

Decision 88 11 017

NOV 9 1988

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NOV 10 1988**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 Penngrove Water Company for a general)
 rate increase for water service of) Application 86-11-027
 35% in the unincorporated area of) (Filed November 19, 1986)
 Penngrove in Sonoma County.)

FINAL OPINION

By Decision (D.) 87-11-054 the Commission reopened Application 86-11-027 to consider a petition by the Sonoma County Water Agency (Agency), filed October 14, 1987, relating to the failure of Penngrove Water Company (applicant) to pay Agency for water applicant received from Agency and resold to its customers. Agency filed its petition because it was concerned that civil litigation might not provide an adequate remedy and that relief from the Commission was appropriate.

Subsequent changes in the management of applicant have resulted in a Stipulated Joint Judgment in the civil litigation relating to the debt owed by applicant. A copy of that judgment is attached to Agency's Petition to Terminate Proceedings, filed October 3, 1988.

The Stipulated Joint Judgment, together with applicant's good faith efforts to pay its debt, have led Agency to conclude that, at this time, further proceedings before the Commission are not warranted. Agency therefore requests that the reopened proceeding be closed, without prejudice to any rights Agency has, or may have, to again seek relief from the Commission and intervene in future Commission proceedings. We concur.

Finding of Fact

The dispute between Agency and applicant has been resolved by the judgment.

Conclusion of Law

The reopened proceeding should be closed without prejudice to Agency's rights to bring a complaint or participate in other proceedings involving applicant.

FINAL ORDER

IT IS ORDERED that this proceeding is closed without prejudice to Sonoma County Water Agency's rights to bring a complaint or participate in other proceedings involving applicant.

This order is effective today.

Dated NOV 9 1988, at San Francisco, California.

STANLEY W. HULETT
President

DONALD VIAL
FREDERICK R. DUDA
G. MITCHELL WILK
JOHN B. OHANIAN
Commissioners

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

Victor Weiss

Victor Weiss, Executive Director