

ORIGINAL

Decision No. 39906

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 an Order of the Railroad
Commission of the State of California grant-
ing to Applicant a certificate of public
convenience and necessity to exercise the
right, privilege and franchise granted to
Applicant by Ordinance No. 357 of the Board
of Supervisors of the County of Fresno,
State of California, to construct, and use
an electric distribution and transmission
system within the County of Fresno, State of
California.

Application No. 27869

Geil C. Larkin, B. F. Woodard and Bruce
Renwick by Bruce Renwick for Applicant;
R. W. DuVal and Lloyd Henley by Lloyd
Henley for Pacific Gas and Electric Company.

O P I N I O N

Southern California Edison Company Ltd. asks authority to exercise a franchise granted by the County of Fresno permitting the installation and maintenance of electric transmission and distribution facilities in the streets, alleys, public ways, and public places of said county.

The franchise referred to, a copy of which is attached to the application and marked Exhibit A, is for a term of 50 years and provides that a fee is payable annually to the county equivalent to 2% of the gross annual receipts arising from the use, operation or possession thereof.

The direct cost to Applicant in obtaining this franchise is stated to have been \$786.

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

Applicant for many years has maintained and operated transmission facilities throughout the county and distributed electric energy and service in a small area in the northeastern portion thereof. Pacific Gas and Electric

Company, hereinafter sometimes referred to as Pacific, or its predecessor in interest, San Joaquin Light and Power Corporation, for many years has maintained and operated transmission facilities throughout the county and distributed electric energy and service in the remaining portion thereof. Applicant asserts that the requested authority is not being sought for the purpose of enabling it to compete with Pacific in the business of supplying electric service in Fresno County.

Applicant's service area in Fresno County embraces the area in the vicinity of Huntington and Shaver Lakes and the remaining portion of the county to the north and east thereof. The boundary line between this service area and that of Pacific Gas and Electric Company has never been formally established.

In order to define clearly their service areas, Applicant and Pacific have agreed upon a boundary line which reflects present operating conditions. A description of this line and a map upon which it is delineated are contained in Applicant's Exhibit 1. Pacific expressed agreement with Applicant upon the description and delineation set forth therein.

At the hearing Applicant supplemented its application by asking that the authority to exercise its newly acquired franchise be made county-wide for transmission purposes but limited to its established service area for distribution purposes. In view of the foregoing, it would appear that Applicant's request for authority to exercise its franchise and for a definition of service areas in Fresno County should be granted. The authority herein granted is subject to the following provisions of law:

That the Commission shall have no power to authorize the capitalization of the franchises involved herein or this certificate of public convenience and necessity or the right to own, operate or enjoy such franchises 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 franchises, certificate of public convenience and necessity or right.

ORDER

A public hearing having been held upon the application of Southern California Edison Company Ltd., the matter having been considered, it appearing

to the Commission and being found as a fact that public convenience and necessity so require,

IT IS ORDERED that Southern California Edison Company Ltd. be and hereby is authorized to exercise the right, privilege, and franchise granted it by the County of Fresno by Ordinance No. 357, adopted May 28, 1946, to install and maintain electric transmission lines and facilities throughout the entire county and to install and maintain distribution lines and facilities within the service area herein established.

IT IS FURTHER ORDERED that the service area of Southern California Edison Company Ltd. in Fresno County shall be that portion of the county lying generally north of an irregular line which begins at the intersection of the west line of township 9 south, range 24 east, M.D.B. and M. with the northern boundary line of the county and follows a broken southeasterly course to the southeast corner of section 24, township 10 south, range 26 east, M.D.B. and M. thence northward to the south boundary line of the 8th tier of townships south M.D.E., thence eastward along said south boundary line to its intersection with the eastern boundary line of the county which service area and boundary line are described in detail and delineated on a map in Applicant's Exhibit 1.

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

Dated at Los Angeles, California, this 25th day of

January, 1947.

Harold P. Hills
Justice J. Carver
James H. Powell
P. J. Johnson

Commissioners.