

Decision No. 28977.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of SOUTHERN CALIFORNIA EDISON COMPANY, LTD., a corporation, for a certificate that Public Convenience and Necessity require that it exercise the right and privilege granted it under a franchise to construct, operate, alter, maintain and use an electric distribution and transmission system within the County of Los Angeles, State of California.

Application No. 19345.

In the Matter of the Application of SOUTHERN CALIFORNIA EDISON COMPANY, LTD., a corporation, for a Certificate that Public Convenience and Necessity require that it exercise the right and privilege granted it under a franchise to construct, operate, alter, maintain and use an electric distribution and transmission system within the City of Tustin, County of Orange, State of California.

Application No. 19346.

Gail B. Selig, for Applicant.

BY THE COMMISSION:

O P I N I O N

In the above entitled applications, the Southern California Edison Company, Ltd., a corporation, requests that this Commission issue a certificate of public convenience and necessity authorizing it to exercise the rights and privileges granted by Ordinance No. 2243 N.S. of the County of Los Angeles (Application No. 19345) and Ordinance No. 38 of the City of Tustin, in the County of Orange (Application No. 19346).

A public hearing on these applications was conducted by Examiner Gorman at Los Angeles, on April 6th, 1934, at which time the matters were duly submitted.

The evidence submitted shows that applicant has been serving and distributing electrical energy to its consumers generally in the County of Los Angeles for many years last past under various ordinances (Nos. 27, 52, 63, 86, 138, 149, 281, 97 N.S., 151 N.S., 171 N.S., 176 N.S., 196 N.S., 234 N.S., 274 N.S. and 516 N.S.), which ordinances have been repealed by the issuance of Ordinance No. 2243 N.S., of the County of Los Angeles, involved herein. Applicant alleged that Ordinance No. 2243 N.S. was issued in lieu of all of the existing ordinances under which it was operating in Los Angeles County, thereby providing a more workable and satisfactory plan for the company to conduct its operations in said county. The ordinance provides for the rendering of electrical service by applicant in all of the unincorporated area of Los Angeles County, which does not include any area within the limits of incorporated cities.

The record shows that on December 31st, 1933, applicant was rendering electrical service to 87,375 lighting consumers, 5,267 combination lighting and power consumers and 6,986 power consumers, within the unincorporated area of Los Angeles County, as well as supplying wholesale power to the Cities of Burbank, Glendale, Azusa and Los Angeles, and that public convenience and necessity require and will require the exercise by applicant of the rights and privileges granted to it under said Ordinance No. 2243 N.S. of the County of Los Angeles.

Applicant alleged that the rights and privileges granted under Ordinance No. 2243 N.S. of the County of Los Angeles will not conflict with the rights and privileges of any other public utility, except in a small area south of and another small area along the westerly fringe of the City of Los Angeles, now being served by the Los Angeles Gas and Electric Corporation; however,

arrangements had been made between the companies so that duplicate facilities in these areas would not be constructed.

The record further shows that applicant has been serving and distributing electrical energy to its consumers in the City of Tustin (372 consumers on December 31st, 1933), for several years last past and that public convenience and necessity require and will require the exercise by applicant of the rights and privileges granted to it under Ordinance No. 38 of the City of Tustin and that the exercise of such rights and privileges will not conflict with the rights and privileges of any other public utility.

There have been filed copies of the ordinances, together with stipulations, duly executed under authority of applicant's Board of Directors, agreeing that applicant, its successors or assigns, will never claim before the Railroad Commission or any Court or other public body a value for the respective franchises in excess of the original cost of said franchises, which costs are as follows:

	<u>Ord.No.2243 N.S. of County of Los Angeles</u>	<u>Ord. No. 38 of the City of Tustin</u>
Amount of Bid	\$250.00	\$100.00
Franchise Bond	12.50	5.00
Publication of Notice of Sale	221.25	134.64
Publication of Ordinance	19.19	36.10
Railroad Commission Filing Fee	<u>50.00</u>	<u>50.00</u>
Total	\$552.94	\$325.74

No one appeared at the hearing to protest the granting of the applications.

O R D E R

Southern California Edison Company, Ltd., having requested that this Commission issue a certificate of public convenience and necessity, requiring the exercise, by applicant, of the rights and privileges granted to it by the ordinances to which

reference is made in the foregoing opinion, a public hearing having been held and the Commission having considered the record in these applications and being of the opinion that the applications should be granted; therefore,

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, Ltd. of the rights and privileges granted to it by the ordinances set forth in the foregoing opinion, provided that the Railroad Commission of the State of California may hereafter, by appropriate proceedings and orders, revoke or limit, as to territory not then being served by Southern California Edison Company, Ltd., the authority herein granted.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity is hereby granted to Southern California Edison Company, Ltd., for the exercise of the rights and privileges as set forth above.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 23^d day of April, 1934.

C. C. Deane
Leon Whittle
M. J. Carr
M. B. Lamm
Nathaniel M. ...
Commissioners.