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ORIGINAL

Decision No. 73965

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

NEWMAN-GUSTINE JOINT UNIFIED)
SCHOOL DISTRICT,)

Complainant,)

vs.)

CROWS LANDING WATER COMPANY,)
INC.,)

Defendant.)

Case No. 8646

Willard Treadwell, for Newman-Gustine Joint Unified
School District, complainant.

Lawrence D. Walther, for Crows Landing Water Company,
Inc., defendant.

Clyde F. Norris, for Commission staff.

O P I N I O N

This is a complaint by the Newman-Gustine Joint Unified School District against the Crows Landing Water Company, Inc. The complaint arises from the threat of the defendant Crows Landing Water Company, Inc. to disconnect water services to the Bonita School in the complainant school district because of a dispute over past charges for water service, present rates and whether meters should be installed.

A duly noticed public hearing was held in this matter by Examiner Jarvis on February 14, 1968 at Newman. At the hearing it appeared that there was uncertainty over the past bills for water services because defendant's records were not complete. It also appeared that each of the parties would incur additional expenses if properly operating meters were installed. During the hearing the parties indicated that the controversy might be resolved by their entering into an appropriate agreement as provided for in Section

10-B of General Order No. 96-A. Examiner Jarvis received evidence dealing with the controversy. However, he ordered the matter submitted subject to the filing of a late filed exhibit within 30 days. The exhibit was to be either an agreement as heretofore indicated or a declaration by the parties that they were unable to come to an agreement.

On March 5, 1968 the parties filed with the Commission late filed Exhibit No. 1 which is an agreement between the parties providing for a settlement of the dispute. The agreement establishes a flat monthly rate of \$65 and applies that rate to the disputed past charges. Evidence adduced at the hearing indicates that the agreed upon monthly rate is reasonable. In the circumstances none of the points raised by the parties requires discussion. The Commission makes the following finding and conclusion.

Finding of Fact

The agreement dated March 1, 1968 between the Newman-Gustine Joint Unified School District and the Crows Landing Water Company, Inc., which has been received in this proceeding as late filed Exhibit No. 1, is reasonable.

Conclusion of Law

The Crows Landing Water Company, Inc. should be authorized to depart from the terms of its filed tariff schedules to provide water service to the Newman-Gustine Joint Unified School District in accordance with the provisions in the agreement between the parties contained in late filed Exhibit No. 1.

O R D E R

IT IS ORDERED that the Crows Landing Water Company, Inc. is authorized to carry out the terms and provisions of the agreement between it and the Newman-Gustine Joint Unified School District, which agreement is designated as late filed Exhibit No. 1 and by this reference made a part hereof. The rate provided for in said agreement shall remain in effect until further order of this Commission.

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

Dated at San Francisco, California, this 9th day of APRIL, 1968.

Robert E. Mitchell
President
William W. Bennett
Augusta
William Sproule, Jr.
Shel P. Monsey
Commissioners