

Assembly Bill No. 313

CHAPTER 230

An act to amend Section 3126 of the Public Utilities Code, relating to public utilities.

[Approved by Governor August 6, 1997. Filed with Secretary of State August 6, 1997.]

LEGISLATIVE COUNSEL'S DIGEST

AB 313, Thomson. Gas: producers' cooperatives.

Existing law permits 3 or more natural persons engaged in the production of gas to form a cooperative association for purposes of selling gas produced by the association's members and performing other specified related functions.

This bill would permit an association to acquire a real property easement from a public utility for the purpose of accommodating the association's gas plant, and would provide that the easement shall be deemed to be held for a public purpose by the association, provided that the Public Utilities Commission finds that the use by the association is in the public interest.

The people of the State of California do enact as follows:

SECTION 1. Section 3126 of the Public Utilities Code is amended to read:

3126. An association may buy, hold, and exercise all privileges of ownership of real or personal property as may be necessary or convenient for the conduct and operation of, or incidental to, any business of the association. Without limiting the foregoing, an association may acquire a real property easement from a public utility for the purpose of accommodating the association's gas plant, and the easement shall be deemed to be held for a public purpose by the association, provided that the commission finds that the use by the association is in the public interest.

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