

adjacent and contiguous to complainant's Stanton service area.

Complainant further alleges that defendant is not rendering water service in and has no certificate of public convenience and necessity to serve Tract No. 2416 or any area within miles thereof; and that defendant is not rendering water service in and has no certificate of public convenience and necessity to serve the area bounded on the west by Stanton Avenue and on the south by Cerritos Avenue, or any area within one-half mile thereof.

The complaint alleges that any installation of water facilities or furnishing of water service by defendant in the above areas is or would be in direct violation of Public Utilities Code section 1001; that defendant's contracting to render water service in or contiguous to complainant's service areas interferes with the operation and orderly development of complainant's water systems; that defendant's installation and operation of water systems adjacent and contiguous to complainant's Huntington Beach and Stanton service areas would irreparably damage complainant's systems by limiting their expansion and limiting the use of existing facilities along Huntington Beach Boulevard which would be useful in serving the area contiguous thereto, and by limiting the use of existing facilities in Cerritos Avenue and near the intersection of Cerritos and Stanton Avenues which would be useful in serving the area contiguous thereto; and that any such water service by defendant would result in uneconomic duplication of water supply and transmission facilities.

Complainant requests in part that the Commission forthwith issue its order requiring defendant to cease and desist from any construction of water supply, transmission or distribution facilities in Tract No. 2416 or in the Stanton Square area until the Commission makes and files its decision in this proceeding.

The relief sought by complainant is contemplated by the Public Utilities Code under the circumstances alleged in the complaint. (1)
The complaint, together with an order to satisfy or answer, has been served upon defendant.

Good cause appearing, IT IS ORDERED that Dyke Water Company, a corporation, pending further Commission order herein, shall immediately cease and desist and shall refrain from constructing any new water supply, transmission, or distribution facilities, or from constructing any additions to or extensions of any such existing facilities, within either of the following areas:

- (a) Tract No. 2416, as described in the complaint herein and in Exhibit A thereto.
- (b) The Stanton Square area, as described in the complaint herein and in Exhibit B thereto.

Case No. 5711 is hereby assigned to Commissioner Mitchell, and hearing therein is set before Examiner Cline, or such Examiner as may hereafter be designated, at nine o'clock a.m. on Friday, February 10, 1956, in the Commission Courtroom, The Mirror Building, 145 South Spring Street, Los Angeles, California, it being found that public necessity requires a hearing on less than ten days' notice.

(1)

Section 1006 provides as follows: "When a complaint has been filed with the commission alleging that a public utility of the class specified in Section 1001 is engaged or is about to engage in construction work without having secured from the commission a certificate of public convenience and necessity as required by this article, the commission may, with or without notice, make its order requiring the public utility complained of to cease and desist from such construction until the commission makes and files its decision on the complaint or until the further order of the commission."

The Secretary is directed to cause a certified copy of this order to be served forthwith by registered mail upon Dyke Water Company, a corporation, and upon Southern California Water Company, a corporation.

Dated, San Francisco, California, February 3, 1956.

Peter E. Mitchell President
Raylo Wintergreen
Markus K. ...
R. ...
Commissioners