

DECISION NO. 32278

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of SOUTHERN CALIFORNIA EDISON COMPANY LTD., a corporation, for Certificate that Public Convenience and Necessity requires that it exercise the right and privilege granted it under franchise to construct and use an electric distribution and transmission system within the CITY OF HERMOSA BEACH, County of Los Angeles, State of California.

ORIGINAL

Application No. 22891.

B. F. Woodard, and
Courtney C. Platt, for Applicant

BY THE COMMISSION:

O P I N I O N

Southern California Edison Company Ltd., requests in this proceeding a certificate of public convenience and necessity under Section 50(b) of the Public Utilities Act authorizing the exercise of rights and privileges under an electric franchise granted to it by Ordinance No. 580 of the City Council of the City of Hermosa Beach adopted November 15, 1938; a copy of which is attached as Exhibit "A" to the application. Said franchise is for an indeterminate period, pursuant to the Franchise Act of 1937.

A public hearing was held August 22, 1939, before Examiner Crenshaw at Los Angeles, California, at which time the matter was submitted. No one appeared to protest the granting of the application.

According to the testimony introduced on behalf of the applicant, applicant and its predecessors have been rendering service to the inhabitants of Hermosa Beach for many years prior hereto apparently pursuant to a constitutional franchise covering

DECISION NO. 32278

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
SOUTHERN CALIFORNIA EDISON COMPANY
LTD., a corporation, for Certificate
that Public Convenience and Necessity
requires that it exercise the right
and privilege granted it under fran-
chise to construct and use an electric
distribution and transmission system
within the CITY OF HERMOSA BEACH,
County of Los Angeles, State of
California.

ORIGINAL

Application No. 22891.

B. F. Woodard, and
Courtney C. Platt, for Applicant

BY THE COMMISSION:

O P I N I O N

Southern California Edison Company Ltd., requests in this proceeding a certificate of public convenience and necessity under Section 50(b) of the Public Utilities Act authorizing the exercise of rights and privileges under an electric franchise granted to it by Ordinance No. 580 of the City Council of the City of Hermosa Beach adopted November 15, 1938, a copy of which is attached as Exhibit "A" to the application. Said franchise is for an indeterminate period, pursuant to the Franchise Act of 1937.

A public hearing was held August 22, 1939, before Examiner Crenshaw at Los Angeles, California, at which time the matter was submitted. No one appeared to protest the granting of the application.

According to the testimony introduced on behalf of the applicant, applicant and its predecessors have been rendering service to the inhabitants of Hermosa Beach for many years prior hereto apparently pursuant to a constitutional franchise covering

lighting service. This raised a legal question as to whether or not the constitutional franchise would permit the rendering of electric service for heating and power and in view of this condition applicant deemed it advisable to obtain a new franchise.

Under the new franchise of the City of Hermosa Beach applicant is granted the privilege of using the public streets and thoroughfares for transmitting and distributing electricity within the City of Hermosa Beach for any and all purposes other than those authorized under said constitutional franchise. It was brought out at the hearing that this new franchise applied to the corporate limits of Hermosa Beach as they exist at the present time and as they may be extended in the future by annexations or other means.

Applicant now renders electric service in substantially all parts of the City of Hermosa Beach, and, according to the testimony, no other utility renders like service therein.

It is clear from the evidence that present and future public convenience and necessity require that applicant exercise the franchise granted to it by said Ordinance No. 580 in order that it may continue to furnish electric service to the inhabitants of the City of Hermosa Beach.

At the hearing a stipulation was filed by the applicant, as a matter of record herein, pursuant to a certain resolution duly adopted June 24, 1932 by the Board of Directors of the applicant company, and submitted at the hearing, that neither the applicant nor its successors or assigns will ever claim before the Railroad Commission of the State of California or before any court or public body, any value for the aforesaid franchise or certificate of public convenience and necessity prayed for, greater than the actual cost of the franchise which is \$42.88 exclusive of the \$50.00 fee for filing the present application.

O R D E R

IT IS FOUND AS A FACT that public convenience and necessity require and Southern California Edison Company Ltd., is hereby granted a certificate to exercise the rights and privileges granted to it by Ordinance No. 580 of the City of Hermosa Beach.

This Order shall be effective immediately.

Dated San Francisco, California, August 29, 1939.

Rafael A. ...
James R. ...

Justin J. ...
Commissioners