

Decision No. 53340**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

CROSS WATER COMPANY, a
California corporation,

Complainant,

vs.

Case No. 5833

SAN GABRIEL VALLEY WATER COMPANY,
a California corporation,

Defendant.

INTERIM ORDER

The complaint herein, filed October 11, 1956, alleges that complainant is a mutual water company; since 1911 has been furnishing water in Tract No. 1343 of Rancho La Puente, Los Angeles County; and has an adequate water supply and facilities to enable it to supply all present and future needs therein with domestic, irrigation, and industrial water.

The complaint alleges that on or about October 8, 1956, defendant deposited pipe along Turnbull Canyon Road, also known as Tenth Avenue, for a distance of approximately 1900 feet; that defendant has hired the services of a construction company to install a pipeline along a described route within Tract No. 1343, paralleling complainant's pipeline system.

Complainant further alleges that defendant is not rendering water service in and has no certificate of public convenience and necessity to serve any of Tract No. 1343 or any area adjacent thereto; that any installation of water facilities or the furnishing of water service by defendant in said tract is and would be a direct violation of Public Utilities Code section 1001; and that defendant

is negotiating with and attempting to obtain customers along Salt Lake Avenue in said tract, and that said area is not contiguous to defendant's certificated areas.

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. 1343 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⁾

Good cause appearing, IT IS ORDERED that San Gabriel Valley 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 the following area:

Tract No. 1343, as described in the complaint herein and in Exhibit A thereto.

Case No. 5833 is hereby assigned to Commissioner Hardy, and hearing therein is set before Examiner Rogers, or such Examiner as

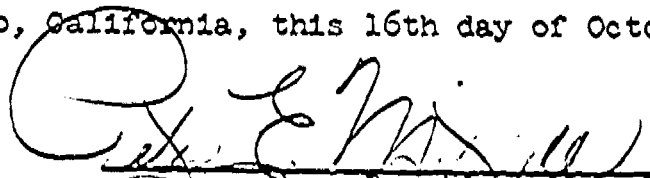
(1) Section 1006 reads as follows:

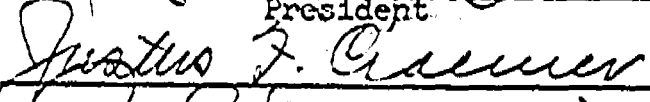
"When a complaint has been filed with the commission alleging that a public utility of the class specified in Section 1001 is engaged or is about to engage in construction work without having secured from the commission a certificate of public convenience and necessity as required by this article, the 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."

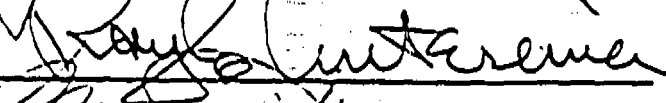
may hereafter be designated, at ten o'clock a.m. on Thursday,
October 18, 1956, in the Commission Court Room, The Mirror Building,
145 South Spring Street, Los Angeles, California, it being found
that public necessity requires a hearing on less than ten days'
notice.

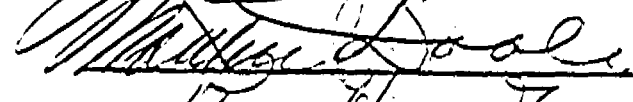
The Secretary is directed to cause a certified copy of this
order, together with a copy of the complaint herein, to be served
by registered mail upon San Gabriel Valley Water Company, a corpora-
tion. Said defendant is directed to serve and file its answer
to the complaint herein within such time as may be specified by the
presiding officer at the hearing.

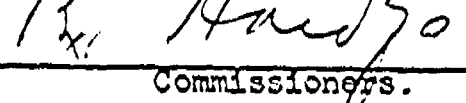
Dated at San Francisco, California, this 16th day of October,
1956.



President








Commissioners.