

ORIGINAL

In the Matter of the Application of )  
SOUTHERN CALIFORNIA EDISON COMPANY, )  
a corporation, for a certificate that )  
public convenience and necessity re- )  
quire the exercise of the right or )  
privilege granted to it under a fran- )  
chise to erect, lay, construct, main- )  
tain, use and operate an electric )  
transmission and distribution system )  
in the City of Montebello, Los Angeles, )  
County, California. )

Application No. 9215.

E. W. Cunningham, for applicant.

SEORE, COMMISSIONER.

O P I N I O N.

This is an application by Southern California Edison Company declaring that public convenience and necessity require the exercise by it of the rights and privileges to construct, operate and maintain an electric distribution and transmission system within the city limits of Montebello as granted by the Board of Trustees of the City of Montebello by Ordinance 773 dated April 27th, 1923. A public hearing was held in this matter on August 22nd, 1923, at which time evidence was submitted and stipulations made and the matter taken under submission.

Applicant has for a number of years prior to April 27th, 1923, furnished electrical energy to the territory comprising the present boundaries of the City of Montebello, under franchises granted by

the Board of Supervisors of the County of Los Angeles, State of California, this being prior to the date of the present incorporation as a municipality of the territory herein considered. Testimony indicated that no other utility is engaged in the rendering of electric service in this territory, and that public convenience and necessity require the exercise by Southern California Edison Company of the rights of this franchise.

A copy of Ordinance No. 777 of Montebello has been attached to the application in this proceeding and grants to Southern California Edison Company a franchise for the period of thirty-five (35) years to erect, lay, construct and maintain poles, towers, cross-arms, conduits, cables, wires and other appliances under, in, along, and across public highways, streets, and other public places within the City of Montebello. Standards for construction work are specifically detailed in the requirements of the franchise. The franchise prescribes that a bond of one thousand dollars (\$1000.) be filed with the city. It further provides that the grantee shall pay to the City of Montebello an amount equal to 2% of the gross annual receipts of grantee arising from the operation of said franchise within said city, such charges to start immediately and payment to be made at the end of each year.

Applicant has filed with this Commission a stipulation duly executed by proper officers of the Company stating that it will never claim before the Railroad Commission of the State of California, nor any Court, nor other public body having jurisdiction, a value for this franchise in excess of its actual cost, which

cost is stipulated to be the sum of One Hundred Dollars (\$100.)

I herewith submit the following form of order:

O R D E R

Southern California Edison Company having applied to the Railroad Commission for a certificate declaring that public convenience and necessity require the exercise of the rights and privileges granted to it by the City of Montebello under Ordinance 77 dated April 7th, 1923, a hearing having been held, copies of said franchise and a stipulation as to the claim for value thereof having been duly filed in forms satisfactory to the Commission,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require, and will require, the exercise by Southern California Edison Company of the rights and privileges granted under Ordinance No. 77 of the City of Montebello.

The foregoing Opinion and Order are hereby approved and ordered filed as the Opinion and Order of the Railroad Commission.

Dated at San Francisco, California, this 18<sup>th</sup> day of October, 1923.

*C. Seavey*

*Dwight Martin*  
*Ernest Shore*

*J. P. Whittier*  
Commissioners.