

Decision No. 80526

ORIGINAL

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 No. 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.

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

Defendants.

Case No. 9314
(Filed January 6, 1972)

C. A. Stromsness, Attorney at Law, for complainants.
Rawlins Coffman, Attorney at Law, for Orville
Figgs, respondent and defendant.
Walter H. Kessenick, Attorney at Law, for the
Commission staff.

SECOND INTERIM ORDER

Testimony received at the hearing in the above-entitled
Commission investigation on July 12, 1972 indicates that the water
utility system in question can provide reasonably adequate service to
60 residential services.

Respondent Figgs sought a modification of the service
limitations contained in Decision No. 80229 herein so that he may
offer service to new customers in addition to the 44 permitted by
that decision.

No protests to this proposal were made. We find that the water utility system owned by Orville A. Figgs can provide reasonably adequate service to 60 users and conclude that the provisions of Decision No. 80229 should be revised to permit service to up to 60 customers.

At that same hearing, an engineer employed by Mr. Figgs to design improvements and additions to the system proposed a plan to upgrade the system, which was not constructed in compliance with General Order No. 103. His plan would not bring the system into full compliance with the General Order in that there would be several runs of small size pipe exceeding the lengths permitted under Paragraph III.2.a. of the General Order. However, in his opinion the modifications would enable the system to provide service in compliance with the pressure requirements stated in Paragraph II.3.a. of the General Order. It was also pointed out that nothing in the proposed plan would interfere with other further system improvements if the pressure requirements are not in fact met.

We find that the plan proposed by respondent's engineer is reasonable and will accomplish the underlying purpose of both paragraphs of the General Order, i.e., adequate pressures, and conclude that Orville A. Figgs should not be required to replace undersized mains if pressures within the requirements of Paragraph II.3.a. of General Order No. 103 can be obtained without such replacement.

IT IS HEREBY ORDERED that:

1. The order contained in Decision No. 80229 herein is rescinded.
2. Orville A. Figgs shall not, pending further order of the Commission, connect any temporary or permanent water customers to the public utility water system owned and operated by him in excess of 60 customers.

3. Orville A. Figgs is authorized to deviate from Paragraph III.2.a. of General Order No. 103 in that he is relieved of any requirement to replace excessive lengths of small sized mains, if each service served by such mains receives pressure within the requirements of Paragraph II.3.a. of General Order No. 103.

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

Dated at San Francisco, California, this 19th
day of SEPTEMBER, 1972.

I dissent

[Signature] Commissioner

[Signature] President
[Signature]
[Signature]
[Signature] Commissioners

Commissioner Thomas Moran, being necessarily absent, did not participate in the disposition of this proceeding.