

ORIGINAL

Decision No. 1427

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application :
of SAWTELLE WATER COMPANY for a :
certificate of public convenience :
and necessity to operate under a : Application No. 1049.
franchise granted by the city of :
Sawtelle. :

Herbert J. Goudge, for Applicant.

LOVELAND, Commissioner.

O P I N I O N

This is an application by Sawtelle Water Company for authority to exercise franchise rights granted by the city of Sawtelle. These rights are conferred in Ordinance No. 138, passed by the Board of Trustees of the city of Sawtelle on December 15, 1913. This ordinance gives the Sawtelle Water Company a twenty-five year franchise to maintain a system of water pipes in the city of Sawtelle. The territory includes only a portion of the city of Sawtelle and embraces that section in which Sawtelle Water Company has heretofore been operating.

The franchise confers upon the company rights which it already possessed. The franchise is, therefore, not necessary to its operation. (See recent decision of United States Supreme Court in Economic Gas Company case in confirmation of this.)

Application is made, however, in connection with certain financial and other plans which the applicant has in view, and, while I do not believe the Order of this Commission is necessary, it may be given in lieu of the dismissal of this application.

I submit herewith the following Order:-

ORDER

Sawtelle Water Company having made application to this Commission for authority to exercise rights and privileges granted by Ordinance No. 138 of the city of Sawtelle, adopted on December 15, 1913, and a hearing having been held, it is found as a fact that public convenience and necessity require that Sawtelle Water Company exercise said franchise rights.

IT IS HEREBY ORDERED: That Sawtelle Water Company be given authority, and it is hereby given authority, to exercise the rights and privileges conferred by Ordinance No. 138 of the city of Sawtelle, above referred to.

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 11th day of April, 1914.

John W. McMillen
W. D. Loveland
W. G. ...

Commissioners..