

Decision No. 62690**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

JAMES E. BELCHER, PAUL HUTCHINGS,
C. E. McCULLY, JR., IRVING
NORMANDIN, E. C. COREY, and
FRANCES JOHNSON,

Complainants,

vs.

Case No. 6507

PHOEBE RYAN, dba RYAN WATER SYSTEM,
and ROBERT ROOT AND RICHARD FRANZA,
dba RESORT PROPERTIES, INC.,

Defendants.

Wilber F. Mathewson, for complainants.
Bacigalupi, Elkus & Salinger, by William G. Fleckles,
for Resort Properties, Inc., Richard Franza and
Robert Root, defendants.
Lewis Hayd Leve and Everett Rowe, for Phoebe Ryan,
dba Ryan Water System, defendant.
Earl A. La Porte; Stanley Walter, for L. M. Bennett
and Leland J. Thompson; interested parties.
Walter E. Moltke, for the Commission staff.

OPINION AND ORDER

This complaint, filed June 2, 1960 by a number of the customers of the Ryan Water System which provides water service in the Call of the Wild Subdivision in Santa Clara County, in its essentials alleged that the source of supply for the public utility water system had been sold to another party, that the system lacked maintenance and that the system's owner had informed her customers that water service would be discontinued.

Public hearing in the matter was held before Examiner F. Everett Emerson on December 13, 1960 and on May 10, 1961. The matter was submitted on the latter date.

The evidence discloses that the water system did in fact suffer interruptions to service, because of a plugged section of pipe and because of unauthorized diversion of water and unauthorized manipulation of valves by a person or persons unknown. Further, the evidence discloses that after an engineering survey, and after subsequent replacement of the damaged or plugged pipeline and disconnection of the unauthorized diversion pipe or pipes, normal water service was in fact reestablished to all of the system's customers. The evidence is clear that no portion of the water system, including the springs used as the source of supply, has been withdrawn from public utility service. The Commission finds the facts so to be.

Barring further interference from outside parties, and with normal attention to the maintenance of the system, the customers of this system should continue to receive reasonably adequate water service.

The essential elements of the complaint having been satisfied, the Commission finds and concludes that the complaint herein should be dismissed; accordingly,

IT IS ORDERED that Case No. 6507 be and it is hereby dismissed.

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

Dated at San Francisco, California, this
6th day of June, 1961.

Robert A. Rine
President
George H. Brewer
Fredrick B. Holoboff
Commissioners