

Decision No. 55852**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

ZUCKERMAN-MANDEVILLE, INC.,)
 a corporation,)
 Complainant,)
 vs.)
 CALIFORNIA WATER SERVICE COMPANY,)
 Defendant.)

Case No. 5845

ORDER DENYING REHEARING

By Decision No. 55365 in the above-entitled case the Commission found that Zuckerman-Mandeville, Inc., a corporation, complainant, is entitled to refunding of its deposit for a main extension strictly in accordance with Section B-1 of defendant's Rule No. 15, Main Extensions, and under no other section. In its petition for rehearing of said decision complainant asks for clarification of the above finding. The following will serve to answer the questions contained in its petition for rehearing:

The refund provisions of Section B-3 of defendant's Main Extension Rule do not apply, since the utility installed a main larger than for which the cost was advanced. In such case the rule provides that the individual who made the original advance will not be permitted refunds which might otherwise accrue from subsequent extensions.

Accordingly, complainant will not be entitled to a refund if any other property owners along Virginia Lane (the extension southward of Rainier Avenue from Country Club Boulevard) secure water service; nor if a proposed extension is built to Riviera Cliff Subdivision to the west of the Stockton Country Club; nor if the line

servicing complainant is extended eastward along Country Club Boulevard and service connections are made thereon. If service connections are made to the main for which complainants made a deposit with defendants, complainants will be entitled to refunds in accordance with the provisions of Rule 15, Section B-1, of defendant's filed tariff.

No useful purpose would be served by a further hearing herein.

Now, therefore, IT IS ORDERED that a rehearing of the above-entitled case be and it is hereby denied.

Dated at San Francisco, California, this 19th day of November, 1957.

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President
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Commissioners