

ORIGINAL

Decision No. 60419

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
STATE WATER COMPANY, a California)
corporation, for suspension of that)
portion of its certificate of pub-)
lic convenience and necessity)
authorizing applicant to furnish)
water service to the Waverly Heights)
Area in the vicinity of Thousand)
Oaks, Ventura County, California.)

Application No. 42319

INTERIM OPINION AND ORDER

By this application, filed June 1, 1960, State Water Com-
pany, a corporation, requests Commission authorization, by ex parte
interim order, to suspend temporarily the offering of public utility
water service to an area known as Waverly Heights, near Thousand Oaks,
Ventura County. State also requests that the suspension be made
permanent upon final determination of this matter by the Commission.

The Commission, in Decision No. 59865, dated March 29,
1960, in Applications Nos. 40931 amended, 41165, and 41173 amended,
among other things, granted State a certificate of public convenience
and necessity to acquire, construct, and operate a public utility
water system in the vicinity of Thousand Oaks, Ventura County. The
subdivision known as Waverly Heights, more particularly described in
Exhibit A attached to the application herein, was included in the
certificated area. Waverly Heights now is and was at the time of
issue of Decision No. 59265 served by Waverly Heights Mutual Water
Company.

State Water Company now alleges that the stockholders of
the mutual company have refused to ratify the transfer agreement under

which the mutual was to convey its water system, free and clear of any debts, to State Water Company as a donation. The application alleges that State now finds itself in a position of having to extend service without owning or controlling the distribution facilities necessary to furnish such service. If the area is not excluded from the boundaries of State's certificated area, the utility will be required to expend additional large sums of money to parallel or duplicate the present distribution system and, since State will not have the use of the wells of the Waverly Heights system, unexpected demands will be made on State's other sources of supply. State requests, in view of the fact that the area is presently being served by the mutual company, that the Commission relieve the utility of the duty to extend service in the area pending the final determination of this matter. To date State has made no extensions of service within the Waverly Heights area. The utility requests that the interim order be made effective immediately.

The Commission is of the opinion and finds that it might be prejudicial to members of the Waverly Heights Mutual Water Company to authorize applicant's request for authority to suspend all water service to the Waverly Heights area at this time. It appears, however, that applicant's request to suspend temporarily the offering of public utility water service to the public generally in the Waverly Heights area is reasonable under the circumstances disclosed by the application, in order to avoid any immediate necessity for any additional plant or operating expense to serve new customers; therefore,

IT IS HEREBY ORDERED that State Water Company be, and it is, authorized to suspend its offering of public utility water service to the general public in the area known as Waverly Heights as described in Exhibit A attached to the application herein until the further order of the Commission; provided, however, that State Water Company

shall, until the further order of the Commission, sell and deliver to said Waverly Heights Mutual Water Company, under and pursuant to the filed tariff schedules of State Water Company, whatever quantities of water may be reasonably required by said Waverly Heights Mutual Water Company to supplement the water supply available from wells owned by said Waverly Heights Mutual Water Company in serving its members, upon proper application being made to State Water Company for such water sales and deliveries by the duly authorized officer or officers of said Waverly Heights Mutual Water Company.

IT IS HEREBY FURTHER ORDERED that if the authority herein granted is exercised, State Water Company shall, within thirty days thereafter, file in quadruplicate with this Commission in conformity with General Order No. 96, revised tariff schedules, including preliminary statement, tariff service area map, and rate schedules, excluding therefrom the Waverly Heights area hereinabove described. Such revised tariff sheets shall become effective upon five days' notice to the Commission and to the public after filing as hereinabove provided.

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

Dated at San Francisco, California, this 18th day of July, 1960.

Peter E. Mitchell
President

G. L. Fox

Theodore Jenner
Commissioners