

ORIGINAL

Decision No. 68066

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
DUARTE WATER COMPANY, A CORPORATION,)
and CALIFORNIA WATER & TELEPHONE)
COMPANY, A CORPORATION, for an)
Order authorizing:)

A. Duarte Water Company to sell)
and California Water & Telephone)
Company to buy all of the assets)
of Duarte Water Company; and)

B. Duarte Water Company to withdraw)
from the water utility business;)
and)

C. California Water & Telephone)
Company to engage in and carry on)
the water utility business of)
Duarte Water Company; and)

Application No. 46144

D. California Water & Telephone)
Company to assume obligations of)
Duarte Water Company as a part of)
the purchase price of the assets)
of Duarte Water Company; and)

E. California Water & Telephone)
Company to issue and deliver to)
Duarte Water Company 64,006 shares)
of the \$6.25 par value common stock)
of California Water & Telephone)
Company as a part of the purchase)
price of the assets of Duarte)
Water Company.)

SECOND SUPPLEMENTAL OPINION

By Decision No. 67185, dated May 12, 1964, as modified
by Decision No. 67955, dated October 6, 1964, in this proceeding
after hearing the Commission, among other things, authorized
Duarte Water Company to transfer all of its assets, properties
and business to California Water & Telephone Company (formerly
New California Water & Telephone Company).

Upon disposing of the Petitions for Modification filed in this proceeding on May 28, 1964 and September 17, 1964, the Commission by Ordering Paragraph 6 of the First Supplemental Order in said Decision No. 67955 ordered that such Decision No. 67185 shall remain in full force and effect, except as modified by the First Supplemental Order.

Applicants have reminded us that the second sentence of Ordering Paragraph 14 of the Order in said Decision No. 67185 states "Any authority herein granted and not exercised will expire on September 30, 1964." Although the Petitions for Modification were filed prior to September 30, 1964, the decision thereon was rendered subsequent thereto, and applicants doubt that the above-mentioned Ordering Paragraph 6 of the First Supplemental Order in Decision No. 67955 is sufficient for the purpose of extending said expiration date.

In order to remove all doubt as to whether or not said Decision No. 67185 is in full force and effect, except as modified by said First Supplemental Order, and good cause appearing, we shall rescind the second sentence of said Ordering Paragraph 14 of such decision, and establish an expiration date of December 31, 1964 for all authority granted in this proceeding and not exercised. A further public hearing is not necessary.

SECOND SUPPLEMENTAL ORDER

IT IS ORDERED that:

1. Decision No. 67185, dated May 12, 1964, as modified by Decision No. 67955, dated October 6, 1964, in this proceeding, is further modified by deleting from Ordering Paragraph 14 thereof the sentence reading "Any authority herein granted and not exercised will expire on September 30, 1964."

2. Said Decision No. 67185 shall remain in full force and effect, except as modified by the First and Second Supplemental Orders in this proceeding.

3. The effective date of this Second Supplemental Order is the date hereof. Any authority granted by said Decision No. 67185, as modified, and not exercised will expire on December 31, 1964.

Dated at San Francisco, California,
this 20th day of October, 1964.

Frederick B. Halaloff
President

W. E. [Signature]

Wesley A. [Signature]

George T. Hoover

Commissioners

Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.