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Decision No. 4259

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the Matter of the Application of the City of Coalinga for an order of the Railroad Commission fixing and determining the just compensation to be paid to Pleasant Valley Water Company for those portions of the distributing system and pipe lines of both hard and soft water, which lie wholly within the City of Coalinga, except the main feeder from the source of supply to the distribution mains.

Application No. 2715.

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Henry S. Richmond and Mason & Locke for applicant.
Paul E. Greer for Pleasant Valley Water Company.

LOVELAND, Commissioner:

O P I N I O N.

The application in this matter was originally filed on January 11, 1917, but was subsequently amended by applicant and filed with the Commission on February 5, 1917. Order to show cause was issued to Pleasant Valley Water Company on February 20th 1917, directing it to appear for hearing at Coalinga before the Railroad Commission on March 27, 1917. At request of Pleasant Valley Water Company and in order that it might have additional time in which to prepare its case, this hearing date was re-set to April 10, 1917 at Coalinga, at which time and place public hearing was thereafter Held.

At this hearing Pleasant Valley Water Company stated that it would be unable to proceed with the presentation of its evidence for at least two weeks and indicated its desire for a continuance in the matter. In reply Mr. Richmond, City Attorney

stated that in an endeavor to arrive at a settlement satisfactory to both parties, City of Coalinga had been carrying on negotiations with Pleasant Valley Water Company since August, 1916; that all such negotiations had been to no purpose; that inasmuch as the city was now engaged in the drilling of water wells and had been prepared for some time to begin the construction of a municipal plant, any further delay would result in serious embarrassment and that he would request permission at this time to withdraw the application of the City of Coalinga.

From the showing made when the hearing was called, I am of the opinion that City of Coalinga has endeavored to negotiate in good faith with the Pleasant Valley Water Company and within a time consistent with the exigencies of the situation, and am unable to conclude that any further delay will result in any benefit to either party and will therefore recommend that the application be dismissed.

O R D E R

Applicant in the above entitled proceeding having on April 10, 1917, made written request to this Commission that the above application be dismissed

IT IS HEREBY ORDERED that the above entitled application be and the same is hereby dismissed.

Dated at San Francisco, California, this 23d day of April, 1917.

Max Thelen

H. D. Loveland

Alex Gordon

Edwin O. Edgerton

Frank R. Devlin

Commissioners