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ORIGINAL

Decision No. 71964

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of SOUTHERN CALIFORNIA EDISON
COMPANY, a corporation, for an
order consenting to the abandonment
of duplicating electric franchises
in the cities of San Bernardino,
Rialto, Fontana and Corona, and
modifying previous orders granting
certificates of public convenience
and necessity to California Electric
Power Company in the County of Kern
and Southern California Edison
Company in the counties of Inyo
and Riverside.

Application No. 48970
Filed November 22, 1966

O P I N I O N

As a result of the merger with California Electric Power Company (California Electric) applicant seeks (1) the consent of the Commission pursuant to Section 6264 of the Public Utilities Code for applicant to voluntarily surrender or abandon certain duplicating franchises granted under the Franchise Act of 1937 in the cities of Corona, San Bernardino, Rialto and Fontana, (2) modification of the orders of the Commission granting certificates of public convenience and necessity to exercise the franchises to be retained in order that they may be exercised within the entire boundaries of the cities granting said franchises, and (3) modification of the orders of the Commission granting certificates of public convenience and necessity to exercise certain franchises in the counties of Inyo, Riverside and

Kern throughout those portions of said counties now being served by applicant.

Decision No. 65820 dated August 6, 1963, in Application No. 45494, dealt with the aforementioned merger and provided among other things that applicant, as the surviving corporation, may exercise the rights and privileges under the franchises, permits and rights to be acquired from California Electric. All of the documents necessary to consummate the merger were filed on December 31, 1963.

Prior to the merger, applicant and California Electric had been granted 1937 Act franchises of indeterminate duration in the cities of Corona, San Bernardino, Rialto and Fontana. These franchises are identified below together with appropriate Commission references.

FRANCHISES - APPLICANT

<u>City</u>	<u>Ordinance</u>		<u>Commission Decision</u>		<u>Application Number</u>
	<u>Number</u>	<u>Adopted</u>	<u>Number</u>	<u>Date</u>	
Corona	839	7-2-62	66599	1-14-64	45997
San Bernardino	2206	1-13-58	57875	1-20-59	40571
Rialto	344	8-15-55	52765	3-13-56	37648
Fontana	26	12-2-52	48817	6-14-53	34184

FRANCHISES - CALIFORNIA ELECTRIC

<u>City</u>	<u>Ordinance</u>		<u>Commission Decision</u>		<u>Application Number</u>
	<u>Number</u>	<u>Adopted</u>	<u>Number</u>	<u>Date</u>	
Corona	689	3-18-57	56694	5-20-58	39107
San Bernardino	2205	1-13-58	57874	1-20-59	40513
Rialto	432	1-18-60	61445	2-7-61	43013
Fontana	27	12-2-52	48818	6-14-53	34261

Each of these franchises purports to be in lieu of and exclusive of all other franchises for the same utility service in the territory for which granted. Applicant, as the only electric utility now serving these cities, believes, after examining and evaluating these franchises, that it would be in the best interests of its

customers and to its advantage to retain the franchises it possessed prior to the merger.

Similarly, prior to the merger, applicant and California Electric had been granted Broughton Act franchises of 50-year duration in the counties of Inyo, Kern and Riverside, for which the following data are pertinent:

FRANCHISES - APPLICANT

<u>County</u>	<u>Ordinance</u>		<u>Commission Decision</u>		<u>Application Number</u>
	<u>Number</u>	<u>Adopted</u>	<u>Number</u>	<u>Date</u>	
Inyo	100	8-6-62	65185	4- 9-63	44490 1st Sup.
Kern	F-2	4-15-46	39907	1-28-47	27836
Riverside	259	7-22-40	34723	11-4-41	23634

FRANCHISES - CALIFORNIA ELECTRIC

<u>County</u>	<u>Ordinance</u>		<u>Commission Decision</u>		<u>Application Number</u>
	<u>Number</u>	<u>Adopted</u>	<u>Number</u>	<u>Date</u>	
Inyo	150*	8-15-16	4597	8-29-17	3047
Kern	F-71	10-30-62	65509	6- 4-63	45316
Riverside	127*	8- 9-16	4597	8-29-17	3049

* Expired

The certificates of public convenience and necessity authorizing the applicant and California Electric to exercise their respective franchises in these counties were limited to the areas within which each of said companies was then furnishing electric service to its customers. Such service areas are now combined and applicant therefore requests appropriate authority to exercise the rights, privilege and franchise granted by Ordinance No. 100 of Inyo County, the rights, privilege and franchise granted by Ordinance No. 259 of Riverside County, and the rights, privilege and franchise granted to California Electric by Ordinance No. F-71 of Kern County, for the purpose of supplying electric service in those parts or portions of said counties now being served by the applicant.

Copies of this application have been furnished to the cities and counties concerned and to Pacific Gas and Electric Company. No objection to the granting of the authorizations sought herein has been received and a public hearing is not necessary.

The Commission finds that public convenience and necessity require that the application be granted as set forth in the ensuing order.

O R D E R

IT IS ORDERED that:

1. The consent of the Commission is hereby given for applicant to voluntarily surrender or abandon the 1937 Act franchises possessed by California Electric immediately prior to the effective date of the merger with applicant in the cities of Corona, San Bernardino, Rialto and Fontana.

2. The limitations or restrictions placed upon the certificates of public convenience and necessity heretofore issued to applicant in Decisions Nos. 66599, 57875, 52765 and 48817 are hereby lifted to the extent necessary to authorize the exercise of the rights and privileges of the franchises granted by Ordinance No. 839 in the City of Corona, Ordinance No. 2206 in the City of San Bernardino, Ordinance No. 344 in the City of Rialto, and Ordinance No. 26 in the City of Fontana, for the purpose of supplying electric service within the entire boundaries of the cities granting said franchises.

3. The limitations or restrictions placed upon the certificates of public convenience and necessity heretofore issued in Decisions Nos. 65185, 65503 and 34723 are hereby lifted or modified to the extent necessary to authorize the

exercise of the rights and privileges of the franchises granted by Ordinance No. 100 of the County of Inyo, Ordinance No. 259 of the County of Riverside, and Ordinance No. F-71 of the County of Kern for the purpose of supplying electric service in those parts or portions of said counties now being served by applicant or which may be served by applicant through extensions made in the ordinary course of business as contemplated by Section 1001 of the Public Utilities Code. The extent of modification herein authorized shall not be construed as providing authority to exercise franchises in said counties more extensively than that authorized in the aggregate by prior Commission orders applicable to the exercise of franchises in these counties by applicant and California Electric separately which were in effect prior to the merger.

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

Dated at San Francisco, California, this 7th day of FEBRUARY, 1967.

[Signature]
President

[Signature]

[Signature]

[Signature]

[Signature]
Commissioners