

ORIGINAL

Decision No. 71751

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 PACIFIC LIGHTING SERVICE AND SUPPLY
 COMPANY, a corporation, under Sec-
 tions 1002 and 1005 of the Public
 Utilities Code, for a certificate
 that public convenience and necessity
 require the exercise of the rights
 and privileges granted by Ordinance
 No. 686 of the City of Seal Beach,
 California.)

)
 Application No. 48909
 Filed October 27, 1966

O P I N I O N

Pacific Lighting Service and Supply Company requests a certificate of public convenience and necessity to exercise the rights and privileges of a franchise, granted by the City of Seal Beach, permitting the installation, maintenance, and use of a gas transmission system in the streets of said city.

The franchise, a copy of which is attached to the application as Exhibit B, was granted by the city pursuant to the provisions of its charter and is of indeterminate duration. A fee is payable annually to the city equivalent to 2 percent of the gross receipts arising from the use, operation, or possession of the franchise, but not less than 1 percent of the gross annual receipts from sales of gas within the limits of the city under said franchise.

The costs incurred by applicant in obtaining the franchise are stated to have been \$263.50, which amount does not include costs incident to this application.

Applicant is engaged in the transmission of natural gas in and around the City of Seal Beach as part of its function of wholesaling gas to its affiliated gas distributing companies, Southern Counties Gas Company of California and Southern California Gas Company. No objection to the granting of the requested certificate has been received and 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 to applicant by Ordinance No. 686 of the City of Seal Beach.

The certificate of public convenience and necessity herein granted 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 grant 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 municipality therefor at the time of the acquisition thereof.

ORDER

IT IS ORDERED that a certificate of public convenience and necessity is granted to Pacific Lighting Service and Supply Company to exercise the rights and privileges granted by the City of Seal Beach by Ordinance No. 686, adopted September 6, 1966.

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

Dated at San Francisco, California, this 27th day of DECEMBER, 1966.

Paul E. Nottbill
President

Fredrick B. Halbach

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Commissioners

Commissioner George G. Grover did not participate in the disposition of this proceeding.

Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.