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ORIGINAL

Decision No. \_\_\_\_\_

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application }  
of the Southern California Water }  
Company for an order granting it }  
a certificate declaring that the }  
public convenience and necessity }  
require the exercise by it of }  
rights and privileges conferred }  
under the franchise granted by }  
Ordinance No. 229 of the City of }  
Pico Rivera. }  
(Water)

Application No. 45522  
(Filed June 13, 1963)

O P I N I O N

Southern California Water Company, in this proceeding, requests a certificate of public convenience and necessity to exercise the rights and privileges of a franchise granted by the City of Pico Rivera, California, permitting the installation, maintenance, and use of a water distribution and transmission system in 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 in accordance with the Franchise Act of 1937 and is of indeterminate duration. A fee is payable annually to the city equivalent to 2 per cent of the gross receipts arising from the use, operation, or possession of the franchise, but not less than 1 per cent of the gross annual receipts from sales of water within the limits of the city under said franchise.

Applicant acquired the distribution system and properties of Pacific Water Co. in the City of Pico Rivera pursuant to Decision No. 64011, dated July 24, 1962, in Application No. 44579, and alleges

it obtained the franchise herein in order to clarify its right to maintain and operate water facilities in portions of the city. Applicant further alleges that at the present time no other entity, public or private, is likely to compete with applicant in the furnishing of water in the area within the city it now serves. As of April 30, 1963, applicant served 427 customers within the city.

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

After consideration the Commission finds that public convenience and necessity require the exercise by applicant of the right, privilege and franchise granted to applicant by Ordinance No. 229 of the City of Pico Rivera, California.

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

1. 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. 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

IT IS ORDERED that a certificate of public convenience and necessity is granted to Southern California Water Company to exercise the rights and privileges granted by the City of Pico Rivera, California, by Ordinance No. 229, adopted April 15, 1963.

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

Dated at San Francisco, California, this 30th day of July, 1963.

William L. Brundage  
President

Carl E. Hittell

Walter W. Page

Fredrick B. Hildehoff

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Commissioners

Commissioner George G. Grover  
present but not voting.