

3. The Commission may hereafter, by appropriate proceedings and order, limit the authority herein granted to Pacific Power & Light Company as to any territory within the County of Trinity 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 5th day of APRIL, 1966.

Frederick B. Holoboff  
President

Augusta

William C. Bence  
Commissioners

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner George G. Grover  
present but not voting.