

It is now clear that the section of 8-inch main installed as part of the extension to complainant is but a part of an ultimate plan for providing adequate service to the general area, and to Riviera Cliffs Subdivision to the west of the Stockton Country Club, originally developed as early as 1953. As extensions have been or are from time to time made, main sizes are determined in accordance with such ultimate plan. In view of the evidence on this subject, we find that size of main installed to serve defendant was prudent, reasonable and nondiscriminatory.

Although complainant did not challenge either the specific determination or the methods of determining the costs of the main extension, we wish to point out that the estimating and accounting involved appear to us to have been correctly and properly made.

As applied to the specific situation of complainant we find that defendant has fairly, accurately and properly applied the applicable provisions of defendant's Rule No. 15, Main Extensions. In view of the evidence, we find that complainant is entitled to refunding of its deposit strictly in accordance with Section B-1 of that rule and under no other section.

This record contains no showing relating to any general unreasonableness of defendant's main extension rule which would justify any conclusion that such rule should in any manner be modified. The rule was established by order of this Commission after extensive and careful investigation and study. It has heretofore been found to be reasonable in its general application throughout California. It is herein found to be reasonable as applied to the specific circumstances pertaining to this complaint. It follows that the complaint herein should be dismissed.

Good cause appearing, therefore,

IT IS ORDERED that the relief sought herein by complainant is denied and that Case No. 5845 is hereby dismissed.

Dated at San Francisco, California, this 5th day of AUGUST, 1957.

Ray E. Untereiner President
Maxwell D. ...
R. H. ...
E. J. ...

Commissioners

Commissioner Ray E. Untereiner, being necessarily absent, did not participate in the disposition of this proceeding.