

ORIGINAL

Decision No. 41787

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
SEARLES DOMESTIC WATER COMPANY  
for an order authorizing it to: --

1. Enlarge its service area and extend its operations.
  2. Revise and supersede its water supply contract.
  3. Issue additional shares, and
  4. Adjust its water rates.
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Application  
No. 29234

FIRST SUPPLEMENTAL ORDER

Searles Domestic Water Company has filed with the Commission a copy of Ordinance No. 614 of the County of San Bernardino, to which reference is made in Decision No. 41615, dated May 18, 1948. In that decision, the Commission granted to Applicant a certificate of public convenience and necessity to construct, maintain and operate a public utility water system in the areas described in the opinion in said decision, and indicated that upon the filing of a copy of an ordinance of San Bernardino County granting Applicant a new or amended franchise, it would consider the granting to it of a certificate of public convenience and necessity to exercise the rights and privileges granted by such franchise.

Ordinance No. 614 grants to Searles Domestic Water Company, its successors or assigns, for a period of fifty years

from and after the effective date of the Ordinance, a franchise for supplying the inhabitants of the areas described in said franchise with water for domestic, limited commercial or retail establishment and small industrial enterprise uses, and to lay, construct, operate, maintain, use, repair, replace and/or remove a system of conduits, mains, pipelines and appurtenances in, under, upon, along and across the public streets, highways and public places as they now exist or may exist hereafter, all subject to the provisions of the Ordinance. The areas described in the franchise are substantially the same as the areas described in Decision No. 41615.

The certificate of public convenience and necessity 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 the 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 or 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 or any other sum paid by it to the municipality therefor at the time of the acquisition thereof.

Upon considering the record in this matter we are of the opinion and hereby find that Applicant should be authorized to exercise the rights and privileges granted to it by Ordinance No. 614 of the County of San Bernardino, California, therefore,

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be, and it is hereby, granted to Searles

Domestic Water Company to exercise the rights and privileges granted by Ordinance No. 614 of the County of San Bernardino, California.

IT IS HEREBY FURTHER ORDERED that this First Supplemental Order is effective upon the date hereof.

Dated at San Francisco, California, this 29<sup>th</sup> day of June, 1948.

R. E. Dineen  
James F. Galloway  
Leopoldo Pineda  
Harold H. Kille  
Herbert H. Potter  
Commissioners