

ORIGINALDecision No. 50034

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Joint Application)
of the Southern California Edison)
Company, a corporation, and the)
California Electric Power Company, a)
corporation, for an Order Revising and)
Re-establishing the Boundary Line sep-)
arating the Service Areas of said)
Applicants in the County of Kern,)
State of California.)

Application No. 35244

Bruce Renwick, Rollin E. Woodbury, and Harry W. Sturges, Jr., by Harry W. Sturges, Jr., for applicant Southern California Edison Company.
Kenneth F. Lemon and Henry W. Coil, by Kenneth F. Lemon, for applicant California Electric Power Company.
Lt. Col. Marcus B. Sacks, USAF, Legal Officer, for U.S. Air Force, Edwards Air Force Base.
Leonard S. Patterson, for the Commission staff.

O P I N I O N

Southern California Edison Company,^{1/} a corporation, and California Electric Power Company,^{2/} a corporation, by the above-entitled joint application filed March 12, 1954, request an order revising and re-establishing the boundary line separating their present distribution^{3/} service areas in Kern County.

A public hearing in this matter was held before Examiner Warner on April 20, 1954 at Los Angeles. There were no protests to the granting of the application.

Present Distribution Service Area Boundary Line

The boundary line separating applicants' present distribution service areas was established by Decision No. 3341, dated May 15, 1916, in Application No. 2225, with respect to Edison, and

^{1/} Hereinafter referred to as Edison.

^{2/} Hereinafter referred to as California Electric.

^{3/} The instant application does not apply to present service areas for transmission purposes.

by Decision No. 4597, dated August 29, 1917, in Application No. 3050, with respect to California Electric. Said boundary line was reaffirmed by Decision No. 39907, dated January 28, 1947, in Application No. 27836. Each of the earlier decisions authorized predecessor companies of applicants to exercise the rights and privileges under the franchises granted by Ordinances Nos. 117 and 119, Kern County, respectively. Decision No. 39907 authorized Edison to exercise the rights and privileges under a franchise granted by Ordinance No. F-2, Kern County. The present distribution service area boundary is shown by a green line on Exhibit "B" attached to the application.

Proposed Distribution Service Area Boundary Line

Applicants' proposed distribution service area boundary is delineated by a green line on the Map, Exhibit "C", attached to the application.

Applicants' witnesses testified that the proposed boundary line had been agreed upon after conferences between applicants. Instead of a more or less perpendicular line from the northern limits of Kern County to the southern limits with a single jog therein, which constitutes the present boundary line, the proposed boundary line would follow section lines from north to south in substantially the same fashion, but in a more easily determinable location. The most northerly portion which would lie in T 25 S, R 36 E, MDB&M would add a fairly large area to Edison and deduct an area from California Electric. Said area is now being served by Edison under an agreement with California Electric whose nearest service facilities are some 25 miles distant to the east. Other exchanges of areas of smaller size would be effected by the proposed change in the boundary line.

The record shows that no change in rates or service to any present consumers, or consumers with applications for service on file with either applicant as of the date of the hearing, would be effected if the instant application were granted.

It appears that the granting of the instant application would not be adverse to the public interest, and that the operations of each applicant would be simplified and clarified in the public interest by the revision and re-establishment of their common distribution service area boundary line in Kern County as requested, and the order which follows will provide that the application 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, operate, 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.

The action taken herein shall not be construed to be a finding of the value of the property herein described.

O R D E R

Joint application as above entitled having been filed, a public hearing having been held, the matter having been submitted and now being ready for decision, and it appearing to the Commission and being found as a fact that public convenience and necessity so require,

IT IS HEREBY ORDERED as follows:

1. That Southern California Edison Company, a corporation, and California Electric Power Company, a corporation, be and they are authorized to revise and re-establish the boundary line separating their distribution service areas in Kern County according to the legal description and accompanying map, Exhibit "C" attached to the application.

2. That within forty days after the effective date of this order applicants shall file, in accordance with the Commission's General Order No. 96, four copies of tariff service area maps which shall reflect the changes in boundary lines authorized by this order.

3. That the service areas and boundary line in Kern County established for predecessors of applicants, by Decision No. 3341 in Application No. 2225 and Decision No. 4597 in Application No. 3050 and for Edison by Decision No. 39907 in Application No. 27836, as such decisions relate to the exercise of franchise rights for distribution purposes, shall be and they are superseded by those established by this order.

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

Dated at Los Angeles, California, this 11th day of May, 1954.

Robert E. Mitchell
President
Justice J. C. ...
Kenneth Pottier
Gene Higgins
Commissioners