

ORIGINAL

Decision No. 77420

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of CONFIDENCE DEVELOPMENT CORPO-
RATION to extend service to a
contiguous area, and for authority
to deviate from filed main extension
rule.

Application No. 51062
(Filed May 8, 1969;
1st Amendment Filed 6/4/69;
2nd Amendment Filed 1/30/70)

O P I N I O N

This application by Confidence Development Corporation requests authorization to extend water service to two units of a subdivision presently under development in an area immediately adjacent^{1/} to its present service area. The application also requests authority to deviate from the utility's filed extension rule to the extent necessary to allow Advances for Construction contract balances to exceed 50 percent of total capital and authority to issue stock. The results of a staff review of the application, filed May 8, 1969, amendments to the application filed on June 4, 1969 and January 30, 1970, and a field investigation made in July 1969 and February 1970 in connection therewith were furnished to applicant. Applicant has not challenged this report and it is incorporated into the record as Exhibit 1.

The application shows that assessment bonds were to be used to finance all of the water system improvements. The second amendment shows the change to equity and main extension financing. The

^{1/} Ordering paragraph 2 of Decision No. 67908 in Application No. 45533 requires applicant to obtain specific authorization for any extension.

staff report shows that the county refuses to accept final maps pending consummation of financial arrangements to develop the subdivision and the posting of bonds to insure completion of improvements. Until plans for the subdivision are approved, we cannot determine what applicant's service area will be.

As there appears to be no immediate prospect or ultimate assurance of development, no public convenience and necessity appears. The impossibility of establishing a definitive service area is an additional practical reason why a certificate should not be granted at the present time.

Conclusion

The Commission concludes that the application should be denied without prejudice and that a hearing is not necessary unless requested.

O R D E R

IT IS ORDERED that:

1. The application is denied without prejudice.
2. The effective date of this order shall be twenty days after the date hereof except that if applicant, before such effective date, files in this proceeding a written request for a hearing the effective date of this order shall be stayed until further order of the Commission.

Dated at San Francisco, California, this 30th
day of JUNE, 1970.

William S. Brown
President
John L. Brown
Commissioner