

Decision No. 43375

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

SAN GABRIEL VALLEY WATER)
COMPANY,)

Complainant,)

vs)

CASE NO. 5137

WHITTIER WATER COMPANY,)

Defendant.)

RESTRAINING ORDER
AND ORDER TO CEASE
AND DESIST

It appearing from the verified complaint of San Gabriel Valley Water Company, complainant herein, that Whittier Water Company, defendant herein, is constructing and extending its plant, system, works, pipe lines and other water distribution facilities in and into territory located west of the San Gabriel River in the County of Los Angeles and particularly Tract No. 12553, lying and being in said territory, and that said construction and extension work is being performed by Garnier Construction Company; and it appearing that said defendant does not possess a certificate of public convenience and necessity or other lawful authority to serve said territory or otherwise to operate therein as a public utility; and it further appearing that, by Decision No. 43244, issued by this Commission on the 23rd day of August, 1949, the same being incorporated herein by reference, said defendant was denied authority to serve said territory or otherwise to operate therein as a public utility, and good cause appearing therefor,

IT IS HEREBY ORDERED that, pending the further order of this Commission, Whittier Water Company, its officers, agents, employees and servants, and each of them, and Garnier Construction Company are hereby restrained and are hereby ordered to cease and desist from constructing, or extending or causing to be constructed or extended, through or by any agency whatsoever, the plant, system, works, pipe lines and other water distribution facilities of said defendant Whittier Water Company in and into said territory described in complainant's complaint and referred to in this order.

This case, assigned to Commissioner Bonwell, is hereby set for public hearing before said Commissioner or an Examiner hereafter designated to take evidence on his behalf, at the hour of ten o'clock A.M., on (14th) Friday the 14th day of October, 1949, in the Commission's Courtroom, 9th Floor in The Mirror Building, 145 South Spring Street, Los Angeles, California. The notice of hearing herein is hereby shortened so that said hearing may be had on the date immediately above specified, the Commission hereby finding that public necessity so requires.

The Secretary is directed to cause a certified copy of this order to be personally served forthwith upon defendant Whittier Water Company and, also, upon Garnier Construction Company and the complainant, herein.

This order is effective immediately, the Commission hereby finding that public necessity so requires.

Dated at Los Angeles, California, this 11th day of October, 1949.

R. Z. [Signature]
Harold P. Kels
Donnette Patten

COMMISSIONERS