

ORIGINAL

Decision No. 76207

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 PACIFIC LIGHTING SERVICE COMPANY, a)
 corporation, under Sections 1002 and)
 1005 of the Public Utilities Code,)
 for a certificate that public con-)
 venience and necessity require the)
 exercise of the rights and privileges)
 granted by Ordinance No. 2315 of the)
 County of Orange, California.)

Application No. 51340
(Filed August 25, 1969)

O P I N I O N

Pacific Lighting Service Company, in this proceeding, requests a certificate of public convenience and necessity to exercise the rights and privileges of a franchise granted by the County of Orange, permitting the installation, maintenance, and use of a gas distribution and transmission system in the streets within the unincorporated area of said county.

The franchise referred to, a copy of which is attached to the application and designated as Exhibit A, was granted by the city in accordance with the provisions of the Broughton Act and is of indeterminate duration. A fee is payable annually to the county equivalent to 2 per cent 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 \$2,158.20, which amount does not include costs incident to this application.

Applicant has operated in the County of Orange for many years. As of August 1969, it had approximately 1.84 miles of gas mains therein. 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 right, privilege and franchise granted to applicant by Ordinance No. 2315 of the County of Orange.

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 county therefor at the time of the acquisition thereof.

O R D E R

IT IS ORDERED that a certificate of public convenience and necessity is granted to Pacific Lighting Service Company to exercise the rights and privileges granted by the County of Orange by Ordinance No. 2315, adopted May 27, 1969.

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

Dated at San Francisco, California, this 23rd day of SEPTEMBER, 1969.

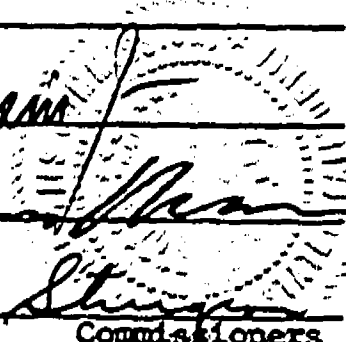
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 President

J. Williams

William L. Stinson

 Commissioners



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