

Decision No. 83459**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 SOUTHERN CALIFORNIA WATER COMPANY)
 for a certificate that public con-)
 venience and necessity require the)
 exercise of the rights and privileges)
 conferred under a franchise granted)
 by the City of Bell Gardens.)

Application No. 55089
 (Filed August 5, 1974)

O P I N I O N

Southern California Water Company requests a certificate of public convenience and necessity to exercise the right and privilege of a franchise granted by the city of Bell Gardens, permitting the installation, maintenance, and use of a water distribution and transmission system upon 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 for a term of 20 years. A fee is payable annually to the city equivalent to two percent of the gross receipts arising from the use, operation, or possession of the franchise, but not less than one percent of the gross annual receipts from sales of water within the limits of the city under said franchise.

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. 330 of the city of Bell Gardens.

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

IT IS ORDERED that a certificate of public convenience and necessity is granted to Southern California Water Company to exercise the right and privilege granted by the city of Bell Gardens, by Ordinance No. 330, adopted June 24, 1974.

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

Dated at Los Angeles, California, this 17th day of SEPTEMBER, 1974.

Vernon L. Stevenson
President
William J. Gussow, Jr.
John J. Gussow
John J. Gussow
Commissioners