

ORIGINAL

Decision No. 70446

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the petition of
DENAIR COMMUNITY SERVICES DISTRICT
to fix the just Compensation for
the Acquisition of the Denair
Water Works, a Public Utility.

Application No. 48122

Robert R. Coffin, Jr., for Denair Community
Services District, petitioner.
W. C. Cullens, for Denair Water Works,
respondent.
Gustave B. Weck, for the Commission staff.

INTERIM OPINION

Denair Community Services District, by a petition of the first class (Public Utilities Code, Secs. 1401-1421), filed December 14, 1965, requests that the Commission fix the just compensation to be paid by petitioner for the lands, property and rights, described generally in the petition, of William Hammond and Della Hammond, his wife, operating as the Denair Water Works, a public utility located at Denair, Stanislaus County, California.

Petitioner alleges that it is its intention to acquire under eminent domain proceedings, or otherwise, all the domestic water system, including the lands, property and rights of any character whatsoever, of the Denair Water Works.

The Commission, on January 18, 1966, issued its order directing that the Denair Water Works appear and show cause, if any it had, why the Commission should not proceed to hear the petition and fix such just compensation. A hearing on such order was held at Denair on February 10, 1966, before Examiner Gregory. The order was

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submitted without objection to the assumption of jurisdiction by the Commission and its fixing of the just compensation to be paid for the sought properties.

The record shows that all procedural requirements provided by Sections 1406 and 1408 of the Public Utilities Code were completed prior to the return date of the order to show cause.

Accordingly, the Commission will take jurisdiction of this proceeding and, after further proceedings duly had, will fix the just compensation to be paid for the sought properties.

An order is not necessary at this time.

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

Frederick B. Holhoff
President
Arthur E. Mitchell
George J. Hoover
Augustus
William L. Bennett
Commissioners