

Decision No. 67778**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application of  
DYKE WATER COMPANY, a corporation,  
for authorization to increase its  
rates charged for water service.

Application No. 39303

Investigation on the Commission's  
own motion into the rates, rules,  
regulations, contracts, operations  
and practices pertaining to and  
involving water main extensions  
of DYKE WATER COMPANY, a public  
utility water corporation.

Case No. 5841

ORDER MODIFYING DECISION  
NO. 67497 AND DENYING REHEARING

A petition for rehearing having been filed by Dyke Water Company, William M. Lansdale, Arlyne Lansdale and Dyke Lansdale, and the Commission being fully advised,

IT IS HEREBY ORDERED that Paragraph 7D in the Commission's Judgment and Order in Decision No. 67497 is hereby amended to read as follows:

D. For the contempt described in paragraph 5 of this order (Fifth Offense), in addition to the fines imposed in subparagraph B of this paragraph 7 of this order, William M. Lansdale, Arlyne Lansdale and Dyke Lansdale, and each of them, shall be committed, on a day to be fixed by further order of the Commission, to the County Jail of the County of Orange for five (5) consecutive days; provided that if, on or before the 30th day of September 1964, respondents shall have deposited with the Secretary of the Commission the sum of \$266,342 for the purpose of making the refunds contemplated by the Commission's said order of July 25, 1961, then the Commission by further order will rescind the punishment imposed by this subparagraph D of this paragraph 7 of this order. The \$266,342 now held by Farmers & Merchants Bank of Long Beach in the Interim

Rate Trust (pursuant to the Commission's orders in Case No. 7586) may be used to make said deposit with the Secretary of the Commission. Any excess thereof over the exact amount due to be refunded shall be returned to Dyke Water Company by the Secretary of the Commission.

As herein modified, rehearing of Decision No. 67497 is hereby denied.

The effective date of this decision as to each contemner shall be twenty days after personal service thereof upon each such contemner. The Assistant Secretary is directed to cause personal service hereof to be made upon each of said contemners.

Dated at San Francisco, California, this 25<sup>th</sup> day of August, 1964.

Frederick B. Holshoff  
 President

Everett W. Leage

George H. Hoover

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Commissioners

I dissent

Carl E. Zischel

I would grant rehearing for the reasons previously stated in my prior dissenting opinion.

William L. Darnell