

Decision No. 38004

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

**ORIGINAL**

In the Matter of the Application of  
SAN JOSE WATER WORKS, a corporation,  
for an order approving and authorizing  
the execution of a proposed agreement  
to be entered into between Applicant  
and San Jose Abstract & Title Insurance  
Company, a corporation, for the exten-  
sion of water mains.

Application No. 26764

BY THE COMMISSION:

O R D E R

The San Jose Water Works, a corporation, engaged in the business of furnishing water to domestic, commercial and industrial consumers in and in the vicinity of the City of San Jose, Santa Clara County, asks permission to enter into an agreement with San Jose Abstract and Title Insurance Company, a corporation, providing for the installation of water mains in a subdivision known as Tract No. 228, Bradley Manor, Unit No. 3, Santa Clara County, which said San Jose Abstract and Title Insurance Company has subdivided and is now placing upon the market. The subdivider is to deposit with the water works the estimated cost of piping the tract, amounting to \$16,077.09, which sum is refundable at the rate of \$110 for each "new bona fide consumer" attached to the mains in the subdivision during the life of the agreement which is seven years.

This arrangement deviates from the provisions of applicant's general Rule and Regulation No. 20-A, covering extensions to serve subdivided tracts. However the terms of this agreement follow an alternative plan for refunding deposits in general use by water works throughout the State and is fair and reasonable to all parties concerned.

It appearing that this is not a matter in which a public hearing is necessary and that the application should be granted, now, therefore,

IT IS HEREBY ORDERED that San Jose Water Works be and it is hereby authorized to enter into an agreement with San Jose Abstract and Title Insurance Company, substantially in accordance with the terms and conditions set forth in the form of agreement attached to the application herein and marked Exhibit No. 1 and which is hereby made a part of this Order by reference.

IT IS FURTHER ORDERED that San Jose Water Works shall file with this Commission two certified copies of said agreement as finally consummated, within thirty (30) days from the date of execution thereof.

This Order shall become effective immediately.

Dated at San Francisco, California, this 19<sup>th</sup> day of

June, 1945.

*R. Howard Cudum*  
*Justice J. Casper*  
*Richard K. Huber*  
*Francis A. ...*  
*Edward ...*  
 Commissioners.