

ORIGINALDecision No. 70196

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of JOHN PESTANA, an individual and sole proprietor, for a certificate of public convenience and necessity to operate a Public Utility Water System, to be known as the JOHN PESTANA WATER COMPANY, and to establish metered rates for water service in a portion of the unincorporated area of the County of Santa Cruz and in Tract 230, Santa Cruz Gardens, Santa Cruz County, State of California, pursuant to the provisions of the Public Utilities Code of the State of California.

Application No. 42652

THIRD SUPPLEMENTAL OPINION AND ORDER

John Pestana (hereinafter referred to as Pestana) operates a public utility water system near Santa Cruz. He seeks herein authority to extend his service area.

On March 21, 1961, this Commission, in Decision No. 61714, granted Pestana a certificate of public convenience and necessity to construct and operate a public utility water system in a portion of Tract 230, Santa Cruz County. That decision provided that Pestana could not extend his service area without first securing authority from this Commission. Pestana was given authority to serve the remainder of Tract 230 in Decision No. 63203 and to serve Tract 323, Santa Cruz County in Decision No. 63767. Pestana seeks herein modification of Decision No. 61714 to provide authority to serve Tract 438, Santa Cruz County.

The verified petition avers that Tract 438 is contiguous to Tract 323; that since Decision No. 61714 was entered, three additional wells, two additional ground-level storage tanks, an

additional pressure tank and an additional booster pump have been added to Pestana's water system; and that the system presently has a proven well production of 285 g.p.m. ground-level storage capacity of 260,000 gallons and pressure tank storage of approximately 6,500 gallons. The petition further indicates that there are 108 lots in Tract 230, 85 lots in Tract 323 and 71 lots in Tract 438; that there are presently 150 customers in Tracts 230 and 323; that 24 additional customers were anticipated in Tracts 230 and 323; that if all the lots in Tract 438 were developed there would be 245 customers in the three tracts; that if all the lots in the three tracts were developed there would be 264 customers; and that Pestana presently has a water supply sufficient to serve all three tracts. Pestana proposes to apply to Tract 438 the same rates presently in effect in Tracts 230 and 323.

The Commission staff made a field investigation in connection with this petition. The report prepared by the staff is hereby designated and received as Exhibit 1 in this proceeding. The report verifies substantially all of the allegations in the petition.

The Commission makes the following findings and conclusion:

Findings of Fact

1. A public hearing is not necessary in this matter.
2. Public convenience and necessity require that Pestana be authorized to extend his public utility water system to serve Tract 438, Santa Cruz County.

Conclusion of Law

This petition for modification should be granted as hereinafter provided.

IT IS ORDERED that:

1. Ordering paragraph 7 of Decision No. 61714, dated March 21, 1961, in Application No. 42652, is modified to the extent of permitting petitioner to furnish water service to Tract No. 438, Santa Cruz County.

2. After the effective date of this order, petitioner is authorized to file revised tariff sheets, including a tariff service area map to provide for the application of his present tariff schedules to the area herein authorized to be served. Such filing shall comply with General Order No. 96-A. The effective date of the revised tariff sheet shall be the fourth day after the date of filing.

3. Petitioner shall prepare and keep current the system map required by Paragraph I.10.a of General Order No. 103. Within thirty days after the water system is placed in operation under the authority granted herein, petitioner shall file with the Commission two copies of such map.

4. Within ten days after the date service is first furnished to the public under authority granted herein, petitioner shall submit written notice thereof to this Commission.

5. The authority granted herein shall expire unless the designated tariff sheets are filed within one year after the effective date of this order. Except as modified by this order,

the service area restriction contained in ordering paragraph 7 of Decision No. 61714 shall remain in full force and effect.

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

Dated at San Francisco, California, this 17 day of JANUARY, 1966.

Frederick B. Holbrook
President

John E. Hutchins

George W. Hoover

Augustin

William M. Bennett
Commissioners