

Decision 84 02 COS February 1, 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application
of LINDALE WATER COMPANY, INC., a
California corporation, for a
Certificate of Public
Convenience and Necessity to
expand its water service to serve
the off-site subdivision known as
Sequoia Ranchettes two miles
south of Porterville, in the
County of Tulare.

Application 83-07-47
(Filed July 25, 1983)

ORDER OF DISMISSAL

Statement of Facts

Lindale Water Company, Inc. (Lindale) provides public utility water service to approximately 1,100 customers in a service area near the City of Porterville in the County of Tulare, pursuant to Commission authorization.

Sequoia Ranchettes Subdivision (subdivision), composed of two units, each potentially of 33 residential lots, located outside the city limits of the City of Porterville, sought public utility water service from Lindale for its first unit. In that the subdivision is not contiguous to Lindale's present service territory, Lindale by this application, and in compliance with the provisions of Public Utilities Code § 1001, sought a certificate of public convenience and necessity before constructing the water system and commencing service. Lindale proposed to improve and use two on-site wells to provide water. Subdivision's sewer system was proposed to be individually installed septic tanks.

Industrial contamination involving hazardous organic chemicals originating from a nearby Smithkline-Beckman plant seeped through a county residential area 500 feet to the north of subdivision. Sardonicly, the inhabitants have labeled the residential area "Freon Flats." One of the wells proposed for use by Lindale to serve subdivision is now assumed to be within the contamination area.

At its expense Smithkline-Beckman constructed water mains to extend City of Porterville water to the "Freon Flats" residents. These new mains are within 500 feet of subdivision. Allegedly, Smithkline-Beckman has agreed to pay for extension of these mains to provide city water to subdivision. Accordingly, subdivision's owner applied for city water, asking Porterville to waive its annexation requirement for such service extension. Annexation would require higher subdivision standards and installation of an expensive sewer system.

On November 16, 1983 the Porterville City Council reportedly approved extension of city water to subdivision, thereby obviating the need for Lindale service. By letter dated November 26, 1983 Lindale requests withdrawal of its application.

The Commission finds and concludes that the application should be dismissed without prejudice.

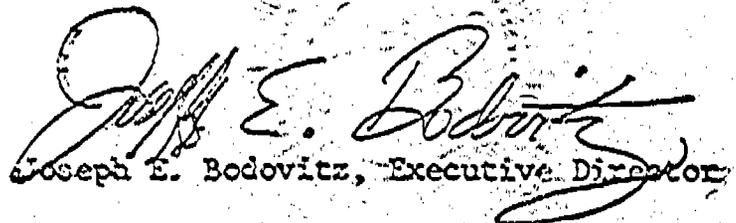
IT IS ORDERED that Application 83-07-47 is dismissed without prejudice.

This order becomes effective 30 days from today.

Dated FEB 1 1984, at San Francisco,
California.

LEONARD M. STEVENS, JR.
President
VICTOR CARVER
PRISCILLA G. GREW
DONALD VIAL
WILLIAM T. BAGLEY
Commissioners

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY.


Joseph E. Bodovitz, Executive Director

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