

ORIGINAL

Decision No. 61349

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. 116,816
 of the City of Los Angeles, County of Los
 Angeles, State of California, in accord-
 ance with Franchise Ordinance No. 116,816
 of said City.

Application No. 42952

O P I N I O N

Southern California Edison Company, in this proceeding, asks for a certificate of public convenience and necessity to exercise the rights and privileges of a resettlement electric line franchise granted by the City of Los Angeles, California, by Ordinance No. 116,816, permitting the erection, installation, maintenance and use of an electric distribution and transmission system upon the streets of said city.

The franchise referred to, a copy of which is attached to the application and designated as Exhibit "A", was granted by the city subject to the reservation by the city of every right and power required to be reserved or provided by any provision of the Charter, or of the Franchise Procedure Ordinance (Ordinance No. 58,200), of the city, and terminates twenty-one years after its effective date, unless sooner terminated as provided by Section 2.5 of the franchise.

An annual payment, to accrue each March 1st during the term of the franchise, is payable to the city for the street space required for franchise property, said payment to be computed at rates set forth in Section 6.1 of the franchise.

The costs incurred by applicant in obtaining the franchise are stated to have been \$400.00, which amount does not include costs incident to this application.

Applicant alleges that public convenience and necessity require and will require that applicant exercise the rights, privileges and franchise granted to it by Ordinance No. 116,816 in connection with applicant's service to its consumers outside, and to the electric street railways within, the city.

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. 116,816 of the City of Los Angeles, 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 municipality therefor at the time of the acquisition thereof.

