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Decision No. 82770

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of CONFIDENCE DEVELOPMENT CORPORATION to transfer and TUOLUMNE COUNTY WATER DISTRICT NO. 2 to acquire a Public Utility Water System.

Application No. 54533
(Filed December 24, 1973)

O P I N I O N

Confidence Development Corporation (Confidence) requests authority to transfer, and Tuolumne County Water District No. 2 (District), requests authority to acquire a public utility water system located one mile south of the community of Confidence, Tuolumne County. The authority to operate the water system was granted by Decision No. 67908 dated September 22, 1964 in Application No. 45533. The transfer, which will be made without consideration, consists of the source of supply and treatment facilities at PG&E's Eureka ditch pipeline, as well as all facilities, real property, easements, and appurtenances related thereto in serving the 71-lot subdivision known as Confidence Ridge Subdivision Unit No. 1.

It is alleged that Confidence is unable to operate the water system and to make necessary improvements; that the District has formed an improvement district, which will include the 71 lots; and that the District will make all the necessary improvements and will assure the proper operation of the system.

The record is unclear as to whether there are customer deposits on file or main extension contracts in force. Therefore, our order will be conditioned upon seller refunding all customer deposits and paying off all main extension contracts or representing to us that there are no customer deposits on file or main extension contracts outstanding.

The Commission has received no protests to the application, and after consideration finds that the proposed transfer will not be adverse to the public interest. We further find with reasonable certainty that the project involved in this proceeding will not have a significant effect on the environment. A public hearing is not necessary. The application should be granted.

O R D E R

IT IS ORDERED that:

1. On or before December 1, 1974, Confidence Development Corporation may transfer the water system and other assets referred to in the application to the Tuolumne County Water District No. 2.
2. On or before the date of actual transfer transferor shall refund all customers' deposits for the establishment of credit, if any, which are subject to refund, and shall refund main extension advances, if any.
3. Within ten days after the completion of the transfer transferor shall notify the Commission, in writing, of the date of transfer, of refunds made, and of the date upon which transferee shall have assumed operation of the water system. A true copy of the instruments of transfer shall be attached to the notification.

A. 54533 ek

4. Upon compliance with all of the terms and conditions of this order, transferor shall be relieved of its public utility obligations in connection with the water system transferred.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 23rd
day of APRIL, 1974.

Vernon L. Stenger
President
William J. Lynskey
William J. Lynskey
William J. Lynskey
William J. Lynskey
Commissioners