

ORIGINALDecision No. 66401

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of STATE WATER COMPANY and CONEJO)
VALLEY WATER COMPANY, both Cali-)
fornia corporations, for a certifi-)
cate of public convenience and)
necessity authorizing applicants,)
or either of them, to furnish)
water service in the vicinity of)
Thousand Oaks, Ventura County,)
California, and other matters)
related thereto.)

Application No. 43124

OPINION AND ORDER ON PETITION FOR
MODIFICATION OF DECISION NO. 65916

A petition for modification of Decision No. 65916 was filed by Conejo Valley Water Company on October 10, 1963. Said petition requests an order to amend Decision No. 65916 so as to permit applicant to serve water to Conejo Woods, Tracts 1406-3 and 1406-4, Ventura County, with the further proviso that not more than 100 residences in said tracts shall be served prior to December 1, 1963.

Public hearing on this petition was held and submitted before Commissioner Holoboff and Examiner Patterson in Los Angeles on October 24, 1963.

Applicant presented evidence showing that effective on or about October 8, 1963, it had terminated all water rationing and no restrictions on water use are now in effect in its service area.

The evidence also shows that effective October 15, 1963, pursuant to Decision No. 66056, approximately 114 residences in the

New Meadows Tract 1244-1 and the Meadows School¹ were transferred to service from Ventura County Waterworks District No. 6.

Evidence was also presented that applicant has acquired additional water from wells normally used for irrigation, but which is available on a temporary, surplus basis during the forthcoming winter months. These wells are designated as the three Lang Wells, the Swanson Well, and the Carroll Well. Exhibit 20-F shows that the potential of these wells along with the supply from Village Water Company and production from applicant's own wells, is estimated to result in a daily total potential ranging from 1,954,800 gallons per day to 2,041,200 gallons per day depending upon whether or not any allowance is made for production from applicant's Well No. 21.

Applicant's witness presented estimates of peak-day consumption for the months of November and December 1963, and January and February 1964. These estimates reflect the loss of 114 customers in the New Meadows tract, and a gain of 95 customers in Tracts 1406-3 and 1406-4 in November 1963, and full development of those tracts to 189 customers for the months after November 1963. These estimates show an estimated peak-day demand of 1,973,150 gallons for November 1963; 1,732,462 gallons for December 1963; 1,731,623 gallons for January 1964; and 1,584,780 gallons for February 1964. Applicant's witness also testified that he had been recently advised that water from Callegues Municipal Water District would be available to applicant by February 1, 1964.

The record shows that applicant's storage capacity of 6,000,000 gallons was full as of the day of the hearing.

¹ In Decision No. 64183, dated August 31, 1962, the Commission authorized applicant to serve the school. At that time it was estimated that the requirements of the school would be equivalent to 35 residential customers.

Opposition to the request for modification of Decision No. 65916 was presented by counsel who represents both Ventura County Waterworks District No. 6, and the property owners associations, comprised of certain customers in Conejo Valley Water Company's service area.

The manager of Ventura County Waterworks District No. 6 testified that in the two Conejo Woods tracts, 40 to 50 customers were now being served by the District, and that new customers are being added at a rate of four to five a week. He also presented evidence that by resolution adopted and approved October 7, 1963, the Board of Directors of Ventura County Waterworks District No. 6, had annexed the Conejo Woods Subdivision. The record shows that the legality of this annexation has been challenged and is now awaiting decision of the Superior Court of Ventura County.²

The president of the Sunset Conejo Homeowner's Association presented the position of her association, and of the Greater Park Oaks Property Owners Association and the Tara Property Owners Association, which, in substance, urged that the existing restrictions prohibiting Conejo Valley Water Company from serving the Conejo Woods Subdivision, be retained until such time as Metropolitan Water District water is introduced into applicant's system. The position of these associations appears to be based upon concern that if Conejo Valley Water Company were allowed to serve additional customers it would result in deterioration in the quality of Conejo's water.

With respect to demands on Conejo's system, and considering the present and near future requirements, as compared with the

² The Commission takes notice that since the hearing, the Superior Court in and for the County of Ventura held that the annexation was invalid.

situation at the time the restrictive conditions were imposed by Decision No. 65916, it may be noted that the transfer to the Conejo system of the 40 to 50 existing customers in the Conejo Woods area plus additional customers at the rate of 4 to 5 per week would not equal the loss to the system of the school and the 114 customers in the New Meadows area until March or April of 1964.

No evidence was presented by Ventura County Waterworks District No. 6 that it is in any better position than Conejo Valley Water Company to serve the Conejo Woods tracts.

Based upon the record, we find that:

1. The critical water situation in the service area of Conejo Valley Water Company has been relieved by reason of (a) the transfer of the New Meadows tract and the Meadows School to the Ventura County Waterworks District No. 6 system, (b) augmentation of applicant's water supply through temporary surplus water purchase agreements and (c) seasonal decline in water demands.

2. Customers in the Conejo Woods Tracts 1406-3 and 1406-4, and prospective customers therein have a need for water service.

From the foregoing findings we conclude that the granting of the petition as herein requested would not be adverse to the public interest.

IT IS ORDERED that:

1. Ordering paragraph 1a of Decision No. 65916 is released to the extent that Conejo Valley Water Company may serve water to Tracts 1406-3 and 1406-4, Ventura County.

2. In all other respects, except as modified by the order herein, the provisions of Decision No. 65916 and Decision No. 64763, shall remain in full force and effect.

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

Dated at San Francisco, California, this 5th day of DECEMBER, 1963.

*Edisney
Gentile*

William B. Beards

President

John E. ...

George H. Grover

Fredrick B. ...

Commissioners