

ORIGINAL

Decision No. 69071

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

EQUITY BUILDER HOMES, INC.,
a corporation,

Complainant,

vs.

MEADOWBROOK WATER COMPANY, a
corporation,

Defendant.

Case No. 8137
(Filed March 2, 1965;
Answered April 7, 1965)

Jay Raymond Levinson, for complainant.
Parks and Nelson by John R. Parks, for
defendant.

O P I N I O N

Complainant, pursuant to contract, is constructing a dwelling on Lot 5, Tract 3222 (sic),¹ Meadowbrook Woods, a subdivision in San Bernardino County, for Frank Lucas of Los Angeles and alleges that defendant, although requested, on February 19, 1965, to furnish water service to said lot, has refused such service pending settlement of a damage claim of \$960.20 against one of complainant's subcontractors for breaking a water pipeline while engaged in grading the lot. An order directing defendant to supply water service to the dwelling is sought.

Public hearing was held before Examiner Warner on April 14, 1965, at Los Angeles.

In its answer, defendant denied all allegations of the complaint; alleged that complainant is not a proper party in interest;

¹ Defendant's counsel stated this should properly be Tract No. 3224.

and requested that the relief sought in the complaint be denied. Motion to dismiss the complaint on the same grounds set forth in the answer was made by defendant at the hearing.

Stipulation was entered on the record at the hearing that, since the filing of the complaint, the water service requested has been and is being furnished by defendant to the Lucas property.

The Commission finds that the matter complained of has been satisfied and concludes that the complaint should be dismissed.

ORDER

IT IS ORDERED that complaint Case No. 8137 is dismissed.

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

Dated at Los Angeles, California, this 18th day of May, 1965.

Frederick B. Hallock President
Arthur E. Mitchell
George H. Brown
Reginald
 Commissioners

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