

ORIGINAL

Decision No. 46959

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
CALIFORNIA WATER & TELEPHONE COMPANY,)
for emergency relief by amending) Application No. 32305
certain of its Sweetwater District)
Rules and Regulations.)

FIRST SUPPLEMENTAL OPINION AND ORDER

California Water and Telephone Company, a corporation, on March 17, 1952, filed a first supplemental application requesting the Commission to eliminate the emergency rule authorized by Decision No. 45831, dated June 12, 1951, in the above-entitled application.

In Decision No. 45831, the Commission authorized and directed applicant to file an amendment to Rule No. 2 of applicant's Rules and Regulations of the Sweetwater District reading as follows:

"No application for the extension of service to any subdivision, as hereinafter defined, will be granted nor service rendered to such subdivision unless application therefor has been made on or prior to April 13, 1951, except as hereinafter provided.

"A subdivision is defined as any land or lands, divided or proposed to be divided, for the purpose of sale or lease, immediate or future, into five (5) or more lots or parcels.

"However, application for an extension of service to any subdivision or proposed subdivision, may be made after April 13, 1951, and such service will be rendered if the land of such subdivision received irrigation service for a crop that has been irrigated within the twenty-four (24) months immediately preceding the date of application for an extension of service.

"Nothing contained in this rule shall be interpreted or deemed to prevent the Company from complying with any subdivision agreement where application for service or an extension of service has been made to the company on or prior to April 13, 1951.

"No application for service will be accepted or granted nor service rendered for the purpose of irrigating land for commercial agricultural purposes unless such land received irrigation service within twenty-four(24) months immediately preceding the date of application for service or extension of service.

"This emergency rule shall be construed and applied only in conjunction with Paragraph 'B' Extensions To serve Tracts or Subdivisions, Rule and Regulation No. 19, Main Extensions, and shall not apply to Paragraph (A) General Extensions, under said Rule and Regulation No. 19.

"This rule shall not limit or restrict in any manner whatsoever the granting of service to new applicants, other than for subdivisions and irrigation service as hereinabove provided."

In its first supplemental application, applicant alleged that as of March 17, 1952, it had available for its 1952 water requirements in excess of 20,300 acre-feet of water from water in storage in Loveland and Sweetwater reservoirs (15,000 acre-feet), from its underground water supplies (3,000 acre-feet), from water to which it would be entitled through the terms of a contract dated February 20, 1952, with the City of Chula Vista and the South Bay Irrigation District providing for the distribution by applicant of the entitlements of said city and district to Colorado River water (2,300 acre-feet), and from water made available to it by member agencies of the San Diego County Water Authority. Applicant further alleged that as of March 17, 1952, replenishment of supplies in its reservoirs was continuing and that it estimated that without any further replenishment of water in storage in said reservoirs and without resort to any Colorado River water in excess of the entitlements of the City of Chula Vista and the South Bay Irrigation District, applicant would have sufficient water available to meet all its requirements in the Sweetwater District during the year 1952, and to carry over into 1953 approximately 8,000 acre-feet in storage.

Applicant also alleged that the construction of a second barrel of the San Diego aqueduct referred to in Decision No. 45831 had been assured and that it was contemplated that by approximately the middle of the year 1953 additional water therefrom would be available to the City of Chula Vista or the South Bay Irrigation District.

The above allegations were supported by evidence introduced in a further hearing on March 11, 1952, at San Diego, in Application No. 32447. Following such further hearing the Commission issued its Decision No. 46926, dated April 1, 1952, establishing definite rates for water service in applicant's Sweetwater District.

It appears that it would not be adverse to the public interest to eliminate the amendment to Rule No. 2 hereinbefore referred to and that public hearing is not necessary; therefore,

IT IS HEREBY ORDERED that California Water and Telephone Company be and it is authorized to eliminate the amendment to its Rule No. 2 of its Rules and Regulations of its Sweetwater District as contained in Decision No. 45831, and that the authority contained in said decision be and it is cancelled.

Dated at San Francisco, California, this 8th day of April, 1952.

R. J. [Signature]
President.
Justin J. [Signature]
Harold A. [Signature]
[Signature]
[Signature]
Commissioners.