

Decision 90 07 051 JUL 18 1990

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Janet A. Webb,

Complainant,

vs.

Earl Powell, dba San Martin Water Works,

Defendant.

Case 85-06-052
(Filed June 21, 1985)

Alvaro D. Alvarado,
Carol S. Alvarado,

Complainants,

vs.

San Martin Water,

Defendant.

Case 85-07-039
(Filed July 9, 1985)

Investigation on the Commission's own motion into the rates, operations, practices, service equipment, facilities, contracts, rules, regulations and water supply of Earl Powell and Louise Powell, individually and doing business as San Martin Water Works.

I.85-07-002
(Filed July 2, 1985)

FINAL OPINION

These Complaints and Investigation were filed because of service problems experienced in the water system operated in the community of San Martin by Earl and Louise Powell, doing business as San Martin Water Works.

The Commission is in receipt of information that the customers formerly served by the Powells have formed their own

water district, and have received a grant to improve their system. In the circumstances, these proceedings may be dismissed and/or discontinued.

Findings of Fact

1. On July 2, 1985 we issued our Order Instituting Investigation/Order to Show Cause into the rates, operations, practices, etc. of Earl and Louise Powell based upon our perception of an imminent health and safety crisis. Our order authorized West San Martin Water Works, Inc. (West San Martin) to install an interconnection with the water system operated by the Powells, and to enter and operate the system during the crisis situation.

2. By Decision (D.) 85-08-020 dated August 7, 1985, we authorized West San Martin to publish and assess rates to the Powells' customers, effective upon completion of the interconnection and delivery of water.

3. By D.86-08-045 dated August 18, 1986, we found that the Powells had abandoned their obligation to serve their San Martin customers, and authorized West San Martin to serve the abandoned territory formerly served by the Powells.

4. The customers formerly served by the Powells have now formed their own water district and have received a grant to improve their system.

Conclusion of Law

Case (C.) 85-06-052 and C.85-07-039 should be dismissed, and Order Instituting Investigation/Order to Show Cause 85-07-002 should be discontinued.

FINAL ORDER

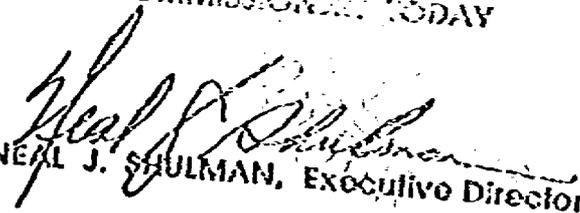
IT IS ORDERED that Case (C.) 85-06-052 and C.85-07-039 are dismissed, and Order Instituting Investigation/Order to Show Cause 85-07-002 is discontinued.

This order becomes effective 30 days from today.

Dated JUL 18 1990, at San Francisco, California.

G. MITCHELL WILK
President
FREDERICK R. DUDA
STANLEY W. HULETT
JOHN B. OHANIAN
PATRICIA M. ECKERT
Commissioners

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


NEAL J. SHULMAN, Executive Director

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