

ORIGINAL

Decision No. 74294

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
SOUTHERN CALIFORNIA EDISON COMPANY,)
a corporation, for certificate that)
public convenience and necessity)
require and will require the exer-)
cise by applicant of the rights,)
privileges and franchise granted by)
the City of Yorba Linda, County of)
Orange, State of California, in)
accordance with Franchise Ordinance)
No. 23 of said City.)

Application No. 50180
Filed April 19, 1968

O P I N I O N

Southern California Edison 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 Yorba Linda for transmitting and distributing electricity for any and all purposes along 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 percent of the gross annual receipts arising from the use, operation, or possession of the franchise, but not less than 1 percent of the gross annual receipts from sales of electricity within the limits of the city under said franchise.

The costs incurred by applicant in obtaining the franchise are stated to have been \$19.40, which amount does not include costs incident to this application.

Applicant states that it has been serving electricity for many years in the area now known as the City of Yorba Linda under franchise rights granted by the County of Orange. As of December 31, 1967 applicant was serving 3,050 customers within the city. Applicant is the only utility presently providing electric service within the city. No objection to the granting of the requested certificate has been received and 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. 23 of the City of Yorba Linda.

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

A certificate of public convenience and necessity is granted to Southern California Edison Company to exercise the rights

and privileges conferred by the franchise issued pursuant to Ordinance No. 23, adopted January 15, 1968, by the City of Yorba Linda in the County of Orange.

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

Dated at San Francisco, California, this 25th day of JUNE, 1968.

[Signature]
President

[Signature]

[Signature]

[Signature]

[Signature]
Commissioners