

Decision No. 32364

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of CALIFORNIA WATER & TELEPHONE COMPANY, a corporation, for a certificate that Public Convenience and Necessity require that it exercise the right and privilege granted to it under franchise from the City of San Gabriel, County of Los Angeles, State of California.

Application No. 22853

Peter A. Nenzel, for Applicant.

WAKEFIELD, COMMISSIONER:

O P I N I O N

California Water & Telephone Company, a corporation, asks for a certificate of public convenience and necessity under Section 50(b) of the Public Utilities Act authorizing the exercise of the rights and privileges granted to it under a franchise to construct, operate, maintain and use a system of water pipes and pipe lines, and all facilities for the purpose of distributing water within the City of San Gabriel, Los Angeles County.

A public hearing in this proceeding was held at Los Angeles.

California Water & Telephone Company and its predecessor, San Gabriel Valley Water Company, have sold and distributed water in and in the vicinity of the City of San Gabriel since 1907, under and pursuant to a franchise, No. 195 N.S., acquired from the County of Los Angeles prior to the incorporation of the city. As the Company now serves all of the area within the corporate limits, except that portion supplied by San Gabriel County Water District,

the City requested it to secure a franchise covering the territory served. The City has granted the Company, through Ordinance No. 406, the necessary authority to so operate, and the Company now applies to the Commission for permission to exercise the rights and privileges therein granted. No other public utility water works operates in the area covered by said Ordinance No.406. No one appeared to protest the granting of the application.

The Company has stipulated that it will never claim, before this Commission or any other public body, a value for either this franchise or the certificate, in excess of the actual cost of acquiring them. Under the circumstances, the authority sought should be granted. The following form of order is recommended:

O R D E R

Application having been made as entitled above, a public hearing having been held thereon, the matter having been submitted and the Commission being now fully advised in the premises; now, therefore,

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be, and it is, hereby granted California Water & Telephone Company, a corporation, to exercise all rights and privileges granted said Company by Ordinance No. 406 of the City of San Gabriel, in the sale and distribution of water within said City.

The authority herein granted shall become effective immediately.

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 Los Angeles California, this 26th day of September, 1939.

Rafael J. Sweeney
Ray L. Sacey
H. B. Baker
Justus J. Cramer
COMMISSIONERS.