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Decision No. 73177 ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation on the Commission's own motion into the reasonableness of Water Main Extension Rules presently effective for water utilities throughout the State, and the development of such revised extension rule as appears reasonable.

Case No. 5501
(Reopened August 24, 1965)

SECOND PRELIMINARY OPINION AND ORDER

California Water Association, which includes 34 water utilities under the jurisdiction of this Commission, asks that the scope of this reopened proceeding be broadened to include a review of all provisions of the water main extension rule and of all issues arising out of their application.

The order reopening this proceeding, and a subsequent preliminary order, defined and limited the issues upon which evidence is to be taken. It was intended that valuable time not be consumed in hearing evidence on matters which have little, if any, bearing on the issues which the Commission must decide. Irrelevant testimony, though briefly presented, might prompt parties to present rebuttal or explanation at length, causing an unprofitable expenditure of hearing time. Broad latitude was thus denied the parties.

So as not arbitrarily to limit the scope of this proceeding, parties who wished the proceeding to be discontinued or broadened were afforded an opportunity to present support for their positions in the form of petitions filed on or before May 31, 1966, and to file answers or concurring pleadings before July 31, 1966. Such pleadings have been filed. After receipt of those petitions, the

scope of the proceeding was enlarged somewhat. We recognize, however, that if changes in the rule result from the reopened proceeding, over 500 water utilities will be required to file the revised rule. There is merit to considering other appropriate changes which might efficiently be made at the same time, provided such consideration does not delay unreasonably the determination of the original issues. The order which follows should achieve this.

The Commission finds that it is appropriate to consider specific proposed changes in the present water main extension rule which are outside of the present scope of this reopened proceeding, provided the parties recommending changes comply with the requirements of the order which follows. The Commission concludes that this proceeding will not be unduly prolonged by this procedure.

IT IS ORDERED that, in addition to the limited purpose of reopened Case No. 5501, as set forth in Decision No. 72215, dated March 28, 1967, the Commission will receive evidence in this proceeding for or against any other specific change in the present rule which a party may suggest, provided:

(a) Such suggested change or changes be filed with this Commission in writing before January 1, 1968, with the required number of copies and with supporting arguments and/or exhibits.

(b) At least ten days prior to the filing required in (a) above, copies of said filing be served on each appearance in the reopened proceeding.

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

Dated at San Francisco, California, this 10th day of OCTOBER, 1967.

President

Commissioners