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49125 Decision No.

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application ٥ſ

CALIFORNIA WATER & TELEPHONE COMPANY

for a certificate that public convenience) Application No. 34594 and necessity require that it exercise the) right and privilege granted to it under franchise from the County of Los Angeles, State of California. (water) 02. 2.

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Appearances

Bacigalupi, Elkus & Salinger, by Tadini Bacigalupi, Jr., attorneys for applicant.

<u>O P I N I O N</u>

California Water & Telephone Company, a corporation, by the above-entitled application filed July 30, 1953, seeks a certificate that public convenience and necessity require the exercise by it of the rights and privileges under a franchise granted by Ordinance No. 6240 of the County of Los Angelos. A copy of said ordinance was attached to the application as Exhibit "A". The area covered by the franchise is shown in blue and blue crosshatching on the map filed at the hearing as Exhibit No. 1.

A public hearing on this matter was held September 8, 1953 before Examiner Warner at Los Angoles.

Proof of publication of the notice of hearing was submitted at the hearing and there were no protests to the granting of the application.

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Applicant paid the County of Los Angeles \$100 for the franchise granted by Ordinance No. 6240 and advanced \$100 for the cost of publishing said franchise, subject to adjustment by the Los Angeles Board of Supervisors to actual publishing costs.

The franchise granted by Ordinance No. 6240 is a Broughton M Act franchise and extends for twenty-five years from December 25, 1952. This franchise applies to area formerly covered by Franchise No. 316 which expired in December, 1952, except that area covered by Franchise No. 1296. It also applies to additional small areas which were included to round out the logical service area of applicant in its San Gabriel Division.

The Commission has considered the application of California Water & Tolophono Company for a certificate of public convenience and necessity and is of the opinion that it should be granted subject to the following provision of law:

> That the Commission shall have no power to authorize the capitalization of this certificate of public convenience and necessity or the right to own, operato, or enjoy such certificate of public convenience and necessity in excess of the amount (exclusive of any tax or annual charge) actually paid to the State as the consideration for the issuance of such certificate of public convenience and necessity or right.

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Application as above-entitled having been filed, a public hearing having been held, the matter having been submitted, and the Commission being fully advised and finding that public convenience and necessity so require,

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IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and it is granted to California Water & Telephone Company, a corporation, authorizing the exercise by it of the rights and privileges granted it by the County of Los Angeles by Ordinance No. 6240.

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

Dated at Anthe Aller California, this 22 40 640mlel4), 1953. day of go

resident

Commissioners

Peter E. Mitchell Commissioners. Justus F. Cractor, being necessarily absent. did not participate in the disposition of this proceeding.

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