

ORIGINAL

Decision No. 65532

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Joint Application)
of CALIFORNIA ELECTRIC POWER COMPANY,)
a corporation, and SOUTHERN CALIFORNIA)
EDISON COMPANY, a corporation, for an)
order establishing the boundary line)
separating their respective service)
areas in northern San Bernardino)
County.)

Application No. 45197
Filed February 21, 1963

OPINION AND ORDER

California Electric Power Company (California Electric) and Southern California Edison Company (Edison) jointly request an order establishing the boundary line separating their respective service areas in northern San Bernardino County as described in Exhibit A attached to the application.

California Electric was authorized by this Commission to exercise the rights and privileges of a franchise in San Bernardino County by Decision No. 55271, in Application No. 38676, and Edison was authorized by this Commission to exercise the rights and privileges of a franchise in San Bernardino County by Decision No. 34741, in Application No. 23635. The boundary line separating the service areas of the applicants involved in this application was established by Decision No. 58376, in Application No. 40765, and the portions of San Bernardino County involved are in California Electric's service area.

By Decision No. 64701, dated December 21, 1962, in Application No. 44490, Edison was authorized to construct facilities and to serve that portion of Inyo County lying within and easterly of the Death Valley National Monument. A portion of Edison's proposal to construct facilities to serve the above area included the

construction of facilities to serve the Western Talc Mine located in San Bernardino County approximately one mile south of the Inyo-San Bernardino County line in California Electric's service area. In the hearing held on Application No. 44490, Edison filed as Exhibit No. 3 a copy of a letter from California Electric to Edison stating that California Electric would make no objection to Edison serving Western Talc Mine and at an appropriate time would join Edison in an application to the Commission to realign the boundary between their service territories along the Inyo-San Bernardino County line to accommodate such service. The applicants state by this application that they have agreed upon the realignment of the boundary line between their service territories as shown and described in Exhibit A attached to the application.

The application states that the facilities which Edison is constructing to provide service in eastern Inyo County will shortly become available for service to customers requiring the same service within the portion of San Bernardino County described in Exhibit A and that there are from 25 to 30 potential customers in addition to Western Talc Mine which can be served by these facilities.

Applicants desire that this boundary line be established without affecting the right of either applicant to install and maintain electric transmission lines throughout the entire County of San Bernardino. Applicants are placed on notice that the request to install and maintain electric transmission lines throughout the entire County of San Bernardino is not authorized by this decision and that establishment of the boundary line is for the purpose of avoiding duplication of service facilities.

The Commission finds that the establishment of the boundary line, as proposed in the application, will avoid duplication of

service facilities, will prevent destructive competition, and is not adverse to the public interest; that public convenience and necessity require that an order should be issued granting the authority as requested; and that a public hearing is not necessary.

This order is subject to the following provision of law:

The Commission shall have no power to authorize the capitalization of this certificate of public convenience and necessity or the right to own, operate or enjoy such certificate of public convenience and necessity in excess of the amount (exclusive of any tax or annual charge) actually paid to the State as the consideration for the issuance of such certificate of public convenience and necessity or right.

The action taken herein shall not be construed to be a finding of the value of the properties that might be transferred as a result of this decision.

IT IS ORDERED that:

1. Applicants are authorized to establish the boundary line, including revision of any existing formal or informal boundary line, separating their service areas in northern San Bernardino County according to the map and legal description attached to the application as Exhibit A.
2. Applicants shall, within thirty days after the effective date of this order, file four copies of tariff service area maps, in accordance with the Commission's General Order No. 95-A and in a manner acceptable to the Commission, which shall reflect the boundary line authorized by this order.
3. The service areas and/or boundary lines established in San Bernardino County for Southern California Edison Company by Decision No. 34741, in Application No. 23635, and for California Electric Power Company by Decision No. 55271, in Application No. 33676, and for both companies by Decision No. 58376, in joint Application No. 40765, as such decisions relate to rights for distribution purposes, are limited in the manner established by this order.

4. Neither applicant, except upon further certificate of this Commission, may supply electricity within any parts or portions of San Bernardino County then being served with electricity by the other applicant or by any other utility.

5. Neither applicant, except upon further certificate of this Commission, may supply electricity within any parts or portions of San Bernardino 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.

6. The Commission may hereafter, by appropriate proceeding and order, limit the authority herein granted to each respective applicant as to any territory within the County of San Bernardino 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 11th day of JUNE, 1963.

George T. Trover
President

[Signature]

Frederick B. Holbeuff

William W. Bennett

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the deliberations of the Commission.
Commissioners