

Decision No. 83231**ORIGINAL**

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
 Havasu Water Company, Inc., a  
 California Corporation, for a  
 Certificate of Public Convenience to  
 extend service to additional  
 customers under Section 1001 of the  
 Public Utilities Code in a portion  
 of San Bernardino County.

Application No. 53860  
 (Filed February 22, 1973;  
 amended June 11, 1973)

W. R. Holcomb, Attorney at Law, for Havasu Water  
 Company, Inc., applicant.

Tuttle & Taylor, Inc., by Ms. Carol May Potter,  
 Attorney at Law, for Chemehuevi Indian Tribe,  
 protestant.

Charles Masteller, Jr., for San Bernardino County  
 Department of Public Health, interested party.

Lionel B. Wilson, Attorney at Law, Robert C. Durkin,  
 and John Gibbons, for the Commission staff.

ORDER OF DISMISSAL

Havasu Water Company, Inc. (Havasu), by this application, as amended, requested, among other things, a certificate of public convenience and necessity to extend service into areas adjacent to its existing service area at Havasu Lake, San Bernardino County. Havasu had been restricted to its present service area by this Commission's Decision No. 68790 dated March 30, 1965 in Application No. 46838.

Havasu's service area is located 32 miles (51.5 km) south of Needles, in Section 36, T5N, R24E, S.B.B. & M. The easternmost point is about 800 feet (250 m) back from the Colorado River.

Average annual precipitation is less than 4 inches (10.2 cm) and average temperature is 75 degrees Fahrenheit (24° C). The average maximum temperature for June, July, August, and September is greater than 103 degrees Fahrenheit (39° C).

Public hearings were held before Examiner Boneysteele on August 7 and 8, 1973 at Havasu Lake and on September 24, 25, and 26, 1973 at San Bernardino. At the hearings it was learned that there were unsolved problems concerning water supply, water rights, access to the river and claims by the Chemehuevi Band of Indians. The matter was taken off calendar to permit Havasu to attempt to resolve the problems.

On April 26, 1974 Havasu's attorney wrote to the Commission, in response to a staff inquiry, and stated that Havasu was not, at that time, in a position to ask for further hearings and would have no objection to the application's being dismissed.

The Commission finds that Havasu is not in a position to proceed with its application and concludes that it should be dismissed.

O R D E R

IT IS ORDERED that Application No. 53860 of Havasu Water Company, Inc. is dismissed.

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

Dated at San Francisco, California, this 6<sup>th</sup> day of AUGUST, 1974.

James L. Sturgeon  
President  
William H. Lyons  
Michael J. [illegible]  
Alma [illegible]  
Commissioners

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