

ORIGINAL

Decision No. 77457

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of CABAZON WATER COMPANY)
for authority to abandon offering)
of irrigation service, except for)
present users, and to abandon a)
portion of its irrigation system.)

Application No. 51843
(Filed April 22, 1970)

OPINION AND ORDER

Cabazon Water Company (applicant) requests authority;
(a) to discontinue irrigation service, except to Carl Benson and
Leo Hurley or their successors in interest (present users);
(b) to discontinue irrigation service to present users at such
time as they no longer have a need for or request delivery thereof,
unless service is interrupted in the future by floods or other
calamity; (c) to abandon its irrigation system, except to the
extent necessary to serve present users in the manner now being
served; and (d) to abandon its remaining irrigation system at such
time. Copies of the application were served on all interested
parties. There were no protests.

The application states that; the demand for irrigation
water has decreased to the point where only Carl Benson and
Leo Hurley are receiving irrigation water; in early 1969 major
floods destroyed a large portion of the lines formerly used for
irrigation purposes; service to Carl Benson was unaffected and
applicant was able to restore service to Leo Hurley; to repair

the remainder of the system would cost in excess of \$50,000 which applicant is unable to finance; and applicant does not see any reasonable possibility of there being any additional requests for irrigation service.

A staff engineer inspected the system, interviewed the customers, and contacted all interested parties. No one objected to the granting of this application.

Carl Benson owns 10 acres of land receiving irrigation service from applicant and Leo Hurley owns 5 acres of land receiving irrigation service from applicant.

The staff recommended that the application be granted but requested that the Commission require that the applicant receive authority from the Commission prior to termination of service to the two remaining irrigation customers for any reason. The staff alleges that the applicant has no objection to such requirement.

We find that neither public convenience nor necessity require that the applicant continue to furnish irrigation service to any person or entity except Carl Benson and Leo Hurley, and that any portion of the irrigation system not used and useful in serving said persons may be disposed of.

A public hearing is not necessary.

We conclude that the application should be granted; therefore,

IT IS ORDERED that:

1. Cabazon Water Company, a corporation, is hereby authorized to discontinue irrigation service to all irrigation

customers except Carl Benson and Leo Hurley, and their successors in interest. Irrigation service shall continue to be furnished relative to the 10 acres now owned by Carl Benson and the 5 acres now owned by Leo Hurley.

2. Applicant shall amend its tariffs to reflect the restriction on service set forth in paragraph 1 of this order.

3. Applicant may abandon any portion of its irrigation system not necessary or used and useful in providing service to the two remaining customers and/or tracts of land specified in ordering paragraph 1 herein.

4. Applicant shall not discontinue irrigation service to the parties and/or tracts of land specified in ordering paragraph 1 herein for any reason without 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 7th day of JULY, 1970.

[Signature]
Chairman

[Signature]
[Signature]

Commissioners

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

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.