

FG

Decision No. 91029 NOV 20 1979

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 Santa Fe Springs.

Application No. 58708  
(Filed February 28, 1979)

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 to applicant by Ordinance No. 556 of the City of Santa Fe Springs, 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 as Exhibit A, was granted by the city in accordance with the Franchise Act of 1937 for a term of 20 years. A fee is payable annually to the city equivalent to 2% of the gross receipts arising from the use, operation, or possession of the franchise, but not less than 1% 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. 556 of the City of Santa Fe Springs.

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 therefore at the time of the acquisition thereof.

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ORDER

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 Santa Fe Springs, by Ordinance No. 556, adopted December 28, 1978.

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

Dated NOV 20 1979, at San Francisco, California.

John E. Guyon  
President

Commissioner Richard D. Gravelle, being necessarily absent, did not participate in the disposition of this proceeding.

Clair T. DeLoach  
James M. Conner  
Commissioners