

ORIGINALDecision No. 51351

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 that)
 public convenience and necessity)
 require and will require the exer-)
 cise by Applicant of the rights,)
 privileges and franchise granted by)
 Ordinance No. 72 of the City of)
 Costa Mesa, County of Orange, State)
 of California, in accordance with)
 Franchise Ordinance No. 72 of said)
 City.)

Application No. 36662

Bruce Renwick, Rollin E. Woodbury and
 Harry W. Sturges, Jr., by
Harry W. Sturges, Jr., for applicant.

O P I N I O N

Southern California Edison Company by the above-entitled application filed January 21, 1955, asks for a certificate of public convenience and necessity to exercise the rights and privileges of a franchise granted by the City of Costa Mesa, permitting the installation, maintenance and use of an electric distribution and transmission system upon the streets of said city. A public hearing was held before Examiner C. E. Crenshaw on March 24, 1955, in Los Angeles.

The franchise referred to, a copy of which is attached to the application and designated as Exhibit "A", was granted by the city in accordance with the Franchise Act of 1937, and is of indeterminate duration. A fee is payable annually to the city equivalent to 2 per cent of the gross receipts arising from the use, operation, or possession of the franchise, but not less than 1 per cent of the gross annual receipts from sales of electricity within the limits of the city under said franchise.

The costs incurred by applicant in obtaining the franchise are stated to have been \$45.36, which amount does not include costs incident to this application.

No objection to the granting of the requested certificate has been entered. Furthermore, this utility or its predecessors have for many years served electricity in and about the City of Costa Mesa without competition. As of December 31, 1954 it served 5500 electric customers within the city.

The certificate of public convenience and necessity herein granted is subject to the following provisions of law:

1. That the Commission shall have no power to authorize the capitalization of the franchise involved herein or this certificate of public convenience and necessity or the right to own, operate or enjoy such franchise or certificate of public convenience and necessity for any amount of money 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, certificate of public convenience and necessity or right.
2. 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 and any other sum paid by it to the municipality therefor at the time of the acquisition thereof.

O R D E R


The above-entitled application having been filed, a public hearing having been held, the matter having been submitted and now being ready for decision,

IT IS HEREBY FOUND AS A FACT that public convenience and necessity require the exercise by applicant of the right, privilege and franchise granted to applicant by Ordinance No. 72 of the City of Costa Mesa.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and it is granted to Southern California Edison Company to exercise the rights and privileges granted by the City of Costa Mesa by Ordinance No. 72 adopted December 6, 1954.

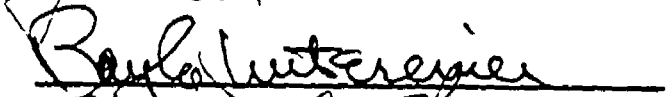
The effective date of this order shall be twenty days after the date hereof.

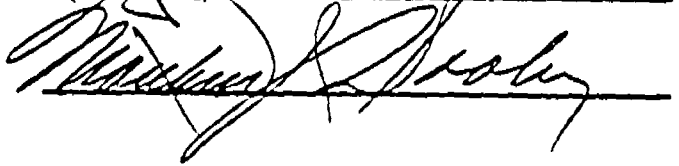
Dated at San Francisco, California, this 19th day of APRIL, 1955.



President







Commissioners