

Decision 90 11 016 NOV 00 1990

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Yucca Water Company Ltd., a California corporation, to borrow funds under the Safe Drinking Water Act of 1984 and establish a surcharge to existing water rates to repay the principal and interest on such loan.
CIS #U-372-N

ORIGINAL
Application 86-07-026
(Filed July 9, 1986;
amended November 21, 1986
and July 2, 1990)

O P I N I O N

On July 9, 1986 Yucca Water Company, Ltd. (Yucca) filed Application (A.) 86-07-026, requesting authority to borrow \$4,502,212 under the Safe Drinking Water Bond Act of 1984 (SDWBA) and assess a rate surcharge to amortize the cost of the loan. On November 21, 1986 Yucca filed an amendment to the application to increase the amount of the loan request to \$4,610,268. The Commission granted the amended application by interim Decision (D.) 87-04-064 dated April 22, 1987.

By D.88-01-043 dated January 28, 1988 the Commission ordered further hearings to determine Yucca's compliance with certain requirements of D.87-04-064 and General Order 103. In a second interim opinion, D.89-09-050, the Commission found that Yucca had failed to comply with such requirements and ordered that it take corrective actions. The order was made interim to permit amendment in the event that approval for additional SDWBA funding were requested by Yucca.

On July 2, 1990 Yucca filed another amendment to A.86-07-026. Yucca requests approval of an additional SDWBA loan of \$589,732 and related rate increase authority.

On September 7, 1990 the Superior Court for the County of San Bernardino, East Desert District, entered a judgment in condemnation in Case 000288. The court ordered the

condemnation of certain described property of Yucca to the Hi-Desert Water District for the sum of \$3,077,000.00. Hi-Desert Water District will take possession of the property on October 1, 1990.

By letter to the Commission staff dated September 14, 1990, Yucca's president, Ted Jurling, withdrew the request for an additional loan of \$589,732 as a consequence of the eminent domain judgment.

In view of the acquisition by Hi-Desert Water District and applicant's withdrawal of the amendment, we will dismiss the amendment and close the proceeding.

Findings of Fact

1. A.86-07-026 was kept open by D.89-09-050 to permit an amendment requesting additional SDWBA funding authority.

2. On July 2, 1990 Yucca filed an amendment requesting additional SDWBA funding authority.

3. As a result of the October 1, 1990 acquisition of its property through condemnation by the Hi-Desert Water District, Yucca has withdrawn its amendment to A.86-07-026.

Conclusions of Law

1. The July 2, 1990 amendment to A.86-07-026 should be dismissed.

2. A.86-07-026 should be closed.

O R D E R

IT IS ORDERED that:

1. The July 2, 1990 amendment to Application 86-07-026 is dismissed.

2. Application 86-07-026 is closed.

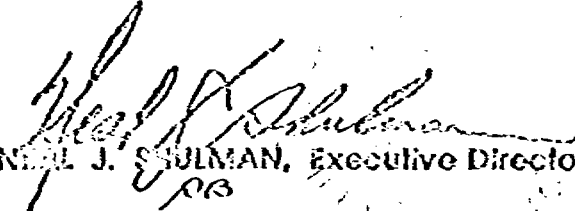
This order is effective today.

Dated NOV 09 1990, at San Francisco, California.

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

Commissioner Stanley W. Hulett,
being necessarily absent, did
not participate.

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


NEAL J. STULMAN, Executive Director