

ORIGINAL

Decision No. 71631

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COUNTY OF SANTA CRUZ, a  
political subdivision of  
the State of California,

Complainant,

vs.

EARL A. LaPORTE, dba REDWOOD  
LODGE WATER SYSTEM, EDWARD  
REAGER, WILLIAM REAGER, and  
DOE ONE through DOE ONE  
HUNDRED, inclusive.

Defendants.

Case No. 8528  
(Filed September 16, 1966)

ORDER STRIKING IRRELEVANT ALLEGATIONS  
AND DISMISSING THE COMPLAINT AS TO  
CERTAIN DEFENDANTS

County of Santa Cruz's (County) complaint alleges, among other things, that defendants Edward Reager, William Reager, and other unknown persons, are interrupting service to the customers of the Redwood Lodge Water System, a public utility water corporation, owned by defendant Earl J. LaPorte. The County requests the Commission to (1) order Earl J. LaPorte to immediately restore adequate service to his customers and comply with General Order No. 103, and (2) restrain defendants Edward Reager, William Reager, and Doe One through Doe One Hundred from interfering in any way with the production or distribution of water by the Redwood Lodge Water System.

The authority to restrain persons who are not public utilities or agents or employees of public utilities from interfering with public utility operations has been vested in jurisdictions

other than this Commission. The complainant does not allege facts bringing any defendant, other than Earl A. LaPorte, within our jurisdiction.

Therefore, good cause appearing, and pursuant to Rule 12 of the Commission's Rules of Procedure, the following irrelevant allegations of the complaint are stricken:

X

"That defendants Edward Reager, William Reager, and Doe One through Doe One Hundred, or any of them, have willfully and deliberately interrupted service to the customers of the Redwood Lodge Water System by removing a large section of the main transmission line and thereby preventing the service of water through said transmission line to the customers of the Redwood Lodge Water System, on the alleged ground that said transmission line does not enjoy an easement across, over, and through their property.

XI

"That defendants Edward Reager, William Reager, and Doe One through Doe One Hundred, or any of them, had knowledge prior to removing said section of the transmission line that the transmission line removed was a portion of the Redwood Lodge Water System and that the Redwood Lodge Water System was under the jurisdiction and control of the Public Utilities Code of the State of California.

XII

"That defendants Edward Reager, William Reager, and Doe One through Doe One Hundred, or any of them, have stated that they will forcibly remove any reconnection of the main transmission line which traverses their property.

XIII

"That the customers of the Redwood Lodge Water System are presently being served intermittently by a plastic water pipe which has been laid around the property of the defendants Edward Reager, William Reager, and Doe One through Doe One Hundred, or any of them, who have threatened to remove any reconnection of the transmission line.

(PRAYER)

"3. Restraining defendants Edward Reager, William Reager, and Doe One through Doe One Hundred from interfering in any way with the production or distribution of water by the Redwood Lodge Water System."

O R D E R

The complaint is dismissed as to Edward Reager, William Reager, and Doe One through Doe One Hundred, inclusive.

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

Dated at San Francisco, California, this 29<sup>th</sup> day of NOVEMBER, 1966.

\_\_\_\_\_  
President

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

Frederick W. Holst  
\_\_\_\_\_  
William L. Brown  
\_\_\_\_\_

Commissioner George G. Grover did not participate in the disposition of this proceeding.

Reager  
\_\_\_\_\_  
Commissioners