

Decision No. 84222

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
Margo King, Executor for the estate
of E. B. Hicks, E. B. Hicks Water
Company, for authority to discontinue
water service in Kern County.

Application No. 55072
(Filed July 25, 1974)

Margo King, for E. B. Hicks Water
Company, applicant.
Robert V. Williams, for the residents
of Doney Street; and Joseph P.
Serra, for the residents of Lowry
Street; interested parties.
Robert M. Mann, for the Commission
staff.

ORDER OF DISMISSAL

Applicant Margo King alleges that the E. B. Hicks Water Company was established by her father E. B. Hicks and her mother Ella Hicks to supply water to the residents of Tract 1348 and Tract 1449, both of which are in Kern County. There are about 80 customers in Tract 1348 who are supplied with water from a well drilled on Lot #98. About 25 customers in Tract 1449 are supplied water from a well drilled on Lot #1.

Applicant further alleges that the original investment in the pumping and distribution system for both tracts in 1949 was \$14,000. Since then about \$5,000 has been spent for maintenance of the water system and \$11,000 for the replacement of pumps. The system is operating but no provision can be made for continued operation due to lack of funds because of past due accounts and low water rates.

Applicant states that the users of the water in the tracts will be offered the water system for about \$10,500, or about \$100 per share per resident. Replacement costs are estimated to be in excess of \$25,000.

Applicant requests that the Commission authorize the abandonment of the water system upon its sale to the residents on reasonable terms. She also requests that the E. B. Hicks Water Company be relieved of its obligation to supply water to the tracts as of January 1, 1975.

Public hearing on the application was held before Examiner Cline in Bakersfield on September 30, 1974. At the close of the hearing the matter was taken under submission.

At the hearing Robert V. Williams stated that the Doney Street residents are willing to take over the system at no cost and to operate it as a mutual water company.

Other customers testified regarding the poor quality of the water service and the failure of the applicant to send bills to some of the customers.

Joseph P. Serra requested that the Commission institute an investigation of applicant's water system and its rates and service.

Upon learning that the customers were not interested in purchasing the water system in accordance with the offer in the application, applicant requested that the application be dismissed.

The Commission takes official notice of the filing of Case No. 9860, Joseph P. Serra III, et al. v E. B. Hicks, on January 17, 1975. The service complaints will be considered in that proceeding.

IT IS ORDERED that the application is dismissed without prejudice at the request of applicant.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 25th
day of MARCH, 1975.

Vernon L. Stinson
President

William J. Lyness
Secretary

Leonard Ross
Commissioners