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Decision No.

86349

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of  
John S. Cavanaugh & Evelyn Cavanaugh  
dba Hillview #6 Water Co. (Declared  
a Public Utility by the Public  
Utilities Commission in Case #8967)  
for a Certificate of Convenience and  
Necessity to operate a Public Utility  
Water System and Establish Rates for  
service in that portion of the Rio  
del Mar Lodge Sites Subdivisions 1 &  
2 purchased in 1960.

Application No. 53558  
(Filed August 31, 1972)

Elizabeth A. Davis, Harold J.  
Meadowcroft, Fontaine W. Russ,

Complainants,

vs.

Case No. 8967  
(Filed September 22, 1969)

Hillview #6 Water Co., John S. &  
Evelyn Cavanaugh, Santa Cruz Land &  
Title Co., John Doe, et al.,

Defendants.

ORDER DENYING REHEARING  
AND MODIFYING DECISION  
NO. 86054

A petition for rehearing of Decision No. 86054 was filed by Elizabeth A. Davis and Fontaine W. Russ on July 14, 1976. The Commission has considered each and every allegation of the petition and is of the opinion that good cause for rehearing has not been made to appear.

However, on further consideration, the Commission is of the opinion that the decision should be modified to clarify the total

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number of water connections authorized.

The evidence discloses that, prior to January 30, 1973 John S. Cavanaugh and Evelyn Cavanaugh, dba Hillview #6 Water Company served 17 customers. An additional 20 connections were authorized by Decision No. 80999, although that decision never became technically effective. The evidence in the proceeding supports a finding that 36 connections should be added to the system for a total of 73.

Petitioners allege that the description of Mr. Gentles' property in ordering paragraph 5 as lots 55, 60 and 63 is erroneous because lots 60 and 63 are presently owned by Mr. Cavanaugh. A review of the entire record in this proceeding indicates that there has been some confusion as to precisely which lots in the subdivision are owned by Mr. Gentles and as to which three are the subject of his agreement with the Cavanaughs. The decision will therefore be modified to indicate that the Gentles-Cavanaugh agreement must be confined to three lots and that the Commission be notified of, and give its approval to, their identification.

THEREFORE, IT IS ORDERED that rehearing of Decision No. 86054 is hereby denied.

IT IS FURTHER ORDERED that Decision No. 86054 is hereby modified as follows:

At line 4 of finding 7 at page 12 of the decision, 73 is changed to 56.

At line 4 of ordering paragraph 3 at page 13, seventy three is changed to fifty six.

The last sentence of ordering paragraph 5 is deleted. The following is substituted:

The service to Mr. Gentles' property shall be metered. Within 20 days of the effective date of this order, Mr. Gentles and Mr. Cavanaugh shall

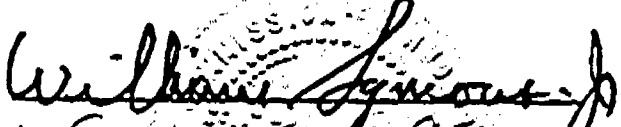
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inform the Commission of the identity of the three  
lots within the service area which are the subject  
of their agreement for the Commission's approval.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 31st  
day of AUGUST, 1976.

  
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President

  
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William J. Lyons

  
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Vernon J. Sturgeon

  
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Commissioners