

ORIGINAL

Decision No. 76528

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 SOUTHERN CALIFORNIA GAS COMPANY)
 under Section 1002 of the Public)
 Utilities Code for a certificate)
 that public convenience and neces-)
 sity require the exercise of the)
 rights and privileges granted by)
 Ordinances Nos. 385 and 465 of the)
 County of Ventura, California.)

Application No. 51397
 (Filed September 29, 1969)

O P I N I O N

This is an application by Southern California Gas Company (hereinafter referred to as Southern California) seeking authority to exercise two franchises granted by the County of Ventura in an area not presently served by anyone but certificated to Southern Counties Gas Company (hereinafter referred to as Southern Counties). Southern California also seeks authority to apply specified rates in the area if the application is granted.

The verified application avers that the area in question is not served by any distributor of natural gas at the present time; that the surrounding areas are served by Southern California or Southern Counties; that Southern Counties pipeline system is separated from the area by several miles of mountainous terrain; that Southern California has received requests for service from qualified prospective customers in the Kern County Community of Lake-of-the-Woods, which is in its certificated area, and the United States Forest Service Chuchupate Ranger Station, which is in the area here under consideration; that Southern California is presently constructing a pipeline to serve the customers in its

certificated area and that, if the application is granted, it will extend the pipeline to serve the ranger station and other potential customers in the requested area.

The record indicates that Southern Counties has no objection to the granting of the application. Southern California seeks authority to apply the rate currently authorized in its Rate Area 354, Greely - Main Line Supply District if the application is granted. Southern California has included in the application a stipulation that it will not claim before this Commission, or any court or other public body any value for the franchises in question in excess of their original cost. The Commission is of the opinion that the application should be granted. The Commission makes the following findings and conclusions in this matter.

Findings of Fact

The Commission finds that:

1. A public hearing is not necessary in this matter.
2. Southern California is engaged in the business of purchasing, transporting, distributing and selling natural gas in the central and southern portions of the State of California. Southern California in the conduct of its business distributes and transports natural gas in the County of Ventura pursuant to franchises granted by Ordinances Nos. 385 and 465 of the Board of Supervisors of Ventura County.
3. The Commission granted Southern California certificates of public convenience and necessity to exercise these franchises in Decisions Nos. 37519 and 46514.
4. Southern Counties is presently authorized to serve the area described in Exhibit C attached to the application but Southern Counties does not presently render service in the area.

5. The area described in Exhibit C is surrounded by the service areas of Southern California or Southern Counties. Southern Counties pipeline system is separated from the area by several miles of mountainous terrain.

6. Southern California is presently expanding its facilities to serve customers in its certificated area in Kern County, which expansion is near the area described in Exhibit C. Southern California has received a request to serve the United States Forest Service Chuchupate Ranger Station which is located in the area described in Exhibit C. There are other potential customers in the area.

7. Southern Counties has no objection to Southern California serving the area described in Exhibit C.

8. Public convenience and necessity require the exercise by Southern California in the area described in Exhibit C of the rights and privileges granted in the franchises conferred by Ordinances Nos. 385 and 465 of the Board of Supervisors of Ventura County.

9. The area described in Exhibit C is adjacent to Southern California's Rate Area 354, Greely - Main Line Supply District and Southern California should be authorized to apply the rates for that area in the area described in Exhibit C.

Conclusions of Law

The Commission concludes that:

1. The application should be granted.
2. The certificates of public convenience and necessity issued herein are subject to the following provisions of law:
 - a. The Commission shall have no power to authorize the capitalization of the franchise involved herein or these certificates of public convenience and necessity, or the right to own, operate or enjoy such franchise or certificates

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, certificates of public convenience and necessity or right.

- b. 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.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Southern California Gas Company to exercise the rights and privileges conferred by the franchises issued pursuant to Ordinances Nos. 385 and 465 of the Board of Supervisors of Ventura County.

2. Southern California Gas Company is authorized to charge for service provided in the area described in Exhibit C, attached to the application, the rates and charges authorized by this Commission for its Rate Area 354, Greely - Main Line Supply District.

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

Dated at San Francisco, California, this 9th day of DECEMBER, 1969.

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

Morgan
 President

J. H. ...

L. ...
 Commissioners