

ORIGINAL

Decision No. 67217

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of LESSER WATER COMPANY to extend service to contiguous territory, to expand water system, authority to issue stock; request for ex parte.

) Application No. 44989
) (Supplemental)
) (Filed March 12, 1964)

In the Matter of the Application of LESSER WATER COMPANY for authority to extend its water system in the Newbury Park area of Ventura County, California, in the vicinity of North Potrero Road and Borchard Road and in various adjoining or neighboring areas, for a Certificate of Public Convenience and Necessity therefor, and for authority to issue stock.

) Application No. 45421
) (Supplemental)
) (Filed March 12, 1964)

Gibson, Dunn & Crutcher, by Max Eddy Utt,
for applicant.
O'Melveny & Myers, by Donn B. Miller, for
Village Water Company, interested party.
Robert C. Durkin, for the Commission staff.

O P I N I O N

Applicant requests (1) that the certificate of public convenience and necessity, granted by Decision No. 66230, dated October 29, 1963, in the above-entitled applications be made effective forthwith, and it be permitted to file tariffs for service in the areas authorized to be served by such decision, (2) that the existing restriction against extension of its system or the supplying of construction water outside its certificated service area without further order of this Commission be removed.

A public hearing was held before Examiner Rogers in Los Angeles on April 3, 1964, and the matter was submitted.

Applicant's certificate of public convenience and necessity as a water corporation was granted by Decision No. 60519, dated August 2, 1960, in Application No. 41863 by which it was authorized to serve Tract No. 1111, subject to the condition "That applicant shall not, without further order of this Commission, extend its plant or service outside of the certificated service area described herein." The opinion shows that the basis of the restriction was the possibility of an insufficient local water supply.

Thereafter, extensions of the service area were authorized (Tracts Nos. 1112 through 1115, Decision No. 61072, dated November 15, 1960, in Application No. 42597; Commercial Sites I and II and Multi-Housing R-4 (appear to be now designated Tracts Nos. 1311 and 1313), Decision No. 61157, dated December 13, 1960, in Application No. 42597; Tracts Nos. 1116-1 and 1116-2, Decision No. 63849, dated June 26, 1962, in Application No. 43900; and a 12.4-acre parcel containing a nursing home, Decision No. 65191, dated April 9, 1963, in Application No. 45206). In each instance applicant was prohibited against extending the service area without further order of the Commission.

By Decision No. 66230, dated October 29, 1963, in Applications Nos. 44989 and 45421, applicant was authorized to extend service to additional territories in the vicinity of the original service area subject to the restriction against extending service outside the certificated areas without further order of the Commission. In addition, however, applicant was required to

withhold tariff filings for service into such additional certificated areas until it had shown in a supplemental application that it had developed an additional water supply sufficient to serve such areas.

At the hearing herein evidence was presented as to the following matters:

All homes in the original certificated area will be completed by July 19, 1964, and a shopping center has been graded and construction is to start immediately. A portion of the newly certificated service area north of Borchard Road and east of the original service area containing approximately 150 homes is almost ready for occupancy, and the Running Springs area east of the Casa Conejo area, the original service area, is ready for construction. The newly certificated area south of Borchard Road is also ready for construction and water plans have been filed for approval. Most of these areas which applicant is authorized to serve are contiguous to land which is ready for development and is not now served or authorized to be served by any public or private domestic water supplier, and applicant is ready, willing and able to furnish water to such areas.

The Newbury Park lateral of the Calleguas Municipal Water District line has been completed from east of the Running Springs area, applicant's most easterly service area, along Ventura Boulevard to Borchard Road and along Borchard Road to the westerly edge of applicant's service area. This line is a 24-inch line along Ventura Boulevard and a 12-inch line along Borchard Road. Applicant will have 1,000 gallons of water per minute available at a six-inch turnout on Borchard Road, and at the outset it will secure 460 gallons per minute therefrom. Applicant will also have an 8-inch turnout

on Ventura Boulevard near the west end of the Running Springs area from which it may secure 1,900 gallons of water per minute, but will draw 1,500 gallons per minute at the outset of service. The water is presently in the main and is available. Applicant's engineer estimated that the certificated areas will require a total supply of 1,225 gallons per minute; that the present well water supply is 500 gallons per minute and that the supply plus the water available from these two taps, considering a 10,000 acre-foot reservoir now under construction, will be sufficient to provide water for 1,560 acres in addition to the presently certificated areas.

Based upon the record the Commission finds that:

1. Applicant has secured or has the ability to secure a potable water supply which will be sufficient to serve all of its presently certificated areas and an additional 1,560 acres of contiguous territory. Applicant can secure this water from the Newbury Park lateral of the Calleguas Municipal Water District.

2. There is no basis for continuing the restrictions against extending service to contiguous territory or furnishing construction water outside its certificated area without further order of the Commission.

Upon the foregoing findings the Commission concludes that:

1. Paragraph 1 on page 15 of Decision No. 66230, dated October 29, 1963, should be amended to read as set forth in the order herein.

2. Ordering paragraph 2 on page 15 of said Decision No. 66230 should be deleted.

3. Any existing restrictions against extension into contiguous territory should be removed.

O R D E R

IT IS ORDERED that:

1. Paragraph 1 on page 15 of Decision No. 66230 is amended to read as follows:

1. A certificate of public convenience and necessity is granted to Lesser Water Company authorizing it to extend its service area and public utility water system to provide service to those areas described on pages 1, 2 and 3 of Late-Filed Exhibit No. 33; and Areas 4 and 5, as described on pages 6 and 7 of Exhibit B attached to Application No. 45421; and the area referred to in Exhibit B attached to Application No. 44989.

2. Paragraph 2 on page 15 of Decision No. 66230 is deleted.

3. Any restriction against Lesser Water Company extending service to contiguous territory is removed.

4. The limitation of expansion contained in Rule No. 15 A.2.a. of Lesser Water Company shall remain in full force and effect.

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

Dated at San Francisco, California, this 19th day of May, 1964.

William A. Beard
President
George L. Hoover
Frederic B. Hobbs
Commissioners