

Decision No. 66477

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
CALIFORNIA WATER & TELEPHONE COMPANY )  
for authorization to carry out the )  
terms of a certain contract. )

Application No. 45929  
(Filed November 1, 1963)

OPINION AND ORDER

By this application, California Water & Telephone Company seeks authority to carry out the terms of a water main extension agreement which deviates from its filed rules. Mr. R. H. Partridge, the subdivider for whom the extension is to be installed, requests that the Commission's approval be granted.

Decision No. 52026, dated October 4, 1955, in Application No. 36954, authorized applicant to carry out the terms of a master agreement with a school district and a subdivider, providing for the installation of water facilities to serve a specific area in applicant's Monterey Division. Under applicant's then effective main extension rule, a refundable advance of over \$100,000 would have been required. The master agreement deviated from the filed rule in that (1) applicant agreed to pay about one third of the cost with its own funds and (2) the district and the subdivider agreed that the reduced amounts provided by them would be nonrefundable contributions. The Commission specifically withheld approval of paragraph 8 of the contract, which called for unspecified amounts of further contributions from the subdivider when subsequent tracts were developed, without Commission review of the reasonableness of the facilities covered by the contributions.

The initial development was completed under the terms of the approved contract. Applicant subsequently was authorized to, and did, apply paragraph 8 of the contract to four additional tracts. The portions of the original 154-acre area covered by the master agreement and already served are summarized below:

<u>Decision No.</u>	<u>Date</u>	<u>Tract</u>	<u>Acres</u>
52026	10/4/55	Toyon Heights, Unit No. 1	20
52533	1/31/56	Toyon Heights, Unit No. 2	9
53622	8/29/56	Toyon Heights, Unit No. 3	17
63325	2/26/62	Woodridge Acres (Blk. 2 & 3)	9
64088	8/ 7/62	Woodridge Acres (Blk. 1)	<u>10</u>
		Total	65

The actual cost of the facilities provided with applicant's own funds is \$57,441. Contributions of the cost, to date, of other facilities consist of \$28,000 from the school district, \$64,300 from the original subdivider, and \$28,380 from the present subdivider. The approval now requested by applicant would result in an additional contribution of about \$5,500 for facilities to serve Woodridge Acres No. 2, a tract of 10 lots covering about four acres.

The Commission finds that the terms of the agreement proposed herein are not adverse to the public interest and that the resulting deviation from applicant's filed main extension rule is reasonable. The Commission concludes, therefore, that the application should be granted without the customary 20-day delay before making effective the order herein. A public hearing is not necessary.

IT IS ORDERED that:

1. Applicant California Water & Telephone Company is authorized to carry out the terms and conditions of the agreement dated September 23, 1963, a copy of which is attached to the application as Exhibit 1, and to deviate from its filed main extension rule to the extent provided by that agreement.

2. After the effective date of this order and not less than four days before service is first rendered to Woodridge Acres No. 2, Monterey County, applicant shall file revised tariff sheets, including tariff service area maps, to provide for the application of its present tariff schedules to that tract. Such filing shall comply with General Order No. 96-A and the revised tariff sheets shall become effective on the fourth day after the date of filing.

3. Within one hundred eighty days after the effective date of this order, applicant shall file with this Commission a revised summary list of contracts and deviations to include the agreement referred to in paragraph 1 of this order. Such filing shall comply with General Order No. 96-A and the revised list shall become effective on the fourth day after the date of filing.

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

Dated at San Francisco, California, this 17<sup>th</sup> day of DECEMBER, 1963.

Helen M. Smith  
President  
George L. Trover  
Fredrick B. Holoboff  
Commissioners