

**ORIGINAL**

Decision No. 53859

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

SOUTHERN CALIFORNIA WATER COMPANY, )  
 a corporation, )  
 Complainant, )

vs. )

Case No. 5711

DYKE WATER COMPANY, a corporation, )  
 Defendant, )

SOUTHERN CALIFORNIA WATER COMPANY, )  
 a corporation, )  
 Complainant, )

vs. )

Case No. 5729

DYKE WATER COMPANY, a corporation, )  
 Defendant. )

O'Melveny & Myers by Lauren M. Wright, for  
Southern California Water Company, complainant;  
Mrs. Arlyne Lansdale, for Dyke Water Company,  
defendant;  
Charles W. Drake and James G. Shields, for the  
Commission staff.

FINAL ORDER

Pursuant to the filing of the complaint in Case No. 5711 by Southern California Water Company, the Commission on February 3, 1956 issued Decision No. 52563 which contained an interim order providing that Dyke Water Company, pending further order of the Commission, should immediately cease and desist and should 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 in Case No. 5711 and in Exhibit A thereto;
- (b) The Stanton Square area, as described in the complaint in Case No. 5711 and in Exhibit B thereto.

Also pursuant to the filing of the complaint in Case No. 5729 by Southern California Water Company the Commission, on February 17, 1956, issued Decision No. 52655 which contained an interim order providing that Dyke Water Company, pending further order of the Commission, should immediately cease and desist and should 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 the following area:

Tract No. 2983, as described in the complaint in Case No. 5729 and in Exhibit A thereto.

Public hearings on these complaints were held on a consolidated record before Examiner Wilson E. Cline in Los Angeles on February 20 and 21, 1956. At the close of the hearing the matters were taken under submission.

The Commission finds, after consideration of the record herein, that the interim orders set forth in Decisions Nos. 52563, and 52655 should be made final orders of this Commission. This finding is consistent with the decision of this Commission in Application No. 37172 issued concurrently herewith which grants Southern California Water Company, subject to certain conditions, a certificate of public convenience and necessity to extend, construct and operate a public utility water system in the areas delineated on the map attached thereto as Appendix A, which areas include the areas complained of in the complaints herein.

Also concurrently with the issuance of this order the Commission has issued its decision in Applications Nos. 37097 and 37161. Ordering paragraph numbered 1(a) of said decision in Applications Nos. 37097 and 37161 provides that Dyke Water Company shall not extend its water system outside its certificated service area boundaries without further order of the Commission. Hence no purpose

will be served by giving further consideration to complainant's request that defendant be ordered to cease and desist from (a) constructing water supply, transmission or distribution facilities, (b) supplying or offering to supply water service, and (c) entering into contracts to construct water facilities or supply water service in all areas contiguous to complainant's service areas in Orange County.

Good cause appearing, IT IS ORDERED that:

1. Decision No. 52563 heretofore issued in Case No. 5711 as an interim order be, and it is, hereby made permanent and final.
2. Decision No. 52655 heretofore issued in Case No. 5729 as an interim order be, and it is, hereby made permanent and final.
3. No further relief be granted herein except to the extent that relief herein requested has been granted by ordering paragraph numbered 1(a) of the decision in Applications Nos. 37097 and 37161, which decision is issued concurrently herewith and which said ordering paragraph is hereby reconfirmed.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 1st day of October, 1956.

[Signature]  
President

[Signature]  
Commissioner

[Signature]  
Commissioner

[Signature]  
Commissioner

[Signature]  
Commissioners