

ORIGINAL

Decision No. 59455

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 should)
require and will require the exercise by)
Applicant of the rights, privileges and)
franchise granted by Ordinance No. 9)
of the City of Walnut, County of Los)
Angeles, State of California, in accord-)
ance with Franchise Ordinance No. 9)
of said City.)

Application No. 41482

O P I N I O N

Southern California Edison Company by the above-entitled application filed September 11, 1959, asks for a certificate of public convenience and necessity to exercise the rights and privileges of a franchise granted by the City of Walnut, permitting the use of the streets of said City for the installation and maintenance of an electric distribution and transmission system.

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 two per cent of the gross receipts arising from the use, operation, or possession of the franchise, but not less than one 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 \$13.60, which amount does not include costs incident to this application.

No objection to the granting of the requested certificate has been entered. Furthermore, the applicant is the only public utility presently providing electricity to the City of Walnut and its inhabitants.

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 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 Commission having considered the request of applicant and being of the opinion that the application should be granted and that a public hearing is not necessary; therefore,

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. 9 of the City of Walnut.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and is granted to Southern California Edison Company to exercise the rights and privileges granted by the City of

Walnut by Ordinance No. 9 adopted by the City Council of said City on the 15th day of June, 1959.

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

Dated at San Francisco, California, this 5th day of January, 1960

[Signature]
President
[Signature]
[Signature]
[Signature]
Theodore Jenner
Commissioners