

ORIGINAL

Decision No. 51131

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

DARYL MAYFIELD,)
)
 Complainant,)
)
 v.)
)
 TAHOE-SIERRA WATER CO., a)
 corporation,)
)
 Defendant.)

Case No. 5812

Daryl Mayfield for himself.
Carl D. Hoffman for defendant.
Frank Globin for Tahoe-Southside Water
 Utility, protestant.
Robert C. Moeck for the Commission staff.

O P I N I O N

This complaint, filed August 24, 1956, alleges that defendant, a water corporation as defined in Section 241 of the Public Utilities Code, provides water service to the lots adjoining those of complainant; and that defendant's water main lies approximately one hundred and thirty feet distant from complainant's lots on one of which he has constructed a dwelling. It is further alleged that defendant has an adequate supply of water and other facilities to permit it to make the extension and render the service as requested. Complainant prays that the Commission order and direct defendant to provide service to his two lots being numbered 14 and 15 in Johnson Acres No. 2 on a map recorded in the office of the County Recorder of El Dorado County. No answer was filed.

Public hearing was held on October 11, 1956, in Bijou, California, before Commissioner Ray E. Untereiner and Examiner John A. Rowe, at which time evidence was adduced and the matter duly submitted for decision.

The president of defendant corporation testified that his company had no objection to the Commission's ordering the requested extension. Complainant testified that he, as owner of lots 14 and 15 in Block 5, and also the owners of lots 4, 9 and 10 in Block 4 had need for immediate water service from defendant. From the evidence of record it appears that defendant is the only water corporation in a position to render service immediately to the above lots at a reasonable cost to such prospective customers.

The president of Tahoe-Southside Water Utility asserted that the above lots constitute a part of said water corporation's service area. However, this witness stated that his company was not in a position to render service to complainant and to the owners of the other lots, above referred to, at a reasonably low cost to complainants. He further stated that he withdrew his protest and consented to the extension by defendant of service to the above-numbered lots all being in said Johnson Acres No. 2 tract. He did not, in so doing, relinquish any right protestant may have to serve the other properties in the said tract.

We find from the evidence in this case that it would be reasonable, under existing conditions, to require defendant to extend its water service facilities approximately 130 feet to serve the complainant. We also find that under present conditions defendant should extend its service to lots 4, 9 and 10 in said Block 4. These extensions should be made under defendant's applicable rules and regulations heretofore filed with the Commission.

O R D E R

Public hearing having been held in the instant proceeding, the matter having been submitted, the Commission now being fully advised and basing its order on the findings and conclusions contained in the foregoing opinion,

IT IS ORDERED that within sixty days after the effective date of this decision, Tahoe-Sierra Water Co., under and in accordance with its rules and regulations on file with this Commission, shall extend its water service facilities for a distance of approximately 130 feet and shall provide domestic water service, in accordance with applicable schedules of rates, rules and regulations, to lots 14 and 15 of Block 4 and to lots 4, 9 and 10 of Block 4 of Johnson Acres No.2 as described in the complaint.

IT IS FURTHER ORDERED that within sixty days after the effective date of this order, Tahoe-Sierra Water Co., a corporation, shall refile its tariff service area map to indicate thereon the area hereinabove ordered to be served with water and all other areas presently being served, and indicating by distinctive markings the boundaries of the areas heretofore certificated. Such tariff service area map shall be filed in quadruplicate with this Commission in conformity with General Order No. 96, and shall become effective upon five days' notice to the Commission and to the public after filing as hereinabove provided.

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

Dated at San Francisco, California, this 27th day of NOVEMBER, 1956.

[Signature]
President

[Signature]

[Signature]

[Signature]

[Signature]
Commissioners