

ORIGINAL

Decision No. 59107

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of SOLEMINT WATER)
COMPANY, a corporation, to)
operate a water system in)
Soledad Canyon in Los Angeles)
County.)

Application No. 38423
(First Supplemental)

OPINION AND ORDER

By Decision No. 57053, dated July 29, 1958, in Application No. 38423, applicant, a California corporation, was given authority as a public utility water corporation to furnish domestic water in a portion of Los Angeles County. At the time the said certificate was granted, applicant had not secured a franchise from the County of Los Angeles and, at the hearing, informed the Commission that no franchise rights were presently sought to be exercised. Applicant further advised the Commission that it intended to comply with the franchise requirements of the County of Los Angeles and upon the acquisition of a franchise to thereafter seek authority from the Commission to exercise the rights and privileges granted thereunder.

Applicant was granted a franchise by the County of Los Angeles, pursuant to Ordinance No. 7559, effective August 14, 1959, to maintain, operate, renew, repair, change the size of, remove or abandon in place, pipes and pipelines for the transportation and distribution of water for any purpose, together with all manholes, valves, appurtenances, and service connections necessary or convenient for the operation of the said pipes or pipelines in, under, along or across any or all highways in the unincorporated territory of the County of Los Angeles, State of California, described as follows:

Beginning at the northeast corner of Section 1, Township 4 North, Range 15 West, S.B.M.; thence west along the north lines of Sections 1, 2, 3, 4 and 5 in said Township and Range, to the northwest corner of said Section 5; thence south along the west lines of Sections 5, 8, 17, 20, 29 and 32, in said Township and Range, and along the west line of Section 5, Township 3 North, Range 15 West, S.B.M., to the west quarter section corner of said last mentioned Section 5; thence east along the north lines of the south halves of Sections 5, 4, 3, 2 and 1, in said last mentioned Township and Range, to the east quarter section of said last mentioned Section 1; thence north along the east line of said last mentioned Section 1 and along the east lines of Sections 36, 25, 24, 13, 12, and 1, in said Township 4 North, Range 15 West, to the point of beginning.

The franchise is for a period of 25 years. The described territory includes all of the area in which applicant was granted a certificate by Decision No. 57053, supra.

Upon the record herein the Commission finds that public convenience and necessity require the exercise by the applicant of the rights, privileges and franchise granted to the applicant by the County of Los Angeles Ordinance No. 7559. A public hearing is not necessary. The certificate of public convenience and necessity is subject to the following provision of law:

The Commission shall have no power to authorize the capitalization of the franchise involved herein or the 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.

The Commission having made the foregoing finding, and based on said finding,

IT IS HEREBY ORDERED that Solemint Water Company, a corporation, be, and it hereby is, granted a certificate that public convenience and necessity require the exercise by it of the rights, privileges and franchise granted to it by Ordinance No. 7559 of the County of Los Angeles, State of California, which ordinance was adopted on the 14th day of July, 1959, by the Board of Supervisors of said County.

IT IS HEREBY FURTHER ORDERED:

1. That Solemint Water Company shall not exercise said franchise for the purpose of supplying water in those portions of Los Angeles County not now served by it except in the areas certified by Decision No. 57053, dated July 28, 1958, or areas thereafter to be served through extensions thereto as contemplated in Section 1001 of the Public Utilities Code.

2. 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 San Francisco, California, this 6th day of October, 1959.

[Signature] President
[Signature]
[Signature]
[Signature] Commissioners