

Decision No. 39826

BEFORE THE PUBLIC UTILITIES 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 franchise to construct and use an electric distribution and transmission system in the CITY OF DELANO, County of Kern, State of California, in accordance with Franchise Ordinance No. 221 of said city.

ORIGINAL

Application No. 27788

Gail C. Larkin, Bruce Renwick, and B. F. Woodard,  
by Bruce Renwick for Applicant.  
R. W. DuVal by Lloyd Henley for Pacific Gas and  
Electric Company, an interested party.

O P I N I O N

Southern California Edison Company Ltd. asks authority to exercise a franchise granted by the City of Delano permitting the installation and maintenance of electric facilities upon the streets of said city.

The franchise referred to, a copy of which is attached to the application and marked Exhibit A, was granted by the city in accordance with the Franchise Act of 1937 and is 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 costs incurred by Applicant in obtaining the franchise are stated to have been \$43.40.

A hearing on this application was held by Examiner Daly at which no opposition to the granting of the requested authority was manifested.

As this utility has for many years served electricity within and about the city of Delano without competition, it is evident that the requested authority should be given.

The authority herein granted is subject to the following provisions of

Law:

- (A) That the Commission shall have no power to authorize the capitalization of the franchise involved herein or this certificate of public convenience and necessity or the right to own, operate or enjoy such franchise or certificate of public convenience and necessity in excess of the amount (exclusive of any tax or annual charge) actually paid to the state or to a political subdivision thereof as the consideration for the grant of such franchise, certificate of public convenience and necessity or right.
- (B) That the franchise involved herein shall never be given any value before any court or other public authority in any proceeding of any character in excess of the cost to the grantee of the necessary publication and any other sum paid by it to the municipality therefor at the time of the acquisition thereof.

O R D E R

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

IT IS ORDERED that Southern California Edison Company Ltd. be and hereby is authorized to exercise the rights and privileges granted by the City of Delano by Ordinance No. 221, adopted July 15, 1946.

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

Dated at San Bernardino, California, this 30th day of

December, 1946.

Harold H. Kula  
Justice J. C. Cullen  
James H. Russell  
R. Z. Anderson  
 Commissioners