

**ORIGINAL**

Decision No. 52444

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 re- )  
 quire and will require the exercise )  
 by Applicant of the Rights, Privileges )  
 and Franchise granted by Ordinance )  
 No. 54 of the City of Lakewood, County )  
 of Los Angeles, State of California, )  
 in accordance with Franchise Ordinance )  
 No. 54 of said city. )

Application No. 37327

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 on September 26, 1955, requests a certificate of public convenience and necessity to exercise the rights and privileges of a franchise, granted by the City of Lakewood, California, to use and to construct and use for transmitting electricity to the public for any and all purposes, poles, wires, conduits and appurtenances, including communication circuits, necessary or proper therefor in, along, across, upon, over and under the streets of said City.

A public hearing on the application was held before Examiner Kent C. Rogers on December 2, 1955, in Los Angeles.

The franchise referred to, a copy of which is attached to the application and designated Exhibit "A", was granted by the

City in accordance with the Franchise Act of 1937 (Division 3, Chapter 2, California Public Utilities Code), was effective 30 days after May 24, 1955, and is of indeterminate duration. A fee will be payable annually equivalent to 2% of the gross receipts arising from the use, operation or possession of said franchise but not less than 1% of the gross annual receipts from the sale of electricity within the limits of the City pursuant to the franchise.

No objection to the granting of the requested certificate has been entered.

The applicant's witness stated that the costs incurred in obtaining the franchise are \$77.80, which amount does not include costs incident to the application. Prior to incorporation of the City of Lakewood on April 16, 1954, he said, the applicant had served the area, which was then County of Los Angeles territory, for many years pursuant to County franchises. As of December 31, 1954, applicant served approximately 15,400 customers in the City of Lakewood and had a gross revenue from all services in the city of \$1,071,000. It will annually pay the city approximately \$10,710.00 under the terms of the franchise, based on its 1954 revenues.

Upon the record herein the Commission finds that public convenience and necessity require the exercise by the applicant of the right, privilege and franchise granted to the applicant by Lakewood City Ordinance No. 54. 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 thereon, the matter having been submitted, and the Commission having made the foregoing findings and based upon such findings,

IT IS ORDERED that a certificate of public convenience and necessity be and it hereby is granted to Southern California

Edison Company to exercise its rights and privileges granted by the City of Lakewood by Ordinance No. 54 adopted May 24, 1954.

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

Dated at San Francisco, California, this 17<sup>th</sup> day of June, 1954.

[Signature]  
President

[Signature]

[Signature]

[Signature]

[Signature]  
Commissioners