

ORIGINALDecision No. 61333

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 Southern California Water Company)
 for an order granting it a certifi-)
 cate declaring that the public)
 convenience and necessity require)
 the exercise by it of rights and)
 privileges conferred under the)
 franchise granted by Ordinance)
 No. 968 of the County of Ventura.)
(Water)

Application No. 42853

O P I N I O N

Southern California Water Company, in this proceeding, asks for a certificate of public convenience and necessity to exercise the rights and privileges of a franchise granted by the County of Ventura, California, permitting the installation, maintenance and use of water pipelines and transmission and distribution systems in all county roads in unincorporated area of said county.

The franchise referred to, a copy of which is attached to the application and designated as Exhibit A, was granted by the county in accordance with the laws of the State of California relating to the granting of franchises by counties, and is of 50 years' duration. A fee is payable annually to the county equivalent to 2 per cent of the gross receipts arising from the use, operation, or possession of the franchise.

The costs incurred by applicant in obtaining the franchise are stated to have been \$3,335.37, which amount does not include costs incident to this application.

Applicant has rendered water service in portions of the County of Ventura without competition for many years. As of

September 30, 1960 it served 1,649 water customers in its integrated Ojai District system, in said county, of whom a total of 164 were located in county territory. As of said date, the company's footage of pipe in county area covered by the franchise was 50,050 feet.

No objection to the granting of the requested certificate has been received. A public hearing is not necessary.

After consideration it is 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. 968, of the County of Ventura, California.

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 county therefor at the time of the acquisition thereof.

O R D E R

The above-entitled application having been filed, and the Commission being informed in the premises,

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

Company to exercise the rights and privileges granted by the County of Ventura, California, by Ordinance No. 968, adopted August 30, 1960.

IT IS HEREBY FURTHER ORDERED:

1. That Southern California Water Company shall not exercise said franchise for the purpose of supplying water in those parts or portions of Ventura County not now served by it except through extensions of its existing system made in the ordinary course of business as contemplated by Section 1001 of the Public Utilities Code; and

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 10th day of JANUARY, 1961.

[Signature]
President

[Signature]

[Signature]

Commissioners