

Decision No. 44086

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
 Southern California Edison Company, a  
 corporation, for Certificate of Public  
 Convenience and Necessity to Exercise  
 the Rights, Privileges, and Franchise  
 Granted to Applicant by Ordinance No.  
 543 of the County of Orange, State of  
 California, to Construct, Operate,  
 Alter, Maintain and Use an Electric  
 Distribution and Transmission System  
 within said County

Application No. 30208

FIRST SUPPLEMENTAL OPINION AND ORDER

Southern California Edison Company, applicant in this proceeding, has heretofore been granted (by Decision No. 43041, June 28, 1949) a certificate of public convenience and necessity to exercise the right, privilege and franchise granted by Ordinance No. 543, adopted November 16, 1948, by the Board of Supervisors of Orange County, which order reads as follows:

"IT IS HEREBY ORDERED that Southern California Edison Company be and it is granted a certificate that public convenience and necessity require the exercise by it of the right, privilege and franchise granted to it by Ordinance No. 543, adopted November 16, 1948, by the Board of Supervisors of the County of Orange, within such parts or portions of said county as are now served by it or as hereafter may be served by it through extensions of its existing system made in the ordinary course of business as contemplated by Section 50(a) of the Public Utilities Act; provided, further, that this certificate shall be subject to the following conditions:

- "1. That, except upon further certificate of this Commission first obtained, applicant shall not exercise such franchise for the purpose of supplying electricity in these parts or portions of said county now being served by the San Diego Gas & Electric Company, other than the installation, maintenance, and operation of facilities for the transmission of electric energy through the territory served by San Diego Gas & Electric Company, and the supplying of electricity to the San Diego Gas & Electric Company; and

- "2. That the Commission may hereafter, by appropriate proceeding and order, limit the authority herein granted to applicant as to any territory within said county not then being served by it."

Applicant has requested in a supplemental application that the above order be amended to make more definite and certain the certificate granted therein. Applicant brought out that said order is indefinite and uncertain, in that it cannot be determined therefrom whether or not the certificate granted to applicant authorizes the exercise of said franchise for transmission purposes throughout Orange County or is limited for transmission purposes, as well as for distribution purposes, to applicant's service area in the County of Orange as set forth in applicant's Exhibit No. 1. Applicant has requested that this ambiguity be clarified and that a boundary line be established in Orange County between the service area of applicant and that of San Diego Gas & Electric Company.

The Commission having considered applicant's request for clarification, and being of the opinion that there should be some modification of the order and that a public hearing is unnecessary,

IT IS HEREBY ORDERED that Southern California Edison Company be and it is hereby granted a certificate that public convenience and necessity require the exercise by it of the rights, privileges and franchise granted to it by Ordinance No. 543, adopted November 16, 1948 by the Board of Supervisors of the County of Orange, subject, however, to the following conditions:

1. That Southern California Edison Company shall not exercise said franchise for the purpose of supplying electricity in those parts or portions of Orange County not now served by it except through extensions of its existing system made in the ordinary course of business as contemplated by Section 50(a) of the Public Utilities Act.
2. That, except upon further certificate of this Commission first obtained, Southern California Edison Company shall not exercise said franchise for the purpose of supplying electricity, except to San Diego Gas & Electric Company and its successors, in those parts or portions of San Diego

County lying generally south or east of a line beginning at the intersection of the shore line of the Pacific Ocean with the South line of Township 7 South, Range 8 West, S.B.B. and M.; thence Easterly along said South line to the Southeast corner of Section 33 in said Township and Range; thence Northerly along the East lines of Sections 33, 28, 21, 16, 9 and 4 in said Township and Range, to the Northeast corner of said Section 4; thence Easterly along the South lines of Township 6 South, Range 8 West and Township 6 South, Range 7 West, S.B.B. and M., to the West line of Township 6 South, Range 6 West, S.B.B. and M.; thence Southerly along said West line to the Southwest corner of Section 31 in said Township 6 South, Range 6 West; thence Easterly along the South line of said Township 6 South, Range 6 West, to the intersection thereof with the Easterly boundary line of said County of Orange; and

3. That the Commission may hereafter by appropriate proceeding and order limit the authority herein granted to Southern California Edison Company as to any territory within said County not then being served by it.

IT IS HEREBY FURTHER ORDERED that the certificate granted by Decision No. 43041, dated June 28, 1949, in Application No. 30208, be and same is hereby revoked.

The effective date of this order shall be twenty (20) days after the date hereof.

Dated at San Francisco, California, this 25<sup>th</sup> day of April, 1950

R. Z. Zimmerman  
James F. Galvan  
Paul J. Powell  
Harold A. Hula  
Herbert P. Patten  
 Commissioners.