

Decision No. 81056

ORIGINAL

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 franchise granted by Ordinance No. 341 of the City of Port Hueneme and Ordinance No. 1434 of the City of Oxnard, to construct, lay, operate, maintain, use, renew, repair, replace, move and remove or abandon in place a system of pipelines and appurtenances.

Application No. 53765

(Filed December 22, 1972)

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 Port Hueneme and of a franchise granted by the city of Oxnard, each of which permits the installation, maintenance, and use of pipelines and appurtenances for the transmission of gas, oil, water, and other substances, together with a private communication system for use therewith on the streets of the city.

Port Hueneme

The franchise from said city, a copy of which is attached to the application as Exhibit A, was granted by the city and is for a period of 50 years. A fee is payable annually to the city equivalent to 2 percent of the gross receipts arising from the use, operation, or possession of the franchise within the limits of the city.

The costs incurred by applicant are stated to be \$642.42, which does not include costs incidental to this application.

Oxnard

The franchise from said city, a copy of which is attached to the application as Exhibit B, was granted by the city and is for a period of 50 years. A fee is payable annually to the city equivalent to 2 percent of the gross receipts from the use, operation, or possession of the franchise within the limits of the city.

The costs incurred by applicant are stated to be \$676.38, which does not include costs incidental to this application.

General

The applicant alleges that public convenience and necessity require, and will require, that it exercise the rights, privileges, and franchises granted by the two ordinances for the reason that such franchises are necessary in order to construct, operate, and maintain a system of pipelines needed to supply oil, petroleum, and gas fuel to its Ormond Beach Electric Generating Station.

Findings and Conclusion

1. A public hearing is not necessary.
2. Public convenience and necessity require the exercise by applicant of the rights, privileges, and franchises granted to applicant by Ordinance No. 341 of the city of Port Hueneme and Ordinance No. 1434 of the city of Oxnard.

3. The certificate of public convenience and necessity herein granted is subject to the following provisions of law:

- (a) The Commission shall have no power to authorize the capitalization of the franchises involved herein or the 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 amounts (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 franchises, certificate of public convenience and necessity or rights.
- (b) 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 publications and any other sums paid by it to the municipalities therefor at the time of the acquisition thereof.

We conclude that the application should be granted.

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 franchise issued pursuant to Ordinance No. 341 of the city of Port Hueneme,

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adopted on September 6, 1972, and the franchise issued pursuant to Ordinance No. 1434 of the city of Oxnard adopted on September 5, 1972.

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

Dated at San Francisco, California,
this 2nd day of FEBRUARY, 1973.

Yvonne L. Sturgeon
President
William J. Sturgeon
William J. Sturgeon
William J. Sturgeon
Commissioners