ORIGINAL

Decision No. \_\_\_\_53860

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

IDEAL PETROLEUM COMPANY, a corporation,

Vs.

Case No. 5730

DYKE WATER COMPANY, a corporation,

Defendant.

E. T. Ibbetson and N. A. Fitzgerald, for Ideal Petroleum Company, complainant;
Arlyne Lansdale, for Dyke Water Company, defendant;
Charles W. Drake, for the Commission staff.

## FINAL ORDER

Pursuant to the filing of the complaint herein by Ideal Petroleum Company the Commission, on February 23, 1956, issued Decision No. 52674 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 areas:

Tracts Nos. 2833, 2839 and 2841, as described in the complaint herein and in Exhibit A thereto.

Public hearing on this complaint was held before Examiner Wilson E. Cline in Los Angeles on March 9, 1956. The matter was taken under submission on March 16, 1956.

The Commission finds, after consideration of the record herein, that the interim order set forth in Decision No. 52674 should be made a final order 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 complaint 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. 52674 heretofore issued herein as an interim order be, and it is, hereby made permanent and final.
- 2. 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.

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