

Decision No. 38263

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of FONTANA DOMESTIC WATER COMPANY, a corporation, for (a) a Certificate of Public Convenience and Necessity, and (b) an order approving an amendment to Rules and Regulations.

Application No. 26399

Surr & Hellyer, by John B. Surr, and Philip B. Hasbrouck for Fontana Domestic Water Company.

J. H. Patterson for Fontana Farm Bureau.

Joseph S. McClelland for Font Bloom Grange.

CRAEMER, COMMISSIONER:

O P I N I O N

Fontana Domestic Water Company, a corporation, engaged in the business of supplying water for domestic purposes in and in the vicinity of Fontana, San Bernardino County, asks the Commission to (a) grant it a certificate of public convenience and necessity to exercise the rights and privileges granted it by the County of San Bernardino by Ordinance No. 553, adopted August 21, 1944; (b) grant it a certificate of public convenience and necessity to extend its distribution system throughout the area described in said Ordinance No. 553; (c) approve and make effective amended rules and regulations governing the extension of mains and installation of service connections.

A public hearing in this proceeding was held at Fontana.

Fontana Domestic Water Company serves an area consisting of approximately 26 sections of land, which includes the unincorporated town of Fontana and adjacent rural territory. This area was certificated by the Commission in its Decision No. 13268, dated March 14, 1924, and its Decision No. 20918, dated March 29, 1929. In these decisions the Company was granted a certificate of public convenience and necessity to exercise the rights and privileges granted it by Ordinances No. 213 and

No. 291, of the County of San Bernardino.

The Company proposes to enlarge its service area and to this end has obtained a franchise to operate therein through Ordinance No. 553, County of San Bernardino.

In a separate application, No. 26527, this Company has also applied to the Commission for authority to increase rates.

Certain opposition developed during the hearing over further extension into new and additional territory until better service be provided for existing consumers within the present service area. In view of this situation it was stipulated that the matters pertaining to the request for a new certificate be deferred until the hearings be held in the above-mentioned rate case and that evidence in this proceeding be confined to revision and establishment of rules and regulations.

Since submission of this matter Fontana Domestic Water Company has been sold to San Gabriel Valley Water Company, the transfer being authorized by the Commission in Decision No. 38235, dated September 25, 1945. In view of this and the fact that the purchasing company owns and operates other public utility water systems in Southern California and may desire to operate the Fontana Domestic Water Company system upon its own standard rules and regulations, or may have other plans in connection therewith, it is clear that further action upon the rules and regulations is no longer necessary and proper and that this proceeding therefore should be dismissed but without prejudice.

The following form of Order is recommended.

O R D E R

Fontana Domestic Water Company, a corporation, having filed application with the Railroad Commission as above entitled, a public hearing having been held thereon and the matter having been submitted, and the Commission being now fully advised in the premises, now, therefore,

IT IS HEREBY ORDERED that the above-entitled proceeding be and it is hereby dismissed.

The effective date of this Order shall be twenty (20) days from and after the date hereof.

The foregoing Opinion and Order are hereby approved and ordered filed as the Opinion and Order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 7th day of October,

1945.

Harold C. Quinn
Justice F. Coe

Thomas D. Ware
Justice H. Russell

COMMISSIONERS.