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# ORIGINAL

Decision No.

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own motion into the operations, tariffs, practices, facilities and service of ORVILLE A. FIGGS dba PONDEROSA SKY RANCH WATER COMPANY

Case 9352  
(Filed March 21, 1972)

J. WILLIAM WEINRAUCH and LLOYD MILLER,  
Residents and Water Users of PONDEROSA  
SKY RANCH, Tehama County, Paynes Creek,  
California 96075,

**Complainant,**

**VS.**

Case 9314  
(Filed January 6, 1972)

ORVILLE A. FIGGS and KATHLEEN FIGGS,  
owners of the water system serving  
PONDEROSA SKY RANCH.

**Defendants.**

Rawlins Coffman, Attorney at Law, for Orville  
Figgs, respondent and defendant.

C. A. Stromsness, Attorney at Law, for  
complainants.

Walter H. Kessenick, Attorney at Law, for the  
Commission staff.

### INTERIM OPINION AND ORDER

At the hearing in Red Bluff on May 31, 1972 before Examiner Gilman, complainants' witnesses testified and were cross-examined. A staff engineer testified in support of a study of the water system and various recommendations made by him. Counsel for defendant and respondent indicated that his client's engineer was unavoidably absent and had not been available to assist in preparation for cross-examination of the staff witness; he, therefore, requested a continuance of the matter. Complainants and staff protested a continuance.

After discussion between the parties, a proposed order was drafted and stipulated to, and based on such stipulation the protests to continuation were withdrawn. Counsel for defendant and respondent undertook to notify potential new consumers of the affect of such a proposed order on them.

The matter was then continued.

No protests to the issuance of the stipulated order have been received.

We find that:

1. The water system of Orville A. Figgs presently serves no more than 44 customers.
2. The question of whether and to what extent the water system is capable of serving additional customers is now at issue in these proceedings.

We conclude that Orville A. Figgs should temporarily be enjoined from serving additional customers pending final decision herein.

IT IS ORDERED that Orville A. Figgs shall not, pending further order of the Commission, connect any temporary or permanent water customers to his system in excess of 44 customers.

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

Dated at San Francisco, California, this 15<sup>th</sup> day of JULY, 1972.

William J. Sturgeon President  
Vernon L. Sturgeon  
Commissioners