

ORIGINAL

Decision No. 58749

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own motion into the practices, operations, contracts, rules, facilities and service of the APPLE VALLEY RANCHOS WATER COMPANY, a corporation furnishing water as a public utility water corporation in and in the vicinity of Apple Valley, California.

Case No. 6160  
Amended  
Petition for Modification of Decision No. 58092 and for Extension of Time

SECOND INTERIM OPINION AND ORDER

By Decision No. 58092, dated March 10, 1959, in the above-entitled matter, the respondent, Apple Valley Ranchos Water Company, was ordered in paragraph 1.(a) to file with the Commission, by May 31, 1959, studies relating to its utility plant together with that in which it possesses all of the beneficial incidents of ownership, showing the present ownership of the various facilities, parties who paid for such facilities initially, and the amounts paid; in paragraph 1.(b), studies showing the means and estimated cost of acquiring title to such facilities; in paragraph 1.(c), studies showing the original cost and related depreciation reserve requirement of all facilities; and in paragraph 1.(d), studies showing the details of its proposal for establishing a special reserve account.

On May 28, 1959, respondent, by its letter dated May 27, 1959, filed a Petition for Extension of Time to comply with the Commission's order to December 31, 1959 for the reason that its engineer could not complete the studies prior to that date.

By its Petition for Modification of Decision No. 58092, also filed on May 28, 1959 in its letter of May 27, 1959, the respondent requested partial modification of paragraphs 1.(a) and (b), and requested that it not be required to obtain any better title than it already has to its properties serving the owners of some 10,309 lots in the area, as of January 1, 1959, for many reasons such as that the owners of said lots live in all parts of the nation; some are dead and their estates would either have to be opened or reopened; their addresses are not known and some investigation would have to be made to determine the addresses; many loans are secured by lots in the subdivisions; certain banks, and building and loan associations, have loaned upon property in the area; the consent of these lending agencies for any bill of sale or quitclaim would be impossible to obtain; the motives behind the solicitation of the grants and conveyances would be suspected by such lending agencies; it was estimated that to obtain either a bill of sale or a quitclaim from the owners of the lots would cost anywhere from \$5.00 to \$50.00 per lot which would be an unnecessary expense to the respondent; the time to complete such a venture would be from one to five years with no guarantee that the consent of all of the owners would ever be procured; and that after having secured the documents the respondent would have no better title, in a practical sense, than it has now nor could it render a better service nor would it have greater guarantee of permanency of service.

The Commission is not convinced that its order should be modified in these particulars at this time. After the other studies required by the order have been filed with the Commission, such a request for modification could be more appropriately considered.

After carefully reviewing the Petition for Modification of Decision No. 58092 and for Extension of Time, it appears that a

further public hearing is unnecessary and not required by the public interest, and that, in the public interest, the Petition should be partially granted. Therefore,

IT IS ORDERED that the requested extension of time for the filing of studies required by the portion of ordering paragraph 1.(a) reading "... the parties who paid for such facilities initially, and the amounts paid", and ordering paragraphs 1.(c) and (d) of Decision No. 58092 be and it is granted until December 31, 1959.

IT IS FURTHER ORDERED that the requested partial modification of ordering paragraphs 1.(a) and (b) of Decision No. 58092 is denied; but that compliance therewith is extended indefinitely, pending further order of this Commission.

IT IS FURTHER ORDERED that in all other respects Decision No. 58092 is in full force and effect.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 14th day of July, 1959.

Ernest W. Foye  
President  
John E. ...  
Michael ...  
L. ...  
Theodore ...  
Commissioners