

ORIGINAL

Decision No. 56974

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
LAKEWOOD WATER & POWER COMPANY for
a certificate of public convenience
and necessity to construct and extend
its plant or system, and to render
service in certain territory of Orange
County, California.

Application No. 37491

Jack H. Croul, assistant general manager, Lee T. Hollo-
peter, secretary-treasurer and general manager, and
John Amos Fleming, attorney, for applicant.
Moss, Lyon & Dunn, attorneys, by George C. Lyon, for
Pacific Water Co.; Arlyne Lansdale, attorney, for
Dyke Water Company; O'Melveny & Myers, attorneys,
by Lauren M. Wright and Frederick N. Edwards, for
Southern California Water Company; Walter Rawlings,
president, for Rancho Water Company; E. T. Ibbetson,
president, for Ideal Petroleum Company; Richard T.
Hanna, attorney, for a group of landowners; Harry A.
Keithly, attorney, for Anaheim Sugar Company, for
Aldrich R. Peck as an individual, and for Aldrich R.
Peck, Dorothy Thayer Peck and Charles H. Thatcher,
trustees; protestants.
Cyril M. Saroyan, Charles W. Mors, Theodore Stein, and
Charles W. Drake, for the Commission staff.

ORDER OF DISMISSAL

Lakewood Water & Power Company, a corporation, by the
above-entitled application, filed November 16, 1955, seeks a
certificate of public convenience and necessity to extend its water
system in southwestern Orange County in the area delineated by a
brown line on the map, Exhibit No. 1, attached to the application.
The area applied for comprises the identical area covered
by Application No. 37172 of Southern California Water Company and

overlaps certain portions of the area applied for by Applications Nos. 36592, Amended, of Pacific Water Co., and 37097 and 37161 of Dyke Water Company.

Public hearings on the instant application were held before Examiner Stewart C. Warner on December 5, 6, 7 and 8, 1955, in Santa Ana, in conjunction with Case No. 5666, Orange County and Orange County Waterworks District No. 3 vs. Dyke Water Company, and Applications Nos. 36592, 37042, 37097, 37161, and 37172. At said hearings applicant completed its affirmative showing and the instant matter was continued to a date to be set. An adjourned hearing was held before Commissioner Rex Hardy and Examiner Warner on November 20, 1956. At said hearing the instant application was temporarily removed from the calendar at the request of the applicant. On November 14, 1957, the Commission, by letter, inquired as to whether or not the applicant intended to proceed with the application and said inquiry was reiterated in an air mail letter to the applicant dated April 15, 1958. On April 25, 1958, applicant requested that the application be held on the Commission's docket until June 1, 1958, to provide the applicant with an opportunity to decide whether to pursue it. Said request was granted by the Commission by its letter dated May 6, 1958. The Commission has not been advised further.

It appearing that the application of Lakewood Water & Power Company, a corporation, to extend its water system in southwestern Orange County has been on file with the Commission for more than two and one-half years; that although the applicant pursued said application in December of 1955 it has, since that time,

requested that it be held on the Commission's docket; that the application has, pursuant to such request, been so held; that there is no prospect that the application will be pursued by the applicant; and that it would be adverse to the public interest to further retain it on the Commission's docket, therefore

IT IS HEREBY ORDERED that the application be and it is dismissed without prejudice.

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

Dated at San Francisco, California,
this 15th day of July, 1958.

[Signature]
President
[Signature]
[Signature]

Commissioners

Matthew J. Dooley
Commissioner S. Theodore H. Jenner, being necessarily absent, did not participate in the disposition of this proceeding.