

Decision No. 85839

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. 863  
of the City Council of the City of  
Hanford, Kings County, California.  
(Electric)

Application No. 56175  
(Filed January 5, 1976)

O P I N I O N

Pacific Gas and Electric Company (PGandE) seeks a certificate of public convenience and necessity to exercise the rights and privileges of a franchise granted by the City of Hanford, County of Kings, permitting the installation, maintenance, and the use of an electric distribution system upon public streets in the portion of the city located in PGandE's electric service area.

The franchise referred to, a copy of which is attached to the application as Exhibit A, was granted by the city, and is of an indeterminate duration. A fee is payable annually to the city in the amount of two percent of the gross annual receipts of PGandE arising from the use, operation, or possession of the franchise but not less than one percent of the gross annual receipts from sales of electricity within the limits of the city located in PGandE's electric service area under said franchise.

The cost incurred by PGandE in obtaining the franchise are stated to have been \$46, which does not include costs incident to this application.

PGandE, now is and for many years in the past, has been supplying electricity to firms, persons and corporations located in the territory recently annexed to the city. Prior to this annexation the entire city was located in the electric service area of Southern

California Edison Company (SCE) with its southernmost boundary adjacent to the dividing line between the two companies. The newly annexed territory, extending into PGandE service area, and the dividing line between SCE and PGandE are shown in Exhibit B to the application.

No objection to the granting of the requested certificate has been registered and a public hearing is not necessary.

The Commission finds that public convenience and necessity require the exercise by PGandE of the rights, privileges and franchise granted to PGandE by Ordinance No. 863 of the City of Hanford.

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 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.

O R D E R

IT IS ORDERED that a certificate of public convenience and necessity is granted to Pacific Gas and Electric Company to exercise the rights and privileges granted by the City of Hanford by Ordinance No. 863 adopted September 23, 1975.

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

Dated at San Francisco, California, this 18th day of MAY, 1976.

William Synovis Jr. President  
James L. Stegeman  
Ron  
Robert Bateman Commissioners