

ORIGINALDecision No. 68030

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of CAMPTON HEIGHTS WATER)
 SERVICE, a California corporation,)
 for a certificate to extend its)
 existing service area.)

Application No. 46866
 As Amended
 (Filed August 3, 1964)

Collis P. Mahan, for Campton Heights Water Service,
 applicant.

Arthur C. Fegan, for the Commission staff.

O P I N I O N

This application was heard and submitted before Examiner Gillanders at San Francisco on September 18, 1964. Copies of the application and the notice of hearing thereon were served in accordance with the Commission's procedural rules. There were no protests.

The application, as filed, requested a certificate of public convenience and necessity to enlarge applicant's service area by about 1,950 acres, and it also requested authorization to carry out the terms of a contract to extend service to Redwood Terrace Subdivision and vicinity. Oral amendment was made at the hearing requesting withdrawal of all but approximately ten of the 1,950 acres. The area now requested for certification is the Redwood Terrace Subdivision.

Residents of Redwood Terrace Subdivision are presently receiving free water from the owner of a private water system installed in the subdivision. The record shows that this water system does not provide adequate service.

Twenty-two residents and three owners of vacant lots in Redwood Terrace and two owners of property adjacent to the proposed main extension have entered into a contract with applicant for a main extension to provide water service at the applicant's presently filed rates for metered service. The contract is a deviation from applicant's rules in that it requires the contribution of \$5,749.50 without refund, which amount is the additional cost of the extension in excess of the cost of installation of 50 feet of main for each of 24 service connections. Applicant's vice president testified that it was not willing to make the extension unless the deviation is authorized.

A Commission staff engineer made a field investigation and prepared a report, Exhibit No. 1, containing factual information, conclusions and recommendations.

The Commission finds that:

1. Public convenience and necessity require that the application be granted as requested.
2. Applicant's water system is capable of supplying sufficient quantities of water of adequate pressure to its present customers and to the residents of Redwood Terrace Subdivision and vicinity.
3. The requested deviation from applicant's filed main extension rule appears to be reasonable and not adverse to the public interest.
4. The contribution to applicant by residents of Redwood Terrace and vicinity should be proportionate to the number of persons requesting service.

Based upon the above findings the Commission concludes that applicant should be granted the requested authorization as set forth in the following order. The certificate hereinafter 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.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Campton Heights Water Service, a corporation, authorizing it to serve Redwood Terrace Subdivision, in Humboldt County.
2. Campton Heights Water Service is authorized to deviate from its filed tariff main extension rule to extend facilities to serve Redwood Terrace Subdivision by the collection of a contribution from applicants for service. The total amount which may be collected shall not be in excess of \$5,749.50 and each applicant for service should be required to pay his proportionate share.
3. Service shall be at applicant's effective filed meter rates.
4. After the effective date of this order and not less than five days before service is first furnished to the public under the authority granted herein, applicant shall file with this Commission four copies of a tariff service area map clearly indicating the boundaries of the certificated area to include the Redwood Terrace Subdivision and all other territory now being served. Such filing shall comply with General Order No. 96-A.

5. Within ten days after service is first furnished to the public under the authority granted herein, applicant shall file with this Commission written notice thereof and two copies of a detailed report of the financial arrangements obtained.

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

Dated at San Francisco, California, this 13th day of OCTOBER, 1964.

[Signature]
President
[Signature]
[Signature]

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

I dissent insofar as the decision authorizes deviation from applicant's filed union extension rule which permits contribution without refund.

Fredrick B. Holdcroft