

Decision No. 24135

## 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 rights and privileges  
granted it under two franchises to con-  
struct, operate, alter, maintain and use  
an electric distribution and transmission  
system within the CITY OF LONG BEACH,  
County of Los Angeles, State of California,  
numbered respectively Ordinance No. C-1848  
of the City of Long Beach, and Ordinance  
#ED-58 of The Board of Harbor Commissioners  
of Long Beach.

**ORIGINAL**

Application No. 24135

Roy V. Reppy and B. F. Woodard, by B. F. Woodard,  
for applicant  
S. E. Vickers, for City of Long Beach

CRAEMER COMMISSIONER:

OPINION

Southern California Edison Company Ltd. has applied for authority to exercise rights and privileges pertaining to electric service expressed in a franchise granted it by the city of Long Beach, Los Angeles County, California, and also for a permit or franchise of The Board of Harbor Commissioners of said city. These franchises were authorized in accordance with the provisions of the City Charter of the city of Long Beach and are in lieu of other asserted franchises except the constitutional franchise under which applicant or its predecessors in interest have rendered electric service in that city for many years.

In accordance with the provisions of the Long Beach City Charter, the franchise granted by the city of Long Beach is for a period of 35 years. The compensation which the city is to receive under the provisions of the franchise

is 2% of the entire gross revenue excluding domestic and residential revenue received by the Edison Company from the sale of electric energy for all service within the city other than lighting service. For the domestic and residential service, the compensation is 2% of 31% of the annual gross revenue received.

The permit or franchise granted by The Board of Harbor Commissioners is for a term of 40 years, and also covers the leasing of certain underground facilities now owned by the Harbor Board. The compensation which the Harbor Board is to receive is \$10.00 for the first 10 years and subject to revision by a board of arbitration at 10-year intervals during the life of the permit or franchise.

A public hearing on the application was held June 23, 1941, in the city of Long Beach, at which time applicant stated the cost of the franchise for the city of Long Beach was \$189.44, and the cost of the franchise or permit granted by The Board of Harbor Commissioners of Long Beach was \$200.00 both exclusive of the \$50.00 fee for filing the present application and the \$5.25 for the publication of Notice of Hearing.

According to the testimony introduced on behalf of the Applicant it is the only utility rendering electric service in this locality. No protest was presented to the granting of this application. Therefore, it is evident that the requested authority should be given.

O R D E R

It being hereby found as a fact that public convenience and necessity so require,

IT IS HEREBY ORDERED that Southern California Edison Company Ltd. be and hereby is granted a certificate to exercise the rights and privileges granted it by the city of Long Beach, Los Angeles County, California, under its Ordinance No. C-1848 adopted October 15, 1940, and The Board of Harbor Commissioners of Long Beach, Los Angeles County, California, under its Ordinance No. HD-58 adopted September 5, 1940. This grant is subject to the

condition, however, that Southern California Edison Company Ltd., its successors or assigns will never claim before this Commission or any court or other public body a value for the franchise and for the authority herein granted in excess of the actual cost thereof.

The foregoing Opinion and Order are hereby approved and filed as the Opinion and Order of the Railroad Commission of the State of California.

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

Dated at San Francisco, California, this 12<sup>th</sup> day of August, 1941.

[Signature]  
Ray L. Riley  
Justus J. Cameron

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Commissioners

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