

Decision No. 78053

ORIGINAL

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)
 convenience and necessity require the)
 exercise of the rights and privileges)
 granted by Ordinance No. 1299 of the)
 City of Oxnard, California.)

Application No. 52272
 (Filed October 30, 1970)

O P I N I O N

Pacific Lighting Service Company requests a certificate of public convenience and necessity to exercise the rights and privileges of a franchise granted by the City of Oxnard, permitting the best allocation and use of a gas distribution and transmission system within that portion of the City as set forth in Exhibit A attached to the application and by reference made a part hereof.

The franchise referred to, a copy of which is attached to the application and designated as Exhibit A, is of indeterminate duration. A fee is payable to the City equivalent to 2 percent of the gross annual receipts to Pacific Lighting Service Company arising from the use of the franchise. The costs incurred by applicant in obtaining the franchise are stated to have been \$107.80, which amount does not include costs incidental to this application.

After consideration, the Commission finds that public convenience and necessity require the exercise by applicant of the rights, privileges and franchise granted to applicant by Ordinance No. 1299 of the City of Oxnard. A public hearing is not necessary.

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 Company to exercise the rights and privileges granted by the City of Oxnard, by Ordinance No. 1299 adopted August 4, 1970.

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

Dated at San Francisco, California, this 8th day of DECEMBER, 1970.

Chairman
Avigada

William J. ...

Tom ...

Yuan L. Sturgeon
Commissioners

-2- Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.