

ORIGINAL

Decision No. 57144

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own motion into the status, operations, practices, contracts, rules, charges and service of DICK R. FRIESEN and of J. H. CHAMPION in the furnishing of water in or near the community of Angwin, Napa County, California.

Case No. 5683

ANGWIN CHAMBER OF COMMERCE,

Complainant,

vs.

Case No. 5910

DICK R. FRIESEN,

Defendant.

In the Matter of the Application of Dick R. Friesen for a Certificate of Public Convenience and Necessity and for the Establishment of Rates for Water Service to Angwin and Vicinity in Napa County.

Application No. 36736

In the Matter of the Application of PACIFIC UNION COLLEGE ASSOCIATION for an order authorizing it to carry out the terms and conditions of a contract dated February 20, 1957, with Dick R. Friesen for accommodation storage of water for a limited period of time.

Application No. 38853

ORDER SETTING ASIDE SUBMISSION AND REOPENING PROCEEDINGS FOR RECEIPT OF STIPULATION IN EVIDENCE

Submission in the above entitled matters heard on a consolidated record was taken on April 18, 1958. On July 3, 1958, a stipulation was filed, signed by the attorneys for the four appearances of record, wherein the several parties agree that if applicant Dick R. Friesen were called for further testimony in these proceedings he would testify on direct and cross-examination substantially as set forth in the stipulation concerning the effect on

the capacity of four so-called "domestic" reservoirs by rainfall, evaporation and consumption of water during the months of January through April; the parties also agree that the stipulation may be considered in evidence in these proceedings.

On July 9, 1958, counsel for applicant Friesen filed with the Commission a petition requesting the Commission to make its order that the stipulation filed July 3, 1958, be received in evidence and that the record be reopened for the limited purpose of receiving said stipulation.

Good cause appearing therefor,

IT IS HEREBY ORDERED that submission in the above entitled proceedings is hereby set aside and the matters are reopened only for the purpose of receiving in evidence the said stipulation filed July 3, 1958; that said stipulation is hereby received in evidence and the above entitled proceedings are hereby submitted for decision.

The Secretary is directed to cause a certified copy of this order to be served upon each appearance of record in these proceedings.

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

Dated at San Francisco, California, this 12th day of August, 1958.

[Signature] President
[Signature]
[Signature]
[Signature]
Commissioners

Commissioner Theodoro H. Jenner, being necessarily absent, did not participate in the disposition of this proceeding.