

**ORIGINAL**

Decision No. 61017

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of LESSER WATER COMPANY )  
to exercise a public franchise in )  
Newbury Park, Ventura County, )  
California; Request for ex parte )  
proceeding )

Application No. 42742

OPINION AND ORDER

Lesser Water Company, a corporation, by the above-entitled application, filed on October 10, 1960, seeks a certificate of public convenience and necessity, pursuant to the provisions of Sections 1002 and 1005 of the Public Utilities Code, to exercise the rights and privileges of a franchise granted by Ordinance No. 862, dated March 15, 1960, by the Board of Supervisors of Ventura County. The area covered by said franchise is shown on the map Exhibit B attached to the application.

Applicant's articles of incorporation were filed with the Commission on May 25, 1960, in conjunction with a hearing on Application No. 41863 in which Decision No. 60519, dated August 2, 1960, was issued granting the applicant a certificate of public convenience and necessity to construct and operate a public utility water system in the area shown on Exhibit B, supra.

The application alleges that the applicant paid \$51 to Ventura County for the franchise.

It appears that a public hearing is not necessary, and the Commission finds as a fact and concludes that public convenience and necessity require that the application be granted.

The certificate of public convenience and necessity herein granted is subject to the following provision of law:

That the Commission shall have no power to authorize the capitalization of the franchise involved herein or this certificate of public convenience and necessity or the right to own, operate or enjoy such franchise or certificate of public convenience and necessity in excess of the amount (exclusive of any tax or annual charge) actually paid to the State or to a political subdivision thereof as the consideration for the grant of such franchise, certificate of public convenience and necessity or right.

Based on the finding of fact and conclusion hereinabove set forth,

IT IS HEREBY ORDERED that the application of Lesser Water Company, a corporation, should be granted and that the applicant be, and it is, granted a certificate of public convenience and necessity to exercise the rights and privileges of the franchise granted by Ordinance No. 862, dated March 15, 1960, of Ventura County covering the area shown on the map Exhibit B attached to the application.

IT IS HEREBY FURTHER ORDERED that Lesser Water Company shall not exercise said franchise for the purpose of supplying water in any parts or portions of Ventura County not now served by it except in the area certificated by Decision No. 60519, dated August 2, 1960, in Application No. 41863, or after authority has first been obtained from the Commission for extension of the distribution system beyond said area.

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

Dated at San Francisco, California, this 7th day of November, 1960.

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