

ORIGINALDecision No. 35119

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 elec-
tric distribution and transmission
system within the City of POMONA,
County of Los Angeles, State of
California.

Application No. 24717

Roy V. Reppy, Gail C. Larkin and B. F.
Woodard, by B. F. Woodard, for Applicant.

Turner M. Garr, City Attorney, for City
of Pomona.

CRAEMER, COMMISSIONER:

OPINION

Southern California Edison Company, Ltd. seeks authority to exercise a franchise granted by the City of Pomona permitting the maintenance of electric facilities upon the streets of said City.

As the franchise referred to is one granted to the City in accordance with the Franchise Act of 1937, it is provided therein that it shall be of indeterminate duration. A fee is payable annually to the City equivalent to two per cent of the gross receipts arising from the use of the franchise, but not less than one-half of one per cent of all sales of electricity by applicant within the City. The direct costs to applicant in obtaining the franchise are stated to have been \$84.72.

As this utility has for many years served electricity in and about the City of Pomona without competition, it is evident that its request for a certificate to exercise said franchise should be granted.

ORDER

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 HEREBY ORDERED that Southern California Edison Company, Ltd. be and hereby is granted a certificate to exercise the rights and privileges granted by the City of Pomona by Ordinance No. 871, adopted December 9, 1941, subject to the condition, however, 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 foregoing Opinion and Order are hereby approved and ordered filed as the Opinion and Order of the Railroad Commission of the State of California.

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

Dated, San Francisco, California, this 10th day of March 1942.

Justice F. Cameron
Ray & Wiley

Francis S. Johnson
Richard L. Jackson

Commissioners.