

Decision No. 71533

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. 582 of the Board of)
Supervisors of the COUNTY OF PLUMAS,)
State of California.)
(Electric)

Application No. 48771
(Filed September 7, 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 Plumas 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. 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 utilities supplying electric service in the County of Plumas are California-Pacific Utilities Company, Plumas-Sierra Rural Electric Co-operative, and Sierra Pacific Power Company. California-Pacific Utilities Company, Plumas-Sierra Rural Electric Co-operative and Sierra Pacific Power Company have advised by letters dated September 20, 1966, September 14, 1966 and September 12, 1966, respectively, hereby made a part of the record, that they have no objection to the granting of this request.

Applicant states that in its utility business of furnishing and supplying electric service in the County of Plumas it is not competing with the California Pacific Utilities Company, the Plumas Sierra Rural Electric Co-operative, and the Sierra Pacific Power Company and alleges that this request is not for the purpose of authorizing applicant to supply service to the public within the portions of Plumas County now being supplied by said utilities. Applicant has for many years owned, operated and maintained electric transmission, distribution and other properties in the County of Plumas. As a part of its electric transmission system in California, applicant has owned, operated and maintained line and metering facilities for the transmission of electric power and energy within the Chester area served by California-Pacific Utilities Company. Applicant reserves the right to continue to own, operate and maintain said line and metering facilities in said area.

The costs incurred by applicant in obtaining the franchise are stated to have been \$365.04, which amount does not include the filing fee for 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. 582 of the Board of Supervisors of the County of Plumas.

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:

1. 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 Plumas by Ordinance No. 582, adopted May 16, 1966.

2. 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 the County of Plumas 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.

3. 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 9th day of NOVEMBER, 1966.

George J. Hoover
President

Frederick B. Hill

Augusta

William M. Bennett
Commissioners