

Decision No. 36034

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 require that it exercise the rights and privileges granted it under franchise to construct and use an electric distribution and transmission system within the CITY OF ORANGE, County of Orange, State of California.

ORIGINAL

Application 25362

Gail C. Larkin, B. F. Woodard and Rollin E. Woodbury, by B. F. Woodard for Applicant.

BY THE COMMISSION:

O P I N I O N

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

The franchise referred to is one permitted by the Franchise Act of 1937, it being complementary to the so-called Constitutional franchise authorizing the continued use of the streets of the city for the distribution of electricity for lighting purposes only. It is for an indeterminate term, and supersedes the franchise previously granted by the City of Orange. A fee is payable annually to the City equivalent to 2 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 \$89.25.

As this utility has for many years served electricity within and about the City of Orange without competition, it is evident that its request for a certificate to exercise its 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 Orange by Ordinance No. 415, adopted October 20, 1942, 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 effective date of this Order shall be the twentieth day from and after the date hereof.

Dated, San Francisco, California, this 15th day of December, 1942.

Justin F. Brewer
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Commissioners