

Decision No. 34741

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 Certificate that public convenience and necessity requires that it exercise the right and privilege granted it under franchise to construct, operate, alter, maintain and use an electric distribution and transmission system within the COUNTY OF SAN BERNARDINO, State of California.

Application No. 23635

Mr. Courtney C. Platt, for applicant.

BY THE COMMISSION:

O P I N I O N

Southern California Edison Company Ltd., applies for authority to exercise the franchise granted it by the County of San Bernardino permitting the maintenance of electric facilities upon the highways of said County. Applicant has for many years rendered electric service within parts of the County of San Bernardino, and the Nevada-California Electric Company\* also renders electric service within said County.

The franchise referred to is for a term of fifty years. It is alleged that the original cost of the franchise to applicant was \$639.75. The annual fee provided for by the franchise is equivalent to 2 per cent of the receipts arising from the use and possession of the franchise.

It being stipulated by applicant that it will not exercise the franchise for the purpose of competing with existing electric utilities, we are of the opinion that the application should be granted with appropriate restrictions imposed.

\*New California Electric Power Company

O R D E R

A public hearing having been held upon the application of Southern California Edison Company Ltd., the matter considered, and it appearing to the Commission and it being found as a fact that public convenience and necessity so require, therefore,

IT IS ORDERED that Southern California Edison Company Ltd., be and hereby is granted a certificate to exercise the rights and privileges granted by the County of San Bernardino, by Ordinance No. 482, adopted April 8, 1940, within such parts or portions of said County as are now served by it or as hereafter may be served by it through extensions of its existing system made in the ordinary course of business as contemplated by Section 50(a) of the Public Utilities Act; provided, however, that this certificate shall be subject to the following conditions:

1. That extensions of applicant's distribution lines in said County of San Bernardino may be made only in accordance with such applicable rule or rules as may be prescribed or approved by the Commission and in effect at the time covering such extensions, or in accordance with any general or special authority granted by the Commission.

2. That, except upon further certificate of this Commission first obtained, applicant shall not exercise such franchise for the purpose of supplying electricity within those parts or portions of said County now being served with electricity by any other public utility.

3. That the Commission may hereafter, by appropriate proceeding and order, limit the authority herein granted to applicant as to any territory within said County not then being served by it, and

4. That no claim of value for such franchise or the authority herein granted in excess of the actual cost thereof shall ever be made by grantee, its successors, or assigns, before this Commission or before any court or other public body.

The effective date of this Order shall be the twentieth day from and after the date hereof.

Dated, San Francisco, California, this 4<sup>th</sup> day of November, 1941.

[Signature]  
Ray H. Coley  
Justus F. Craven

Commissioners

Application No. 23635 - Southern California Edison Company Ltd.,  
San Bernardino County - Electric Service.

DISSENT

We dissent on the grounds specified in today's Decision No. 34723,  
in Application No. 23634 (Southern California Edison Company Ltd.), for a  
certificate of public convenience and necessity for electric service in  
Riverside County, California.

Francis R. Havenue

Richard Kachka  
Commissioners