

Decision 82 04 110

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of CITIZENS UTILITIES COMPANY OF)
CALIFORNIA for authority to)
increase rates and charges for)
water service in its Sacramento)
County Water District.)

Application 60132
(Filed December 10, 1980)

FLOYD NORRIS, et al.)
(CROSSWOODS HOMEOWNER ASSOCIATION),)

Complainant,)

vs.)

Case 10887
(Filed July 3, 1980)

CITIZENS UTILITIES COMPANY OF)
CALIFORNIA,)

Defendant.)

ORDER MODIFYING DECISION
(D.) 82-02-059 AND
DENYING REHEARING

On February 4, 1982, the Commission issued Decision (D.) 82-02-059. A timely petition for rehearing was filed by Floyd Norris, et al. (Crosswoods Homeowner Association). We have reviewed all of the allegations raised in the petition and find them to be without merit. However, for the purpose of clarification, we will add several additional findings of fact and one conclusion of law. Therefore,

IT IS ORDERED that the following additional findings of fact are added to the decision:

1. Crosswoods is a legal entity, separate from its members, which receives water service from SCWD through approximately 26 meters with connections ranging in size from 1-1/2" to 2".

2. Crosswoods is not eligible for service from SCWD pursuant to SCWD's flat rate schedule because Crosswoods' connections are too large to qualify and it is not a single-family residence.

3. Crosswoods is billed by SCWD on the same basis as all other metered customers.

4. Individual homeowner members of Crosswoods are billed pursuant to SCWD's residential flat rate schedule and are billed on the same basis as all other flat rate residential customers of SCWD.

5. It is reasonable for SCWD to bill homeowners and Crosswoods separately for service because SCWD treats all other similarly arranged developments in the same manner, and because Crosswoods is a separate customer and receives separate service through numerous large connections arranged for its convenience.

6. It is reasonable to create a new rate for a small lot category of under 4500 square feet, applicable to all residential flat rate customers.

7. SCWD at all times adhered to its tariffs, previously approved by this Commission, in billing complainants for water service.

IT IS FURTHER ORDERED that the following additional conclusion of law is added to the decision:

1. No reparations under Public Utilities Code Section 734 are appropriate because Citizens has not discriminated unlawfully against complainants nor charged them excessive or unreasonable rates.

IT IS FURTHER ORDERED that rehearing of D.82-02-059, as modified above, is hereby denied.

This order is effective today.

Dated APR 21 1982, at San Francisco, California.

JOHN E. BRYSON
President
RICHARD D. GRAVELLE
LEONARD M. CRIMES, JR.
VICTOR CALVO
PRISCILLA C. CREW
Commissioners

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


Joseph E. Bodovitz, Executive Director