

**ORIGINAL**Decision No. 65185

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 SOUTHERN CALIFORNIA EDISON COMPANY, )  
 a corporation, for Certificates of )  
 Public Convenience and Necessity to )  
 authorize construction of facilities )  
 and furnishing of electric service )  
 in portions of eastern Inyo County )  
 and preliminarily authorizing it to )  
 exercise the rights and privileges )  
 under a franchise contemplated to )  
 be secured in said county. )

Application No. 44490  
 First Supplemental  
 (Filed December 26, 1962)

O P I N I O N

Southern California Edison Company requests a certificate of public convenience and necessity, pursuant to Section 1002 of the Public Utilities Code, to exercise the rights and privileges of a franchise granted by the County of Inyo, California, permitting the construction and use of an electric distribution and transmission system in the public roads of said county.

The franchise referred to, a copy of which is attached as an exhibit to the application, was granted by the county by Ordinance No. 100, adopted August 6, 1962. It became effective thirty days from and after the date of its adoption and is for a term of fifty years. A fee is payable annually, commencing after the first five years succeeding the date of the franchise, equivalent to 2 percent of the gross annual 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 \$546.05, which amount does not include costs incident to this application.

The Commission, on December 21, 1962, granted to Edison a certificate of public convenience and necessity to construct and operate electric facilities in those portions of Inyo County lying within the Death Valley National Monument and easterly thereof to the California state line (Decision No. 64701, Applications Nos. 44490, 44639). The order in that proceeding declares that on supplemental application therefor first having been filed, the Commission "will authorize Southern California Edison Company to exercise the rights and privileges of a franchise granted August 6, 1962 by Ordinance No. 100 of the Board of Supervisors of the County of Inyo, California". The order, stayed pending consideration of a petition for rehearing (which was later denied), became effective February 5, 1963 (Decision No. 64899).

The territory authorized to be served by Edison by Decision No. 64701 is part of the area in Inyo County certificated by the Commission to a predecessor of California Electric Power Company (Southern Sierras Power Company) by Decision No. 4597, dated August 27, 1917. California Electric has advised the Commission that it has no objection to the granting of the authority recently issued in Decision No. 64701.

We find that public convenience and necessity require the exercise by Southern California Edison Company, in accordance with the following order, of the right, privilege and franchise granted by Ordinance No. 100 of the County of Inyo, California. A public hearing is not necessary.

The certificate of public convenience and necessity herein granted is subject to the following provision of law:

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 issuance of such franchise, certificate of public convenience and necessity or right.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Southern California Edison Company to exercise the rights and privileges of a franchise granted by the County of Inyo, California, by Ordinance No. 100, adopted August 6, 1962.
2. Southern California Edison Company shall not exercise said franchise for the purpose of supplying electric service in those parts or portions of the County of Inyo now being served by California Electric Power Company.
3. Southern California Edison Company shall not exercise said franchise for the purpose of supplying electric service in those parts or portions of the County of Inyo not now authorized for service by it by Decision No. 64701 in Applications Nos. 44490 and 44639, except through extensions of the system authorized to be constructed by said decision, made in the ordinary course of business as contemplated by Section 1001 of the Public Utilities Code of California.
4. The Commission may hereafter, by appropriate proceeding and order, limit the authority herein granted to Southern California Edison Company, as to any territory within the County of Inyo not then being served by it.

5. Southern California Edison Company shall file, within thirty days after the effective date hereof, four copies of a map showing the territory in which it is proposed to exercise said franchise. Such map shall be in conformity with Rule 19 of this Commission's Rules of Procedure.

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

Dated at San Francisco, California, this 9th day of April, 1963.

George H. Hoover  
President

Charles W. Page

Fredrick B. Hallock

William W. Bennett  
Commissioners