

ORIGINAL

Decision No. 52532

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of BOUQUET CANYON WATER CO., a California corporation, for a certificate of public convenience and necessity to operate as a public utility water corporation; for a preliminary order relating to the exercise of county franchise rights, and for authority to issue stock.

Application No. 35433

FIRST SUPPLEMENTAL OPINION AND ORDER

By Decision No. 50506, dated September 3, 1954, this application was granted subject to the following provision:

"That upon the filing by applicant of a supplemental application to which is attached a copy of the franchise issued by the Board of Supervisors of the County of Los Angeles, the Commission will issue a certificate of public convenience authorizing applicant to exercise such franchise upon such terms and conditions as the Commission may designate."

By its First Supplemental application filed December 19, 1955, applicant has submitted a copy of Ordinance No. 6774 adopted by the Board of Supervisors of Los Angeles County on September 27, 1955, granting to applicant certain rights and privileges to construct and operate a public utility water system on the streets and highways of the portion of Los Angeles County described therein, and including applicant's service area.

The franchise referred to, a copy of which is attached to the First Supplemental application as Exhibit A, was granted by the County in accordance with the Broughton Act and is for a

period of 25 years. A fee is payable annually to the County equivalent to two percent of the gross receipts arising from the use, operation or possession of the franchise. No percent payment is due for the first 5 years succeeding the effective date of the franchise.

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

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 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.

The Commission is of the opinion that public convenience and necessity require the granting of the First Supplemental application, and good cause appearing, therefore;

IT IS HEREBY ORDERED as follows:

(1) That Bouquet Canyon Water Co., a corporation, be, and it is, granted a certificate of public convenience and necessity to exercise the rights and privileges granted by the County of Los Angeles by Ordinance No. 6774 adopted by the Board of Supervisors of Los Angeles County on September 27, 1955.

(2) That applicant shall not exercise said franchise for the purposes of supplying water in those parts or portions of Los Angeles County not now being served by it except by extensions of its existing system made in the ordinary course of business as contemplated by Section 1001 of the Public Utilities Code.

(3) 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.

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

Dated at Los Angeles, California, this 31st day of January, 1956.

Robert E. Mitchell
President

Justin J. Caswell

Randy Lutz

Maxwell Dooly

Ph. Hardy
Commissioners