

proceedings, public hearings were held before Examiner Stewart C. Warner on August 28 and 29, 1961, at Los Angeles; evidence was adduced; and the matters were submitted for decision subject to the receipt of late-filed Exhibits Nos. 5, 6, and 7 on or before September 11, 1961. Said Exhibits having been received, the matter is now ready for decision.

By Decision No. 62474,^{1/} dated August 23, 1961, in the instant Application No. 43124, Conejo Valley Water Company, among other things, was granted a certificate of public convenience and necessity to extend its water system to Tract 1244-1, the so-called Crancer Property, in the NE $\frac{1}{4}$ of Section 33, St. Paschal's Catholic Church and School, the Holy Trinity Lutheran Church, and the so-called Rothschild Property. Certification of the so-called Pace Tract No. 1186, which Conejo had sought, was deferred by said decision.

By Decision No. 62583, dated September 19, 1961, in the instant Application No. 42911, Amended, Village Water Company, among other things, was granted a certificate of public convenience and necessity to acquire, construct, extend, and operate water systems in its Camarillo-Las Posas and in its Lynn Ranch-Conejo Oak Shopping Center-Rancho Conejo areas, but decision on a request filed by Pace for water service by Village to Tract No. 1186 was deferred.

As indicated in the Order Setting Aside Submission, the purpose of the instant proceedings is to determine the requirements of public convenience and necessity for water service by either the

^{1/} By an order dated September 11, 1961, the effective date of Decision No. 62474 was stayed pending further order of the Commission.

applicant Village Water Company or the applicant Conejo Valley Water Company to the so-called Pace Tract No. 1186.

As shown on the map, Exhibit No. 35, filed in connection with the hearings on Application No. 42911 and made of record in the instant proceedings as Exhibit No. 2 by reference, the Pace property comprises the NW $\frac{1}{4}$ of Section 33 and contains 160 acres. Said property known as Tract No. 1186 includes a subdivision known as College Park. Its location is westerly of Moorpark Road and northerly of Village's Area 20, also known as its Triangle area.

The record shows that Pace, together with his associates, intends to develop the property by subdividing it into some 400 residential lots with that many potential water customers; that Village has an available water service connection at the southern tract boundary; that Conejo's nearest connection would have to be installed; that Village has ample water supplies to serve the Pace tract without utilizing the Pace well located within the tract; that Conejo is purchasing 300,000 to 500,000 gallons per day of surplus water from the owners of Village to supplement Conejo's supplies to serve its presently certificated areas; that the stock of Conejo and State has recently been purchased or acquired by Citizens Utilities Company, a Delaware corporation; that on a consolidated basis, State and Conejo operated at a net operating loss of \$25,274.74 for the six-months period ending June 30, 1961; that all of the officers and the managers of Village live in Southern California and most of them in Conejo Valley, and that Village maintains its corporate office there; that all of Citizens' officers, except an assistant vice-president in North Sacramento and an

assistant secretary in Redding, are out-of-state and that Citizens Utilities Company of California, a public utility under the jurisdiction of this Commission, which will operate Conejo and State, maintains its corporate office in Redding, California; that although Conejo applied for authority to serve the Pace Tract, Pace prefers to be served by Village.

The record further shows that the rates for water service by Village are lower than those of Conejo and State.

Findings and Conclusions

Based on the record on the instantly consolidated proceedings, the following findings and conclusions are made:

1. That public convenience and necessity require that Village Water Company be granted a certificate of public convenience and necessity to serve the so-called Pace Tract No. 1186.

2. That the application of State Water Company and Conejo Valley Water Company for a certificate of public convenience and necessity authorizing Conejo Valley Water Company to furnish water service to the so-called Pace Tract No. 1186 should be denied.

The order which follows will authorize and direct Village Water Company to apply its presently filed tariffs to the Pace Tract No. 1186.

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 this certificate of public convenience and necessity or the right to own, operate, or enjoy such certificate of public convenience and necessity in excess of the amount (exclusive of any tax or annual charge) actually paid to the State as the consideration for the issuance of such certificate of public convenience and necessity or right.

O R D E R

Submission of the above-entitled applications having been set aside for further proceedings, public hearings having been held, the matters having been submitted and now being ready for decision,

IT IS HEREBY ORDERED as follows:

1. That Village Water Company, a corporation, be, and it is, granted a certificate of public convenience and necessity to acquire construct, extend, and operate a public utility water system to serve the Pace Tract No. 1126 in its Lynn Ranch-Conejo Oak Shopping Center-Rancho Conejo area, in unincorporated territory of Ventura County.

2. That Village Water Company shall not extend its water system outside its certificated area boundaries without further order of the Commission.

3. That Village Water Company be, and it is, directed and authorized to apply its presently filed tariffs to the area certificated herein.

4. Applicant is authorized and directed to revise, within thirty days after the effective date of this order, in conformity with General Order No. 96 and in a form acceptable to the Commission, such of its tariff schedules, including tariff service area maps, as are necessary to provide for the application of its tariff schedules to the area certificated herein. Such revised tariff sheets shall become effective upon five days' notice to the Commission and to the public after filing as hereinabove provided.

5. That the application of State Water Company and Conejo Valley Water Company for Conejo Valley Water Company to furnish water service to the Pace Tract No. 1186 be, and it is, denied.

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

Dated at San Francisco, California, this 17th day of OCTOBER, 1961.

Ernest W. Pace
President
W. J. ...
C. ... Fox
Fredrick B. Holoboff

Commissioners