

ied

**ORIGINAL**

Decision No. 69035

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. 365 of the City of )  
Placentia. )

Application No. 47455  
(Filed April 1, 1965)

O P I N I O N

Southern California Water Company requests a certificate of public convenience and necessity to exercise the rights and privileges of a franchise granted by the City of Placentia, permitting the installation, maintenance and use of a water distribution and transmission system upon the streets of said city.

The franchise, a copy of which is attached to the application and designated as Exhibit A, was granted by the City of Placentia in accordance with the Franchise Act of 1937 and is of indeterminate duration. A fee is payable annually to the city equivalent to two percent of the gross receipts arising from the use, operation, or possession of the franchise, but not less than one percent of the gross annual receipts from sales of water within the limits of the City of Placentia under said franchise.

Applicant has for many years served water in and about the City of Placentia. This is a new franchise to replace an expired franchise. As of December 31, 1964, it served 2,675 water customers within the city. No protest to the granting of the application 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. 365, of the City of Placentia.

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.

O R D E R

IT IS ORDERED that a certificate of public convenience and necessity be and it is granted to Southern California Water Company to exercise the rights and privileges granted by the City of Placentia, by Ordinance No. 365, adopted March 2, 1965.

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

Dated at San Francisco, California, this 11th day of MAY, 1965.

\_\_\_\_\_  
President

*George T. Grover*  
\_\_\_\_\_  
George T. Grover

*William A. ...*  
\_\_\_\_\_  
William A. ...

*Richard ...*  
\_\_\_\_\_  
Richard ...

Commissioners

Commissioner Frederick B. Holoboff, being necessarily absent, did not participate in the disposition of this proceeding.