

Decision No. 69342

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application)
of Rosa Water Company, a California)
corporation, for an order authorizing)
the sale of a portion of its opera-)
ting water system in Tapo Canyon and)
abandon service in said area.)

Application No. 46664

OPINION AND ORDER

Decision No. 68250, dated November 24, 1964, authorizes Rosa Water Company (Rosa) to transfer a portion of its water system in Simi Valley, Ventura County, to Tapo Mutual Water Company (Tapo), essentially in accordance with the terms and conditions of the agreement, Exhibit B, attached to the application. The decision provides that the effective date thereof shall be established by supplemental order after Tapo shall have filed a stipulation regarding specific matters set forth in paragraph 2 of the order.

On November 30, 1964, Southern California Water Company (Southern) acquired all of the issued and outstanding common stock of Rosa, as authorized by Decision No. 68145 dated November 2, 1964, in Application No. 47036. On December 16, 1964, Rosa was dissolved and its assets transferred to Southern, as authorized by Decision No. 68334, dated December 15, 1964, in Application No. 47131.

Southern, as successor in interest to Rosa, desires to carry out the terms of the settlement agreement with Tapo. However, since Tapo failed to provide the stipulation required by Decision No. 68250 during 1964, Southern and Tapo found it necessary to modify the settlement agreement. The modifications to the agreement, Exhibit B to Southern's petition, filed May 11, 1965, for modification of Decision No. 68250, provide that:

- (1) The five-year period during which Tapo will be obligated to furnish water to Southern will run from 1965 through 1969 instead of from 1964 through 1968.
- (2) Southern will be substituted for Rosa throughout the agreement.
- (3) In all other respects, the former proposed settlement agreement between Tapo and Rosa will remain unchanged.

On June 4, 1965, Tapo filed in this proceeding the stipulation required by Decision No. 68250.

The Commission finds that:

- 1. Southern is successor in interest to Rosa.
- 2. The changes in the settlement agreement proposed by Southern and Tapo are not adverse to the public interest.

The Commission concludes that Decision No. 68250 should be modified as requested by Southern and Tapo.

IT IS ORDERED that:

1. The order in Decision No. 68250, as modified herein, shall apply to Southern California Water Company (Southern) in lieu of Southern's predecessor, Rosa Water Company (Rosa).

2. The agreement attached to Application No. 46664 as Exhibit B may be modified on the terms set forth in the letter dated April 5, 1965 attached to Southern's petition for modification of Decision No. 68250.

The effective date of the order in Decision No. 68250, as modified herein, shall be the date hereof.

Dated at San Francisco, California, this 29th day of JUNE, 1965.

Fredrick B. Hallock
President

Augustin

George G. Dwyer

[Signature]