

**ORIGINAL**

Decision No. 70704

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the application of THE SHASTA BELLE WATER CORPORATION, a California Corporation, for a certificate of public convenience and necessity to construct, install, operate, maintain and use wells and a water system on Shasta Belle Sub-division near Yreka, California.

Application No. 48342  
(Filed March 25, 1966)

ORDER OF DISMISSAL

This is an application for a certificate of public convenience and necessity to construct and operate a public utility water system.

The application alleges that the officers of The Shasta Belle Water Corporation are subdividing certain real property which the applicant will supply with water. It is further alleged that the applicant will be a non-profit corporation and that each purchaser of a lot in the Shasta Belle Subdivision will also receive a share in the water company.

The Commission has considered the application and finds that The Shasta Belle Water Corporation is a mutual water company under the following provisions of Section 2705 of the Public Utilities Code and is therefore not subject to regulation by this Commission:

"2705. Any corporation or association which is organized for the purposes of delivering water to its stockholders or members at cost, - - - and which delivers water to no one except its stockholders or members, - - at cost, is not a public utility, and is not subject to the jurisdiction, control or regulation of the Commission. - -"

We conclude therefore that the application should be dismissed. A public hearing is not necessary.

IT IS ORDERED that Application No. 48342 is hereby dismissed for lack of jurisdiction.

This order shall become effective twenty days after the date hereof.

Dated at San Francisco, California, this 17<sup>th</sup> day of MAY 1, 1966.

Friedrich B. Halbach  
President  
John E. Mitchell  
George G. Trover  
Augusta  
William W. Baird  
Commissioners