

ORIGINAL

Decision No. 70344

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application
of CAMINO WATER COMPANY to
extend service to contiguous
territory, and request for
ex parte proceeding. }

Application No. 47673
(Filed June 17, 1965)

Robert B. Maxwell, for applicant.
Earl R. Bennett, for the City of
Camarillo, protestant.
Jerry J. Levander, for the Com-
mission staff.

O P I N I O N

Camino Water Company seeks authority to extend its public utility water system in unincorporated territory of Ventura County in Areas I, II and III, containing a total of 73 acres on the north side of Las Posas Road outside the limits of the City of Camarillo. Such areas are designated on the map, Exhibit "A", attached to the application. Except for the restrictions imposed by Decision No. 62219, dated June 27, 1961, and Decision No. 62706, dated October 20, 1961, and again by Decision No. 66212, dated October 22, 1963, applicant could make the requested extensions without Commission approval under Section 1001 of the Public Utilities Code. Said latter decision also ordered applicant to install a minimum capacity 200,000 gallons gravity storage facility on or before January 1, 1966, or when the number of active customers reaches 700, whichever occurs

first. It is pursuant to said order that the instant application has been filed.

On August 20, 1965, the City of Camarillo filed a request for hearing pursuant to Public Utilities Code Section 1005 and submitted that it was entitled to be heard by reason of the fact that applicant's service area is located almost entirely within the City's boundaries; the City intends to acquire applicant as part of its municipal water system, either by purchase or by eminent domain proceedings; and efforts to expand applicant's operations should be held in abeyance pending negotiations or condemnation proceedings so as not to increase the burden upon the City's taxpayers in financing the acquisition.

Public hearing was held before Examiner Warner on November 9, 1965, at Camarillo. The protestant City requested that the issuance of a decision herein be held in abeyance for at least six months to allow it to acquire applicant's water system.

Exhibit No. 6 is a copy of an agreement, dated June 1, 1965, between applicant and the owner of Areas I, II and III providing for the purchase of a reservoir site at an elevation of 395 feet, consisting of 1.556 acres for the sum of \$17,116 and for the further consideration that applicant secure certification by this Commission to serve the areas. The agreement may be terminated upon written agreement by either party within six months if certification has not then been obtained. Capacity of the proposed reservoir will be 1.5 million gallons.

Exhibit No. 1 is a map which shows applicant's certificated boundaries outlined in yellow, the boundaries of Ventura County Water Works District No. 5 as of January 11, 1965 (now part of the City of Camarillo) outlined in green, and the areas sought to be served herein outlined in red.

Exhibit No. 2 is a copy of the City's Resolution No. 111, adopted September 22, 1965, finding and determining that the public interest, convenience, and necessity require the acquisition of applicant's water system properties by the City. The resolution covers the acquisition of all of applicant's properties, both within and without the City. Exhibit No. 4 is a copy of the City's Resolution No. 130, dated October 27, 1965, declaring City's intention to condemn applicant's properties. The record shows that City and applicant have employed experts to appraise applicant's properties and to advise them legally, and initial discussions regarding price and terms were scheduled for November 15, 1965.

All of applicant's water system is within the boundaries of Calleguas Municipal Water District, a member agency of the Metropolitan Water District of Southern California, which delivers MWD water to Ventura County. Applicant has arranged for two water delivery connections with Calleguas and the proposed reservoir could be supplied therefrom.

Exhibit No. 3 is a schematic diagram of the City's water system which was formerly Ventura County Water Works District No. 5 and acquired during 1965 by the City. Said exhibit shows the location of a 1,000,000-gallon storage reservoir

on City property and the record shows that the City could add another reservoir on that site, but in order to utilize Calleguas District water and deliver it into applicant's system, should City acquire applicant's system, an additional pipeline costing at least \$15,000 would be required to be installed and water from that reservoir might not be deliverable at adequate pressure at higher elevations in Area I without the installation of booster pumps. The record shows that no hydrological study has been made by the City, but applicant's consulting engineering witness testified that applicant's proposed reservoir could be fully and economically utilized by the City if acquisition is eventually effected.

Exhibit No. 5 is a report on the results of an investigation of the application submitted by a Commission staff engineer. Among other things, said exhibit shows that: applicant is furnishing water service to approximately 1,100 customers, at ultimate development of its existing service area it will serve approximately 3,600 customers, the requested areas will ultimately be subdivided into approximately 175 single family lots. Also it contains a recommendation that if the application is granted, the present restrictions be retained.

The Commission finds that:

1. Camino Water Company has, heretofore, by Decision No. 66212, been ordered to increase its water storage capacity by at least 200,000 gallons on or before January 1, 1966. Pursuant to said order, the instant application has been filed and the agreement, Exhibit No. 6, has been executed.

2. Condemnation proceedings have been authorized, but not instituted, by the City of Camarillo to acquire all of applicant's water system, both within and without the City, and appraisals and negotiations have commenced and are in preliminary stages.

3. The present owner of applicant's proposed reservoir site, as a condition to selling the site to applicant, has requested water service to all of his properties, and there is a public demand for water service.

4. No prejudice or disadvantage, either to the City's bargaining position or to the condemnation proceedings, which might result from the granting of this application, are shown on this record.

5. Public convenience and necessity require that Camino Water Company be authorized to extend its service as provided in the order herein.

6. The staff recommendations contained in Exhibit No. 5 are reasonable.

O R D E R

IT IS ORDERED that:

1. The restrictions against Camino Water Company extending its water system without further order of the Commission, imposed by Decision No. 66212, are removed to the extent that applicant may extend its water system to and construct and operate a public utility water system in Areas I, II, and III as shown on the map, Exhibit A, attached to the application.

2. Within one year 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 in paragraph 1, applicant

may file revised tariff service area maps to provide for the application of its present tariff schedules to the area authorized to be served herein. Such filing shall comply with General Order No. 96-A and the tariff sheets shall become effective on the fourth day after the date of filing. The authority herein granted shall expire unless the designated tariff sheets are filed within one year after the effective date of this order.

3. Applicant shall prepare and keep current the system map required by paragraph I.10.a of General Order No. 103. Within sixty days after the water system is placed in operation under the authority granted herein, applicant shall file with this Commission two copies of the map.

4. Except for the authorization herein granted, the restrictions against extension of service imposed by the orders in Decisions Nos. 62219, 62706 and 66212 shall remain in full force and effect.

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

Dated at San Francisco, California, this 15 day of FEBRUARY, 1966.

Fredrick B. Holloff
President

George T. Traver

Raymond

St. Bernard

Commissioners

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.