

Decision No. 44799

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
 HARRIET O. CASE and DOROTHY H. WOLF  
 To Discontinue Water Service

Application No. 30017  
 1st Supplemental Petition

FIRST SUPPLEMENTAL OPINION

By Decision No. 43351, issued herein October 4, 1949, on the application of Harriet O. Case and John M. Dickinson, the latter as administrator of the estate of Dorothy H. Wolf, deceased, to discontinue public utility water service at West Beach Subdivision, Sonoma County, the Commission authorized applicants and a mutual water company, if one should be formed within 90 days thereafter, to join in an appropriate application for authority to transfer the water system. Miss Case was directed to advise the Commission should no association of users be formed or agreement reached within the 90-day period.

On January 6, 1950, Miss Case advised the Commission in writing that, as of January 5, 1950, (a) the water system was further deteriorating; (b) no association of water users had been formed; (c) three property owners at West Beach had commenced exploration for water.

On September 2, 1950, applicants filed their First Supplemental Petition To Discontinue Water Service, wherein they allege that there has been formed in the community the West Beach Mutual Water Company, a California corporation; that the company has located sufficient water, has installed elevated tanks, wells and pipe lines,

together with pumps and other equipment, and is now in a position to supply water to its members.<sup>1/</sup>

Accompanying the petition is a stipulation, entered into between counsel for applicants and counsel for the mutual company, to the effect that the Commission may make its findings and order to discontinue the water service supplied by applicants.

Based upon the allegations set forth in the petition and stipulation, and on the record previously made in this proceeding, we find that Harriet O. Case and John M. Dickinson, the latter as administrator of the estate of Dorothy H. Wolf, deceased, should be permitted to discontinue water service as a public utility at West Beach Subdivision, Sonoma County, and thereafter stand relieved of any obligation, as a public utility, to render water service in said community.

Upon this order becoming effective, Harriet O. Case and John M. Dickinson, as administrator, may dispose of any property formerly used in supplying water as a public utility at West Beach Subdivision without the necessity of applying to this Commission for authorization therefor.

FIRST SUPPLEMENTAL ORDER

Applicants having filed herein their First Supplemental Petition To Discontinue Water Service and a stipulation between counsel for applicants and counsel for West Beach Mutual Water Company; the Commission having considered said petition and stipulation, together with the record previously made herein, and now being fully advised;

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<sup>1/</sup> Attached to the petition are bills of sale from the Robertson brothers (predecessors of Miss Case and Mrs. Wolf) to Miss Case, and from the latter to West Beach Mutual Water Company, quit-claiming their interest to the water pipe line in Cliff Avenue, West Beach Subdivision, from the north boundary of Lot 7, Block B, in said subdivision.

IT IS ORDERED that Harriet O. Case and John M. Dickinson, the latter as administrator of the estate of Dorothy H. Wolf, deceased, be and they hereby are authorized to discontinue water service, as a public utility, at West Beach Subdivision, Sonoma County, California, and thereafter to stand relieved of any obligation, as a public utility, in connection with the rendition of water service in said West Beach Subdivision.

This order shall be effective twenty (20) days after the date hereof.

Dated at San Francisco, California, this 19<sup>th</sup> day of September, 1950.

R. F. [Signature]  
Justin J. [Signature]  
[Signature]  
Commissioners.