

ORIGINALDecision No. 82465

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 neces-)
 sity require and will require the)
 exercise by applicant of the rights,)
 privileges and franchise granted by)
 Ordinance No. 73-264 of the City of)
 Carson, to construct, lay, operate,)
 maintain, use, renew, repair, re-)
 place, move and remove or abandon)
 in place a system of pipelines and)
 appurtenances.)

Application No. 54537
 (Filed December 26, 1973)

O P I N I O N

This is an application by Southern California Edison Company (Edison) seeking authority to exercise the rights and privileges granted it by a franchise from the city of Carson.

Applicant is in the business of generating, transmitting, and distributing electricity in the central and southern portions of the State of California. The verified application avers that on July 16, 1973, the City Council of the city of Carson enacted Ordinance No. 73-264, which grants applicant a 50-year franchise to construct and operate pipelines for transporting gas, oil, petroleum, water, and other substances. The application indicates that the pipelines are necessary to provide fuel for applicant's electricity generating stations. Edison has included in the application a stipulation that it will not claim before this Commission, or any court or other public body, any value for the franchise in excess of its original cost which is stated to be \$664.05

Ordinance No. 73-264 is attached to the application as Exhibit A. Examination of the ordinance indicates that the franchise granted therein is of the standard type between electric utilities and counties. It provides for a payment of 2 percent of applicant's annual gross receipts arising from the use, operation, or possession of the franchise.

The Commission makes the following findings and conclusions in this matter.

Findings of Fact

1. A public hearing is not necessary in this matter.
2. Public convenience and necessity require the exercise by Edison of the rights and privileges granted in the franchise conferred by Ordinance No. 73-264 of the City Council of the city of Carson.

Conclusions of Law

1. The application should be granted.
2. The certificate of public convenience and necessity issued herein is subject to the following provisions of law:
 - (a) 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.
 - (b) 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 Southern California Edison Company to exercise the rights and privileges conferred by the franchise issued pursuant to Ordinance No. 73-264 of the City Council of the city of Carson.

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

Dated at San Francisco, California, this 13th day of FEBRUARY, 1974.

Veronica L. Shugart
President
William J. ...
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Commissioners