

Decision No. 32009

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

EAST SIDE COUNTY WATER DISTRICT,

Complainant,

vs.

THE SAN JOSE WATER WORKS
(formerly San Jose Water Works),

Defendant.

ORIGINAL

Case No. 4718

BY THE COMMISSION:

SUPPLEMENTAL OPINION AND ORDER

On March 6, 1945, the Commission rendered its Decision 37698 in the above entitled complaint relating to obligation of The San Jose Water Works to make refund for a contribution in the amount of \$210,000 made by East Side County Water District toward the cost of extending water service to lands within the District. A petition for rehearing was then filed in time to stay the effect of said decision.

Thereafter, on July 11, 1945, there was filed a stipulation, signed by counsel for both the complainant and defendant, authorizing and requesting the Commission to dismiss the complaint if it approve an agreement the parties executed July 2, 1945, in compromise and settlement of their differences.

By said agreement, The San Jose Water Works agrees to pay the District \$185,000 upon conveyance to it of all the water distribution properties now owned by the District. It will thereafter be relieved of all obligations to the District other than its general obligation as a public utility to render water service to customers within that area. The purchase price approximates the original cost of such properties less accrued depreciation.

It appears to the Commission that such agreement should be approved; therefore, good cause appearing,

IT IS ORDERED, as follows:

1. That The San Jose Water Works may acquire for the sum of \$185,000 the water properties described in the agreement dated July 2, 1945, set forth as Exhibit A to the stipulation filed in this proceeding, and, upon acquiring said water properties may charge to its fixed capital accounts not to exceed \$218,709.04, as representing the reported original cost thereof, and credit its reserve for depreciation the sum of \$33,571.74 as representing the depreciation estimated to have accrued calculated on a five per cent sinking fund basis.

2. That the complaint of East Side County Water District be and it hereby is dismissed.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 27th day of July, 1945.

Harold Anderson
Justus F. Casanova
Henry W. Clark
Frank Lawrence
Commissioners