

ORIGINAL

Decision No. 70871

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Ex-Parte Application of 1001 UTILITY COMPANY, INC., a California corporation, for a certificate of Public Convenience and necessity, to establish rates for water service, and for a permit to issue shares of its common stock.

Application No. 48173
(Filed January 10, 1966)

Redwine and Sherrill, by Maurice C. Sherrill, for applicant.
Donald D. Stark, for Alexander, et al;
Robert O. Hunter, for Jurupa Hills Water Company; and Richard A. Fitzgerald, for Jurupa Community Services District, protestants.
Edward C. Crawford and Jerry J. Levander, for the Commission staff.

O P I N I O N

Applicant requests a certificate of public convenience and necessity to acquire, construct, and operate a public utility water system in a proposed service area known as the 1,001 Ranch in Riverside County, California; authority to establish rates; and authority to issue stock.

Public hearings on the application were held in Riverside on April 8 and on May 2, 1966, before Examiner Rogers, at the conclusion of which the matter was argued and submitted. At the time of the filing of the application, the applicant had hired a civil engineer. Between the first and second hearings, the applicant changed engineers. Neither engineer testified at either hearing and evidence in support of the application was presented by

Mr. Harold W. Heers, Sr., the president of the corporation. He is neither an engineer nor an accountant. The application was opposed by a group of individuals on behalf of overlying landowners within the Jurupa Basin, the Jurupa Community Services District, and Jurupa Hills Water Company.

No substantive evidence was presented by the applicant relative to water availability and at each day of hearing the protestants moved to dismiss the application on the ground that the applicant had failed to produce such evidence in support of the application.

The staff presented Exhibit No. 4 showing a water supply equivalent to approximately 400 gallons per minute. This report was based, however, on a report by the applicant that it had approximately 400 gallons of water per minute available from wells in the area. The Jurupa Community Services District was not providing water service at the time of the first day of hearing, but at the time of the second day of hearing had acquired three water companies and was providing water service in the area which the District was formed to serve which is contiguous on the north and west of the applicant's proposed service area. This protestant presented evidence to show that applicant's wells are supplied by seepage from a golf course using irrigation water imported from another basin, an irrigation line and seepage from a reservoir and that there is very limited and unreliable natural ground water available to supply the applicant's wells. This protestant's witness testified that the District is able to extend its service area to include the existing built up subdivisions of the applicant. The attorney for the District stated that if the application is denied,

it will immediately undertake, upon application, the necessary legal steps to extend the District's boundaries to include applicant's existing built up subdivisions.

Upon the evidence of record, the Commission finds that applicant has failed to show it has a firm supply of water with which to provide domestic water for the existing and proposed tracts and concludes that the application should be denied.

ORDER

IT IS ORDERED that Application No. 48173 is denied.

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

Dated at San Francisco, California, this 21st day of JUNE, 1966.

Frederick B. Helms
President

John R. [unclear]
Negotiator

William L. [unclear]
Commissioners

Commissioner George G. Grover
present but not voting.