

ORIGINALDecision No. 66051

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 SOUTHERN CALIFORNIA EDISON COMPANY,)
 a corporation, for a certificate)
 that public convenience and necessity)
 require and will require the exercise)
 by applicant of the rights, privileges)
 and franchises granted by Ordinance)
 No. 8381 of the County of Los Angeles)
 and Ordinance No. 1825 of the City of)
 Pomona, to construct, lay, operate,)
 maintain, use, renew, repair, replace,)
 move and remove or abandon in place)
 a system of pipelines and appurtenances.)

Application No. 45623
 (Filed July 29, 1963)

O P I N I O N

Applicant requests certificates of public convenience and necessity (Public Utilities Code, Sec. 1002) to exercise:

(1) a franchise granted by the County of Los Angeles to construct and operate a pipeline for the transportation of oil, gas, gasoline, petroleum, water, waste water, steam and other liquid substances within the county, and (2) a franchise granted by the City of Pomona to construct and operate a pipeline for the transportation of liquid waste and other substances through that city (Application, Exhibits A and B).

Applicant alleges that construction of the pipeline is necessary to dispose of waste water which is essential to the operation and maintenance of its Etiwanda Steam Electric Generating Station, and is a replacement of a portion of the industrial waste water pipeline certificated by Decision No. 48438, dated March 30, 1953, in Application No. 34013.

Each of the franchises is for a term of 50 years and each provides for a fee, payable annually to the respective grantors, equivalent to 2% of the gross receipts arising from their use, operation or possession.

The costs incurred by applicant in obtaining the franchises are stated to have been \$681.00 for the County of Los Angeles Franchise and \$767.16 for the City of Pomona Franchise, which amounts do not include costs incident to this application.

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

Applicant is hereby placed on notice that in the event the pipeline referred to herein is utilized for the transportation of gas, the provisions of this Commission's General Order No. 112, "Rules Governing Design, Construction, Testing, Maintenance and Operation of Utility Gas Transmission and Distribution Piping Systems" are applicable and full compliance with the provisions of said general order is to be effected.

We find that public convenience and necessity require the exercise by Southern California Edison Company of the rights and privileges granted to applicant by Ordinance No. 8381 of the County of Los Angeles and Ordinance No. 1825 of the City of Pomona.

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 franchises involved herein or this certificate of public convenience and necessity or the right to own, operate or enjoy such franchises 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 franchises, certificate of public convenience and necessity or right.

- 2. That the franchises 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 Edison Company to exercise the rights and privileges granted by the County of Los Angeles by Ordinance No. 8381, adopted April 2, 1963 and by the City of Pomona by Ordinance No. 1825, adopted September 11, 1962.

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

Dated at San Francisco, California, this 17th day of SEPTEMBER, 1963.

William A. Beardsley President
Carl E. Mitchell
Ernest W. Rye
Frederick B. Holhoff

 Commissioners