

ORIGINAL

Decision No. ~~84565~~

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

KELLY PRITCHARD, et al.,

Complainants,

vs.

AZTEC WATER COMPANY, INC.
and W. PAUL PAYNE, President,

Defendants.

Case No. 9923
(Filed May 30, 1975)

INTERIM OPINION

Complainants allege:

- "1. That defendant is Aztec Water Company, Inc., P. O. Box 212, Keeler, California.
- "2. That frequent service problems and outages of water service have occurred [sic] and continue to occur within the service area of Aztec Water Company, Inc.
- "3. That complainants and other customers of Aztec Water Company are unable to locate any responsible official of Aztec Water Company.
- "4. That billings have not been received by complainants in recent months.
- "5. That Aztec Water Company appears to have been abandoned.
- "6. That a present emergency exists because of leaks in a water main, making a prolonged outage imminent.
- "7. That Mr. Robert Van der Sluis, a contractor, has performed emergency repair services for Aztec Water Company in the past and has declared an interest in continuing to maintain water service for this system."

Complainants request "an ex parte order appointing Mr. Robert Van der Sluis, 9216 Flora Vista, Apple Valley, California to operate and maintain Aztec Water Company immediately, to collect and disburse funds until ownership of this utility can be determined."

On June 5, 1975 the Commission served a copy of the complaint on the defendant and ordered defendant to satisfy the complaint or answer the complaint. No answer has been filed nor have we been informed that the complaint has been satisfied.

The Commission staff has investigated the allegations of the complaint and reports that the allegations appear to be true and that there is a present emergency. The staff reports that Robert Van der Sluis, a contractor, is now maintaining water service for the system without pay and is willing to continue, but has stated he cannot continue to work without pay. The staff states that if Mr. Van der Sluis does not continue maintaining water service the system will cease to operate and customers will be unable to obtain water.

Based on the allegations of the complaint and the staff report, the Commission finds that the facts stated in the complaint are true and that Robert Van der Sluis should be authorized to manage and operate defendant Aztec Water Company, Inc. until further order of the Commission.

INTERIM ORDER

IT IS ORDERED that:

1. Robert Van der Sluis is authorized to manage and operate Aztec Water Company, Inc. until further order of the Commission.

2. In performance of his management duties he may collect all revenue for water service due Aztec Water Company, Inc. and may pay all current liabilities to the extent that he has revenue from the operation of the system. He may endorse all checks made out to Aztec Water Company, Inc. and shall deposit them in a separate account for Aztec Water Company, Inc. He may draw against that account to pay the current expenses of Aztec Water Company, Inc.

3. Robert Van der Sluis shall keep books and records of the operation of the system and may request assistance from the Finance and Accounts Division of the Commission in setting up his books and records.

4. A public hearing in this matter is set for Tuesday, July 8, 1975 at 9:30 a.m. in the Council Chambers, City Hall, 14343 Civic Drive, Victorville, California, before Examiner John Gilman.

5. The Secretary of the Commission shall serve by mail this order on complainants, defendants, Robert Van der Sluis, and on any customer of Aztec Water Company, Inc. whose address is in the Commission's files.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 17th
day of JUNE, 1975.

Vernon L. Sturgeon
President
William J. Brown
Robert J. Brown
Robert J. Brown
Commissioners