

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of Pacific Light and Power Corporation for certificates of public convenience and necessity and authorizations to exercise rights and privileges under franchises heretofore granted to it in the County of Orange and in the City of Newport Beach. )  
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 ) Application No. 768.  
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S. M. Haskins for applicant  
Emmett Wilson for protestants.

EDGERTON, Commissioner.

O P I N I O N

This is an application by Pacific Light and Power Corporation for a certificate that public convenience and necessity require the exercise of rights and privileges under franchises granted it by the City of Newport Beach and the County of Orange, and that public convenience and necessity require the construction and operation of an electrical transmission line in the County of Orange and an electrical distributing system in said City of Newport Beach.

The inhabitants of the City of Newport Beach are now being served with electricity by Newport Beach Electric Light and Power Company, which, at the hearing protested through a representative against the issuance of the certificates herein asked for.

It was clearly shown by the testimony at the hearing that the electric lighting service now being furnished the inhabitants of the City of Newport Beach by Newport Beach Electric Light and Power Company is very poor. Frequently it happens that the electric lights become so dim that it is impossible to

read by them and in many instances the light is re-enforced by the use of oil lamps. The price of 15 cents per K.W.H. charged for electricity is high.

The Pacific Light and Power Corporation seeking to enter this territory with its service, offers a rate of 8 cents per K.W.H. with good service. The ability of this company to give this community good and continuous service at 8 cents per K.W.H. is beyond any doubt. In fact, it is admitted by all parties who appeared herein.

Representatives of Newport Beach Electric Light and Power Company testified that a very much lower rate would be offered if the invading company was kept out, and that service would be improved by the installation of additional apparatus which is now on the grounds. It is evident, however, that until the Pacific Light and Power Corporation made application to invade this territory, the Newport Beach Electric Light and Power Company had made little, if any, effort to improve its service and had not in any instance reduced its rates. Therefore, under the rule heretofore laid down by the Commission, that where upon the application of a corporation to invade territory served by another corporation, the corporation occupying the field was found to be giving poor service at unduly high rates, the application would be granted, and the corporation seeking the privileges would be allowed to come in and compete, this application should be granted.

In order to reach the City of Newport Beach, applicant must cross a portion of the County of Orange, and for this they have obtained a franchise, but this franchise is a blanket franchise covering all the roads and highways in Orange County, and inasmuch as it will only be necessary to carry a transmission line from a substation in Dominguez across part of the County of Los Angeles and through the County of Orange to the City of Newport Beach, I see no necessity for issuing a certificate permitting

this company to exercise rights under a blanket franchise covering all of Orange County. The authorization under the Orange County franchise should be limited so as to permit only the building of the needed transmission line.

I recommend that the application be granted, and submit herewith the following form of order:

O R D E R

Application having been made by the Pacific Light and Power Corporation for a certificate that public convenience and necessity require that it be allowed to exercise rights and privileges under franchises granted by the County of Orange and the City of Newport Beach, and that public convenience and necessity require the construction of an electrical transmission line in the County of Orange and an electrical distributing system in the City of Newport Beach, and a public hearing having been had thereon, and it appearing to the Commission that said application should be granted,

IT IS HEREBY ORDERED by the Railroad Commission of the State of California that public convenience and necessity require the exercise of rights and privileges by Pacific Light and Power Corporation under a franchise granted by the Board of Supervisors of the County of Orange, dated the 17th day of June, 1913, a copy of which said franchise is on file herein, provided, however, that rights and privileges under said franchise shall only be exercised to the extent of constructing, operating and maintaining an electrical distributing line through the County of Orange in the most direct feasible line from its substation located at Dominguez in Los Angeles County to the City of Newport Beach.

IT IS HEREBY FURTHER ORDERED that public convenience and necessity require that Pacific Light and Power Corporation exercise rights and privileges under a franchise heretofore granted said corporation by the City of Newport Beach dated the 14th day of July, 1913, a copy of which said franchise is on file herein.

IT IS HEREBY FURTHER ORDERED that public convenience and necessity require the construction, operation and maintenance by Pacific Light and Power Corporation of an electrical transmission line from a substation at Dominguez in Los Angeles County to the City of Newport Beach, and the construction, operation and maintenance of an electrical distributing system in the City of Newport Beach.

This order is granted upon the specific condition that electricity shall be furnished under the systems hereby authorized to be constructed at a price not to exceed 8 cents per K.W.H.

The foregoing opinion and order are hereby approved and ordered filed as the opinion and order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 16th day of October, 1913.

Wm. M. Eckelman  
A. S. ...

Man ...

Edwin O. Edgerton

Commissioners.