

ORIGINAL

Decision No. 74714

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
SAN DIEGO GAS & ELECTRIC COMPANY,)
a corporation, for Certificate of)
Public Convenience and Necessity)
Authorizing It to Exercise Electric)
Franchise Rights in the County of)
San Diego.)

Application No. 50465
(Filed August 8, 1968)

O P I N I O N

San Diego Gas & Electric Company requests a certificate of public convenience and necessity to exercise the rights and privileges of a franchise granted by the County of San Diego, giving said applicant the right to construct, operate, maintain and use an electric distribution and transmission system within said county.

The franchise, a copy of which is attached to the application as Exhibit A, was granted by the county in accordance with the Broughton Act and is of indeterminate duration. A fee is payable annually to the county equivalent to 2 percent of the gross annual receipts of said grantee arising from the use, operation or possession of said franchise, but not less than 1 percent of the gross annual receipts of grantee derived from the sale of electricity within the unincorporated limits of the County of San Diego.

The costs incurred by applicant in obtaining the franchise are stated to have been \$310.21, which amount does not include costs incident to this application.

The franchise referred to herein is an indeterminate franchise which has been issued in place of a 50-year franchise granted by San Diego County Ordinance No. 242, dated November 19, 1917.

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As of May 31, 1968, applicant was furnishing electric service to 77,414 customers in San Diego County excluding those customers within incorporated city limits. Applicant had approximately 3,468 miles of electric distribution lines of 12,000 volts and less, including distribution lines supported on transmission line poles, approximately 320 of electric transmission lines of 69,000 volts, and approximately 136 miles of electric transmission lines of 138,000 volts in said county, excluding distribution and transmission lines within incorporated city limits. Applicant alleges that public convenience and necessity require the exercise of said franchise rights. No objection to the granting of the requested certificate has been received and a public hearing is not necessary.

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. 3207 (new series) of the County of San Diego.

The certificate of public convenience and necessity issued herein 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 issuance 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 San Diego Gas & Electric Company to exercise the rights and privileges conferred by the franchise pursuant to Ordinance No. 3207 (new series), dated and adopted June 3, 1968, by the Board of Supervisors of the County of San Diego, State of California.

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

Dated at San Francisco, California, this 26th day of SEPTEMBER, 1968.

William J. Lyons
President

William L. Bennett

Augustus

Paul P. Monissey
Commissioners