

ORIGINAL

Decision No. 75058

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's
 own motion into the rates, rules,
 operations, service, facilities,
 equipment, contracts, and practices
 of RAYMOND F. POSCIC, an individual
 holder of California Water Board
 License No. 2630, providing water
 service as WESTHAVEN WATER WORKS, or
 WESTHAVEN WATER DISTRICT, and MRS.
 DARIEL N. RAGON, Administratrix with
 Will Annexed of the Estate of Donald
 Lavaff Townsend, and GUARDIAN
 ASSURANCE CO., LTD., Executor of the
 Estate of Donald Lavaff Townsend.

Case No. 8672
 (Filed August 15, 1967)

WESTHAVEN WATER CONSUMERS,
 Complainant,
 vs.
 RAYMOND F. POSCIC,
 Defendant.

Case No. 8655
 (Filed July 17, 1967)

ORDER OF DISMISSAL

The pleadings in the above proceedings raise issues concerning adequacy and continuity of water service in the Westhaven District, Humboldt County, ownership of the water properties and the jurisdiction of this Commission to hear and determine the controversy.

A petition filed October 14, 1968 by three individuals, two of whom are complainants in Case No. 8655, states that the matters complained of have been resolved by formation of a mutual water company and that the system and real property involved therein have been acquired by the mutual company. The petitioners request dismissal of the complaint.

The staff, after investigation of the matter and being of the opinion that the complaint has been satisfied by the actions of the complainants and the owners of the property involved and that no present need exists for further Commission investigation, on November 1, 1968 duly served and filed a motion requesting that the investigation instituted in Case No. 8672 be discontinued, that the temporary restraining order issued in Case No. 8672 be revoked, and that Case No. 8655 be dismissed. The motion also gives notice that objections in writing thereto may be made by any party within ten days of service of said motion. No objection has been received.

The petition and motion should be granted.

Therefore, IT IS ORDERED that:

1. The investigation instituted in Case No. 8672 is discontinued and the temporary restraining order issued August 15, 1967 in said investigation is revoked.

2. The complaint in Case No. 8655 is dismissed.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 10th day of DECEMBER, 1968.

William Synovis, Jr.
President

Augustan
Fred P. Morassey
Commissioners

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