

Decision No. 55050**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's  
 own Motion into the Operations,  
 Operating Authority, Service and  
 Service Areas of CALIFORNIA ELECTRIC  
 POWER COMPANY and SOUTHERN CALIFORNIA  
 EDISON COMPANY in the County of  
 Riverside. ) Case No. 5898

CALIFORNIA ELECTRIC POWER COMPANY,  
 Complainant, )  
 vs. ) Case No. 5815  
 SOUTHERN CALIFORNIA EDISON COMPANY,  
 Respondent. )

INTERIM ORDER

In Case No. 5815 California Electric Power Company complains that Southern California Edison Company is attempting to provide service to a mine operated by Kaiser Steel Corporation in the vicinity of Eagle Mountain in Riverside County, and heretofore served by complainant. Defendant's motion to dismiss the complaint was denied on February 11, 1957. (Decision No. 54516). On the same day the Commission issued its order instituting investigation in Case No. 5898. The two proceedings were consolidated for hearing, and were submitted upon briefs on May 15, 1957. The two electric utilities are in dispute and disagreement as to their respective authorities to serve specific territory and customers therein. Among the purposes of the investigation in Case No. 5898 is the determination of the areas in Riverside County to be served by each utility.

On May 27, 1957, each utility filed a petition for an interim cease and desist order against the other utility.

Petition of California Electric Power Company

Petitioner alleges in substance that since 1948 it has been serving the Kaiser mine at Eagle Mountain with power generated at Hoover Dam; that upon being advised in June of 1956 of an expected shortage of Hoover power due to poor water conditions on the Colorado River, petitioner made plans to serve Eagle Mountain and the adjacent Desert Center area by a line of its own from Blythe; that such line is under construction and scheduled for completion in September of 1957; and that petitioner has accepted applications for service by residents of Desert Center.

Petitioner alleges that Southern California Edison Company, since submission of these proceedings, has solicited the electrical business of residents of Desert Center from whom petitioner has accepted applications for service; that Edison has offered to supply electric service within the next thirty days, and has declared its intention of constructing an electrical system to serve the Desert Center area; and unless ordered to cease and desist will carry out its plans before issuance of the Commission's order in these proceedings.

The petition alleges that Edison had never served or held itself out to serve the public in eastern Riverside County before the middle of 1956 when it attempted to appropriate the Kaiser business at Eagle Mountain; had theretofore consistently taken the position that the Eagle Mountain-Desert Center area was the territory of petitioner; and that Edison does not have certificated rights in eastern Riverside County.

Petitioner requests an interim order requiring Edison to cease and desist from soliciting electrical business in the Desert Center area and from constructing any electrical facilities in that area until the Commission issues its decision in these proceedings.

Petition of Southern California Edison Company

This petitioner alleges in substance that on May 25, 1957, California Electric obtained an ex parte restraining order from the Superior Court of Riverside County, restraining Edison from continuing with the construction of lines in the areas involved in the matters under submission; that California Electric is proceeding with the construction of facilities to serve such areas; and requests issuance of a cease and desist order prohibiting California Electric from proceeding with such construction pending decision in the pending proceedings.

Section 1006 of the Public Utilities Code provides as follows:

"1006. When a complaint has been filed with the commission alleging that a public utility of the class specified in Section 1001 is engaged or is about to engage in construction work without having secured from the commission a certificate of public convenience and necessity as required by this article, the commission may, with or without notice, make its order requiring the public utility complained of to cease and desist from such construction until the commission makes and files its decision on the complaint or until the further order of the commission."

Good cause appearing, IT IS ORDERED that Southern California Edison Company and California Electric Power Company, and each of them, pending further order herein, shall immediately

cease and desist and shall refrain from extending their respective lines, plants, or systems to the Desert Center or Eagle Mountain areas involved in these proceedings.

The Secretary is directed to cause certified copies of this order to be served upon Southern California Edison Company and upon California Electric Power Company.

The effective date of this order shall be the date hereof.

*San Francisco*  
Dated, ~~Los Angeles~~, California, this ~~28th~~<sup>31st</sup> day of May,

*John*

1957.

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 President.

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 Commissioners