

ORIGINAL

Decision No. 71260

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. 259 of the Board)
 of Supervisors of the COUNTY OF)
 ALPINE, State of California.)
 (Electric) }

Application No. 43610
(Filed July 11, 1966)

O P I N I O N

Pacific Gas and Electric Company requests a certificate of public convenience and necessity to exercise the rights and privileges of a franchise granted by the County of Alpine permitting the installation, maintenance and use of an electric distribution and transmission system in the public roads within said county.

The franchise referred to, a copy of which is attached to the application as Exhibit A, was granted by the County in accordance with the Broughton Act and is of indeterminate duration. After five years from the date of the grant (May 2, 1966) 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 only other public utility supplying electric service in the County of Alpine, Sierra Pacific Power Company, by letter dated July 19, 1966, hereby made a part of the record, has advised that it has no objections to the granting of this request.

This request is not for the purpose of authorizing applicant to extend its electric system into the territory now supplied by Sierra Pacific, or to compete with Sierra Pacific in

the business of furnishing or supplying electric service in the territory now served by it. Applicant alleges that the exercise of the electric franchise granted by the County of Alpine and the construction of an extension of its 17-kv electric line at Camp Connell in Calaveras County, 21 miles to the Bear Valley and Mt. Reba area in Alpine County will enable applicant to extend and supply electric service in the ordinary course of business to territory not now receiving such service, all to the advantage and benefit of the residents and business enterprises therein. Applicant estimates that in the first year of operation 332 customers will be served from the electric line extension with an annual revenue of \$49,248 and that by the end of the third year of operation there will be approximately 710 customers with an annual revenue of \$123,142. The proposed line extension will be constructed under applicant's filed Rule No. 15, Line Extensions, and service will be supplied in accordance with applicant's filed schedules which rates are the same as those applicable for like service elsewhere on applicant's system.

The costs incurred by applicant in obtaining the franchise are stated to have been \$924.26, which amount does not include costs incident to this application.

No objection to the granting of the requested certificate has been received and a public hearing is not necessary.

We find that public convenience and necessity require the exercise by Pacific Gas and Electric Company of the rights and privileges granted in the franchise conferred by Ordinance No. 259 of the Board of Supervisors of the County of Alpine.

The certificate of public convenience and necessity issued herein 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 issuance 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 political subdivision therefor at the time of the acquisition thereof. ✓

The action taken herein is for the issuance of a certificate of public convenience and necessity only and is not to be considered as indicative of amounts to be included in proceedings for the purpose of determining just and reasonable rates.

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 Alpine by Ordinance No. 259, adopted May 2, 1966.

IT IS FURTHER ORDERED that:

1. Pacific Gas and Electric Company shall not exercise said franchise for the purpose of supplying public utility electric service in those parts or portions of Alpine 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 fifteen days after the date hereof. ✓

Dated at San Francisco, California, this 13th day of SEPTEMBER, 1966.

President

George H. Brown

Frederick B. Holaborn

William T. Bernal

Augusta

Commissioners

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