

Decision No. 44133

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

PROPERTY OWNERS AND RESIDENTS OF
ROWARDENNAN REDWOOD PARK
VS.
EMERY THOMPSON

Case No. 5020

In the Matter of the Investigation on
the Commission's own motion into the
service, rates, contracts, rules,
regulations, operations, practices, or
any of them, of E. G. Thompson, doing
business as Ben Lomond Redwood Park
Water Co., operating a public utility
water system in a subdivided area
located in the vicinity of City of
Ben Lomond, Santa Cruz County,
California.

Case No. 5041

ORDER SETTING ASIDE SUBMISSION
AND REOPENING FOR FURTHER HEARING

This Commission in its Decision No. 43182, dated August 9, 1949, in the above-entitled proceedings ordered E. G. Thompson, doing business as Ben Lomond Redwood Park Water Company in the County of Santa Cruz, to install and complete on or before March 1, 1950, certain specified repairs, replacements, and improvements to the water system and furthermore ordered said E. G. Thompson to file a progress report monthly with this Commission, beginning with October 1, 1949, and continuing until completion of the repairs, replacements, and improvements specified in Paragraph 3 of the Commission's order.

In addition thereto, the Commission also established an increased schedule of rates for water service to be rendered by said E. G. Thompson on and after the 1st day of October, 1949. Said schedule of rates was subject to the condition that in the event of

failure by E. G. Thompson to comply with the terms and conditions of Paragraph 3 of said order by not having said repairs, replacements, and improvements installed and constructed to the satisfaction of the Commission on or before March 1, 1950, then the schedule of rates established, without further order of this Commission, would be no longer in effect and the rates effective for service rendered on and after that date would be the rates previously charged.

Thereafter, on the 28th day of February, 1950, said E. G. Thompson was granted an extension of time for compliance with Decision No. 43182, to and including April 1, 1950. A field investigation by an engineer of the Commission staff discloses the fact that said E. G. Thompson has failed to comply with the terms of the Commission's orders issued in these proceedings; that but one monthly progress report ever has been filed with this Commission by E. G. Thompson; that very little work, if any, has been done by E. G. Thompson to comply with the terms of said order; and that none of the repairs, replacements, and improvements, as ordered in Paragraph 3 of the Commission's order in said Decision No. 43182, has been constructed, or installed, or completed; therefore,

IT IS HEREBY ORDERED that the submission heretofore entered in the above-entitled matter is set aside and the matter reopened for further hearing before such Commissioner or Examiner as may be designated at a time and place to be determined.

IT IS HEREBY FURTHER ORDERED that the Secretary of the Commission is hereby directed to cause to be served upon said

E. G. Thompson, a copy of this order of investigation and notice of the hearing to be held herein at least ten (10) days prior to the date set for said hearing.

Dated at San Francisco, California, this 2nd day of May, 1950.

R. E. Undermyer

Joseph Lawrence

Harold P. Huls

Samuel H. Potter
Commissioners.

Commissioner Justus F. Craomer, being necessarily absent, did not participate in the disposition of this proceeding.