

Decision No. 81459**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of TUSTIN WATER WORKS,  
a corporation, for authority to  
release or abandon a part of its  
certified area and for approval of  
sale of certain of its property.

Application No. 53891  
(Filed March 14, 1973)

O P I N I O N

Applicant requests authority to release or abandon a portion of its certified area, and requests approval of an agreement entered into with the city of Santa Ana whereby Santa Ana will distribute domestic water to the present and future users in the abandoned area. There will be no interruption in service within the area due to the proposed transfer.

There were no protests.

It is alleged by applicant that the release of the area to Santa Ana and the sale of applicant's lines, meters, hydrants, and services within that area is in the best interest of applicant and the public for the following reasons:

1. There are eighty services on 14,700 feet of main.
2. Some pipe and services are old and need to be replaced.
3. The city of Santa Ana has annexed substantially all of this area and has notified applicant that it intends to serve all new connections.
4. There is no future potential for applicant within the area.

Within the area applicant does not hold any unrefunded consumer deposits. Applicant has two refundable Advance for Construction Contracts as follows:

	<u>Type of Contract</u>	<u>Expiration Date</u>	<u>Current Balance</u>
Elizabeth Park, Inc.	22% Revenue	12-10-79	\$111.97
Al Lash	22% Revenue	3-30-79	<u>410.95</u>

Total Advance for Construction Contracts \$522.92

Applicant agrees to refund the above balances in full within ninety days after the completion of the sale and the release of the property.

The Commission finds that public convenience and necessity no longer require a continuation of applicant's service in the area sought to be transferred. The application will be granted. A public hearing is not necessary.

O R D E R

IT IS ORDERED that:

1. Upon completion of the sale and transfer authorized herein, and upon compliance with all the terms and conditions of this order, Tustin Water Works shall be relieved of its public utility obligations in connection with the utility system herein authorized to be transferred.
2. On the effective date of this order all maps, rates, and rules on file with the Commission and covering the service referred to in the application are canceled and annulled.
3. Applicant shall refund the refundable advances for construction now held within ninety days after the effective date of this order.

4. The area to be transferred or abandoned is described as follows:

That portion within the city of Santa Ana, county of Orange, State of California, described and delineated:

That portion within the city of Santa Ana on and adjacent to Tustin Avenue, northerly of Seventeenth Street, and also that portion within the city limits of Santa Ana being westerly of Tustin Avenue on First Street. Also included are Tracts 1672 and 3551 both in county area, and located northerly of Fairhaven and westerly of Tustin Avenue. Attached to the application and marked Exhibit B is map showing area to be transferred to city of Santa Ana, with area in blue designating portion of area in county.

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

Dated at San Francisco, California, this 12th day of JUNE, 1973.

William L. Stinson  
President  
William L. Stinson  
[Signature]  
[Signature]  
Commissioners

Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.