

ORIGINAL

Decision No. 53861

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

DYKE WATER/ COMPANY, a corporation,)
)
 Complainant,)
 vs.)
 SOUTHERN CALIFORNIA WATER COMPANY,)
 a corporation,)
 Defendant..)

Case No. 5731

Mrs. Arlyne Lansdale, for Dyke Water Company,
 complainant;
Lauren Mr. Wright of O'Melveny & Myers, for
 Southern California Water Company, defendant;
Charles W. Drake, for the Commission staff.

FINAL ORDER

On March 27, 1956, the Commission issued Decision No. 52833 herein providing that the cease and desist order set forth in Decision No. 52696 should be dissolved and terminated upon the receipt of written notice of the date of the property transfer which Southern California Water Company was to file pursuant to ordering paragraph numbered 6 of Decision No. 52834 in Application No. 37167, as amended. Such notice was received by the Commission April 18, 1956, and the aforesaid cease and desist order thereupon terminated.

None of the exhibits which complainant was to file on or before March 19, 1956, were filed by said date, and hence they are not a part of the record herein. It is therefore unnecessary to consider defendant's request that certain portions of late-filed Exhibit No. 1 and all of late-filed Exhibit No. 3 be stricken from the record.

Concurrently with the issuance of this order the Commission has issued its decision in Application No. 37172. Ordering paragraph

numbered 1.a. of said decision provides that Southern California Water Company shall not extend its water system outside its certificated service area boundaries as shown on Appendix A attached thereto without further order of the Commission. Hence no purpose will now be served by giving further consideration to complainant's request that defendant Southern California Water Company be ordered by this Commission 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, and any areas not included within certificates of convenience and necessity heretofore granted Southern California Water Company by this Commission.

Good cause appearing, IT IS ORDERED that the complaint herein be dismissed except to the extent that the relief herein requested has been granted by ordering paragraph numbered 1.a. of the decision of this Commission in Application No. 37172 issued concurrently herewith, 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]
[Signature]
[Signature]
Commissioners