

**ORIGINAL**

Decision No. 49099

BEFORE THE PUBLIC-UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

KURT SCHAMBER, et al, Complainants,

vs.

Case No. 5415

CLEAR LAKE PARK WATER COMPANY, Defendant.

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 48555, dated April 28, 1953, in this matter, the Commission directed defendant, Clear Lake Park Water Company, within 120 days from the effective date of its order, to

- a. Install a filtration plant.
- b. Install additional storage facilities or additional pumping capacity.
- c. Install an automatically controlled chlorination unit.
- d. Upon completion of the above installations, to install an additional main of not less than four inches inside diameter from its concrete reservoir to connect with the existing main as it enters the Manatee Area.

The order became effective on May 18, 1953, and the 120-day period therein provided will expire on September 15, 1953. The defendant has applied for modification of the order in certain respects and for a nine-months' extension of time within which to complete the installations.

The defendant has filed four progress reports in connection with work performed and installations made following the rendition of Decision No. 48555, from which it appears that additional pumping capacity and an automatically controlled chlorination unit, together with appurtenances, have been installed on the system at a total cost of approximately \$4,500. No progress, however, has been reported

with respect to installation of the filtration plant or additional transmission facilities. The chief reason advanced by defendant for failure to initiate the latter installations is lack of ability to procure long-term financing at this time. In that connection, defendant alleges that additional time is needed to sell \$20,000 worth of bonds previously authorized by the Commission. (Decision No. 44952 in Application No. 31267, as amended by Decision No. 48473, dated April 14, 1953.) The latter decision extended the time for issuing defendant's bonds to and including March 31, 1954.

The company has also requested that it be permitted to defer filing monthly progress reports until May 25, 1954, or until such earlier time when it shall become reasonably certain that efforts to create a water district in the area shall have wholly failed, or until such time as defendant shall have commenced installation of the balance of the improvements required by Decision No. 48555 or any modification thereof.

Defendant has advised the Commission that the Lake County Boundary Commission has approved the boundaries submitted by the Clear Lake County Water District, which is being locally proposed by residents of the areas served by the three water companies operating in the Clear Lake Park, Manakee and Highlands Districts on the east shore of Lower Lake. Defendant alleges, as one of the reasons for modification of the Commission's order with respect to the installation of a filtration plant and additional transmission facilities, that while such facilities might be adequate for the company's own needs they might not be considered adequate or suitable for use by a district to serve its presumably greater area. Defendant alleges, however, that if the district is not established, the needs of consumers east of the Manakee subdivision can be better served by installing a parallel main of four inches or six inches in diameter.

and 3,300' in total length through the Manakee subdivision to the Austins area, in lieu of the requirement in paragraph (d) of the order in the Commission's Decision No. 48555 above referred to.

Upon consideration of the application for modification of the Commission's Decision No. 48555 and for an extension of time to comply with the Commission's order to file progress reports, it appears that some progress has been made by defendant in placing its system in better condition to serve its customers. As pointed out in Decision No. 48555, however, we consider the installation of a filtration plant and additional transmission facilities essential to proper service by this utility. We recognize that the defendant has experienced and is experiencing considerable difficulty in securing the necessary finances with which to complete its program. We, therefore, are of the opinion that a 6-months' extension of time to complete the installations required by Decision No. 48555, as modified herein, will be reasonable in the circumstances. A public hearing is not necessary. Therefore, good cause appearing,

IT IS HEREBY ORDERED:

That paragraph (d) of Decision No. 48555 herein be and the same is hereby modified to read as follows:

- (1) That Clear Lake Park Water Company shall install an additional transmission main of not less than four inches inside diameter from the southwest corner of Lot 42 in the Manakee Subdivision through the Manakee Subdivision to connect with the existing transmission main at the intersection of Koloko and Kabal Streets in the Austins area.
- A. J. M.* (2) That Clear Lake <sup>Park</sup> Water Company, in lieu of filing monthly progress reports as provided in ordering

paragraph (2) of Decision No. 48555 herein, shall file such reports bimonthly commencing with a report to be filed not later than November 1, 1953, covering the previous two months progress.

(3) That ordering paragraph (1) of Decision No. 48555 be and it hereby is amended to provide that the time for compliance by defendant with said decision, as herein modified, be extended to and including April 1, 1954.

Except as herein modified Decision No. 48555 shall be and continue in full force and effect.

Inasmuch as the time for compliance with Decision No. 48555 will expire on September 15, 1953, the effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 15th day of September, 1953.

*[Signature]*  
 PRESIDENT  
*Justin F. Collier*  
*Harold P. Kula*  
*[Signature]*  
*[Signature]*  
 COMMISSIONERS