

ORIGINAL

Decision No. 41095

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of

PIONEER CANAL, INC.,
a corporation,

for an Order Authorizing Withdrawal
from Public Utility Service.

Application No. 28794

McCutchen, Thomas, Matthew, Griffiths and Greene,
By Burnham Enersen, for Pioneer Canal, Inc.

Harry M. Conron, for Pioneer Canal, Inc.

J. J. Deuel, for California Farm Bureau Federation.

O P I N I O N

Pioneer Canal, Inc., a corporation, engaged in the business of selling water for irrigation purposes in the vicinity of the City of Bakersfield, Kern County, asks the Commission for an order authorizing it to withdraw from public utility service in the territory heretofore served. Applicant alleges that for the past ten years irrigation water has been supplied to only one customer; namely, the Kern County Land Company, which has consented to the discontinuance of such public utility service.

A public hearing in this matter was held in Bakersfield before Examiner M. R. MacKall.

The Pioneer Canal, Inc., has an adjudicated right to divert 130 cubic feet of water per second from the Kern River coming into entitlement at 1,000 second feet. The water heretofore has been distributed through approximately 23 miles of canals and ditches. The annual report of Applicant for the year ending December 31, 1946, shows a capital investment in physical properties of \$130,919, operating revenues \$33,652, and expenses, including depreciation, \$18,801, leaving a net operating revenue of \$14,851.

Mr. P. S. Atwood, the company's superintendent, testified that during the ten years last past the only customer served was the Kern County Land Company, an affiliated and parent corporation. All lands within the company's service area are now being irrigated by water produced from wells, since the river stage of 1,000 second feet is so seldom reached during any part of the irrigation season.

No protests were made. Kern County Land Company has consented to the discontinuance of public utility irrigation water service. Under the circumstances it is apparent that the authority requested should be granted.

O R D E R

Application as entitled above having been filed with this Commission, a public hearing having been held thereon, the matter having been duly submitted and the Commission now being fully informed in the premises,

IT IS HEREBY ORDERED that Pioneer Canal, Inc., a corporation, be and it is hereby authorized to discontinue all public utility water service, on and after the first day of February, 1948, in the territory served by its canals and laterals, located near the City of Bakersfield, Kern County, and shall stand relieved of all public utility obligations and liabilities as of said date.

IT IS HEREBY FURTHER ORDERED that on or before ten days from and after the date of this Order, Pioneer Canal, Inc., shall notify, in writing, all consumers served during the ten years last past of its intention to discontinue service on and after the first day of February, 1948, as authorized herein, and shall file with this Commission, within thirty (30) days from the date of this Order, a statement that such notice has been duly given.

For all other purposes, the effective date of this Order shall be twenty (20) days from and after the date hereof.

Dated at San Francisco, California, this 6th day of January, 1948.

Harold P. Huls
Justice J. Gallivan
Quartt J. Powell
R. B. Friedman
Samuel C. Patton

COMMISSIONERS.