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ORIGINAL

Decision No. 76966

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Arthur T. Beckett,

Complainant,

vs.

Solemint Water Company,

Defendant.

Case No. 8994

(Filed November 6, 1969)

OPINION AND ORDER

Complainant, Arthur T. Beckett, an individual, and holder of a water main extension agreement pursuant to Rule No. 15 with the defendant, Solemint Water Company, a public utility water corporation under the jurisdiction of this Commission, alleges that the annual refunds due him have not been paid for the year 1967 due April 30, 1968, or any thereafter, and he requests an order requiring defendant to make the payments due him, plus interest at the rate of 8 percent per annum from April 30, 1968.

Defendant's attorney has submitted a letter, dated February 24, 1970, which is received as Exhibit No. 1, which states that the unpaid 1967 refunds, payable on April 30, 1968, amounted to \$2,792.09, and the unpaid 1968 refunds, payable April 30, 1969, amounted to \$2,863.19. The refunds accrued during the calendar year 1969 are not yet payable.

By the statements in Exhibit No. 1, defendant consents to an order of the Commission directing the payment of the 1967 refunds on or before sixty days, and consents to an order for the payment of the 1968 refunds on or before one hundred twenty days after the effective date of the Commission's decision and order.

Although there is no stipulation as to interest due, the Commission finds that, since defendant has enjoyed the use of complainant's money during the delinquent periods, the request for interest is reasonable. Interest at the legal rate of 7 percent will be ordered.

The Commission further finds that public hearing is not necessary, and finds that the relief prayed for and defendant's offers of consent are also reasonable. Therefore,

IT IS ORDERED that Solemint Water Company shall, on or before sixty days after the effective date hereof, pay Arthur T. Beckett the sum of \$2,792.09, plus interest at the rate of 7 percent per annum to the date of payment for refunds accrued on water main extension agreements executed pursuant to Rule No. 15 covering Tract No. 28076 in Los Angeles County, said interest to be calculated as accruing from April 30, 1968, and Solemint Water Company shall, on or before one hundred twenty days after the effective date hereof, pay Arthur T. Beckett the sum of \$2,863.19, plus interest at the rate of 7 percent per annum to the date of payment for refunds accrued on water main extension agreements executed pursuant to Rule No. 15 covering

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Tract No. 28076 in Los Angeles County, said interest to be calculated as accruing from April 30, 1969.

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

Dated at San Francisco, California,
this 24th day of MARCH, 1970.

William J. Lyons, Jr.
President

[Signature]

[Signature]

Vernon L. Sturges
Commissioners

Commissioner A. W. Gatov, being necessarily absent, did not participate in the disposition of this proceeding.