

ORIGINAL

Decision No. 65865

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 ROSSMOOR WATER COMPANY, a corporation,
 for an Order to Extend and Furnish
 Water Service outside its certificated
 area, for a Certificate of Public
 Convenience and Necessity authorizing
 Applicant to construct and operate an
 extended system in said area sought
 to be served in Orange County, Calif-
 ornia, and for approval of Main
 Extension Contracts.

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 } Application No. 45518
 } Filed June 12, 1963
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OPINION AND ORDER

Rossmoor Water Company seeks authority to extend its water system to and construct and operate a water system in Tracts Nos. 4839, 4935, 4987, and 4753 in unincorporated territory of Orange County in the area shown on the map attached to the application as Exhibit A.

By Decision No. 65273, dated April 23, 1963, in Application No. 44672, applicant was granted a certificate of public convenience and necessity to construct and operate a public utility water system in an area comprising approximately 2,300 acres on the south side of the San Diego Freeway east of Laguna Canyon Road in Orange County. By said decision applicant was restricted from extending or furnishing water service outside certificated area boundaries without further order of the Commission.

A staff report on the instant application, dated July 8, 1963, made a part of the record herein as Exhibit No. 1, shows that Tract No. 4839 comprises 11 acres, with 44 lots; Tract No. 4935, 14 acres, 55 lots; Tract No. 4987, 35 acres, 138 lots; and Tract No. 4753, 60 acres, 208 lots; a total of 120 acres and 445 lots. The tracts are contiguous to applicant's presently certificated area on the north thereof, separated by the San Diego Freeway.

The area is being developed with single family residences (some construction is under way) by Roseglen Construction, Inc., and a main extension contract for each of the tracts has been entered into between applicant and said development company pursuant to applicant's main extension rule but in a form which differs from that prescribed by applicant's tariffs. The total cost of the main extensions to be financed by advances is \$133,060, which will not cause applicant's proposed advance contract balances to exceed 50 percent of total water utility plant, less depreciation reserve.

Applicant asserts, and the staff investigation confirms, that there will be available to applicant from El Toro Water District, through the surplus capacity of the Santiago Aqueduct at the end of Reach No. 3, by the installation of a booster pumping station, a water supply for the area sought to be certificated in the ratio of three acre-feet per acre per year.

The Commission finds that:

1. There is an immediate demand for water service by the proposed subdivider of Tracts Nos. 4839, 4935, 4987 and 4753, comprising a total of 120 acres and 445 lots in unincorporated territory of Orange County, north of the San Diego Freeway and contiguous to the area certificated to Rossmoor Water Company by Decision No. 65273.
2. Applicant has an adequate water supply of acceptable quality.
3. The proposed distribution system meets the requirements of General Order No. 103.
4. Public convenience and necessity require that the application be granted.
5. Public hearing is not necessary.

Upon consideration of the foregoing findings the Commission concludes that the application should be granted as set forth in the ensuing order.

The certificate herein granted shall be subject to the following provision of law:

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.

Main extension contracts have been executed pursuant to applicant's filed main extension rule but in a form which differs from those in its filed tariffs and therefore require specific approval.

IT IS ORDERED that:

1. Rossmoor Water Company is granted a certificate of public convenience and necessity to extend its water system to construct

and operate a water system in Tracts Nos. 4839, 4935, 4987 and 4753 in unincorporated territory of Orange County, in the area shown on the map, Exhibit A, attached to the application.

2. Within one year after the effective date of this order, applicant may file a revised tariff service area map to provide for the application of its present tariff schedules to the tracts certificated herein. Such filing shall be in conformity with General Order No. 96-A and the revised tariff sheet shall become effective upon the fifth day after having been filed.

3. Except for the authorization herein granted, the restrictions against extension of service imposed by the order in Decision No. 65273 shall remain in full force and effect.

4. Applicant is authorized to carry out the terms and conditions of the four main extension contracts, Exhibits E, F, G and H herein.

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

Dated at San Francisco, California, this 13th day of AUGUST, 1963.

William W. Bennett
President
George G. Grover
Frederick B. Halaloff

Commissioners

Commissioner George G. Grover, being necessarily absent, did not participate in the disposition of this proceeding.