

ORIGINALDecision No. 71713

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

The Application of Cal-Oaks Water Company, a California corporation, (1) for a certificate of public convenience and necessity to construct and operate a Public Utility Water System in Monterey County, (2) for authorization to issue securities, and (3) to establish rates for service.

Application No. 48410

SUPPLEMENTAL OPINION AND ORDER

Decision No. 71502, dated November 1, 1966, granted all but the portion of this application in which a certificate was requested to exercise a county franchise. The decision provided for the filing, as Exhibit No. 2 herein, of a copy of the franchise. That exhibit has now been received.

Exhibit No. 2 shows that Ordinance No. 1486, adopted by the County of Monterey on July 19, 1966, granted applicant a 50-year nonexclusive franchise to install, maintain, replace and use underground pipelines in public highways, roads, streets and ways within the unincorporated territory of the county. The franchise requires applicant to pay to the county annually a fee equal to two percent of applicant's gross revenue arising from the exercise of the franchise, except that no fee is payable for the first five years.

The Commission finds that public convenience and necessity require the exercise by applicant of the subject county franchise, and concludes that the authority therefor should be granted. A public hearing is not necessary.

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to applicant Cal-Oaks Water Company, a corporation, authorizing it to exercise the rights and privileges of the franchise granted by Ordinance No. 1486, adopted July 19, 1966, by the Board of Supervisors of the County of Monterey.

2. Applicant shall not exercise its franchise except for the purpose of supplying water within (a) the area certificated to applicant by Decision No. 71502 herein, (b) areas contiguous thereto into which applicant may extend in the ordinary course of business as contemplated by Section 1001 of the Public Utilities Code, and (c) any additional certificated areas which the Commission grants in the future.

3. If in any future proceeding the authority granted herein is found to be too broad, the Commission may revoke that authority as to any territory outside of applicant's then certificated areas and not theretofore served by applicant.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 20th day of DECEMBER, 1966

[Signature]
President
[Signature]
[Signature]
Commissioners

Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner George G. Grover, being necessarily absent, did not participate in the disposition of this proceeding.