

Decision No. 61992**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
 SPRECKELS WATER COMPANY, a corporation,  
 to issue stock, for a certificate of  
 public convenience and necessity to  
 acquire, install and operate a water  
 system and for an order establishing  
 water rates.

Application No. 42599  
 Amended and First  
 Supplemental

FIRST SUPPLEMENTAL ORDER

Ordering paragraph 10 in Decision No. 61807 issued herein on April 11, 1961, provided that after applicant had obtained the contemplated franchise from the County of Monterey, this Commission would, upon supplemental application, issue to applicant, upon such terms and conditions as this Commission might designate, a certificate of public convenience and necessity authorizing the exercise of the rights and privileges granted to applicant under such franchise.

By its First Supplemental Application filed April 20, 1961, applicant advised the Commission that it had obtained the contemplated franchise from the County of Monterey, said franchise being Ordinance No. 1179 of the Board of Supervisors of said county, and requested an ex parte order from this Commission granting applicant a certificate of public convenience and necessity authorizing the exercise of the rights and privileges granted to applicant under said franchise. A copy of said Ordinance No. 1179 is attached to the first supplemental application.

IT IS HEREBY FOUND AS A FACT that public convenience and necessity require the exercise by applicant of the right, privilege and franchise granted to applicant by Ordinance No. 1179 of the County of Monterey, subject to appropriate restrictions concerning the territory not now served.

The certificate hereinafter granted shall be 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 or certificate of public convenience and necessity or right.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and it hereby is granted to Spreckels Water Company, a corporation, to exercise the rights and privileges conferred by the franchise issued pursuant to Ordinance No. 1179, adopted March 13, 1961, by the Board of Supervisors of the County of Monterey.

IT IS HEREBY FURTHER ORDERED:

1. That Spreckels Water Company, a corporation, shall not exercise said franchise for the purpose of supplying water in those parts or portions of Monterey County not now served by it except through extensions of its existing system made in the ordinary course of business as contemplated by Section 1001 of the Public Utilities Code.

2. That the Commission may hereafter by appropriate proceeding and order limit the authority herein granted to applicant as to any territory within said county not then being served by it.

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

Dated at San Francisco, California, this 16<sup>th</sup>  
day of May, 1961.

Ernest B. Page  
President  
John E. Kitchell  
S. Lee Fox  
George G. Brown  
Fredrick B. Hollohoff  
Commissioners