

Decision 83 04 002

APR 6 1983

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of SAN GABRIEL VALLEY WATER COMPANY)
to modify Decision 82-01-62 to)
correct certain errors and eliminate)
Section C.2.d. pertaining to main)
extension contracts.)

Application 83-03-11
(Filed March 7, 1983)

ORDER CORRECTING DECISION 82-01-062

Applicant San Gabriel Valley Water Company (San Gabriel) has petitioned this Commission under Rule 43 of the Commission's Rules of Practice and Procedure for modification of Decision (D.) 82-01-062 dated January 19, 1982. San Gabriel has identified several errors in Appendix A of D.82-01-062 which were not corrected by D.82-02-070 (February 17, 1982), D.82-04-070 (April 8, 1982), or D.82-05-087 (May 19, 1982). San Gabriel alleges several omissions, typographical errors, and a conflict with Ordering Paragraph 3 of the decision. A review of Appendix A of D.82-01-062 confirms the errors and omissions identified by San Gabriel as follows:

Page 6, Section A.6.d., line 4, should read:

"Construction costs for the entire installation shall not have". The "s" on "installations" should be deleted.

Page 8, Section C.1.a., lines 3 and 4, should read:

"Housing project, industrial development, commercial building, or shopping center shall be required to advance to the utility, before". This change would conform the text of Section C.1.a. to the revised heading of Section C.

Page 10, Section C.2.c., lines 17 and 18, should read:

"Which refunds have been due and payable on the original contract, prorated to June 30, or the contract anniversary date, on a monthly basis." The word "refunds" should be substituted for the word "advances" and provision is made for proration to the contract anniversary date, consistently with Section C.2.b. (as amended by D.82-05-087).

Page 11, Section C.2.d., should be eliminated. Ordering Paragraph 3 of D.82-01-062 states that:

"Presently effective main extension contracts shall remain in effect."

The text of D.82-01-062 as well as Conclusion of Law 5 and Ordering Paragraph 3 make it clear that no change was intended in contracts in effect at the time D.82-01-062 became effective. However, as written, Section C.2.d. would make optional that which is obligatory in contracts entered into under the previous main extension rule and therefore in conflict with Conclusion of Law 5 and Ordering Paragraph 3.

Page 14, Section D.1., line 4, should read:

"Advance as provided in Sections B.2. and C.2. of this rule." "B.3." would be changed to "B.2."

The necessary corrections listed above are noncontroversial and will not prejudicially affect any person, corporation, or other entity.

Under Resolution A-4661,

IT IS ORDERED that Section A.6.d., Section C.1.a., Section C.2.c., Section C.2.d., and Section D.1. are corrected to read as follows:

Section A.6.d. - Said statement shall be submitted within 60 days after the actual construction costs of the insulation have been ascertained by the utility. In the event that the actual construction costs for the entire installation shall not have been determined within 120 days after completion of construction work, a preliminary determination of actual and adjusted construction costs shall be submitted, based upon the best available information at that time.

Section C.1.a. - Unless the procedure outlined in Section C.1.c. is followed, an applicant for a main extension to serve a new subdivision, tract, housing project, industrial development, commercial building, or shopping center shall be required to advance to the utility, before construction is commenced, the estimated reasonable cost of the extension to be actually installed, from the nearest utility facility at least equal in size or capacity to the main required to serve both the new customers and a reasonable estimate of the potential customers who might be served directly from the main extension. The costs of the extension shall include necessary service stubs or service pipes, fittings, gates and housing therefore, and meter boxes, but shall not include meters. To this shall be added the cost of fire hydrants when requested by the applicant for the main extension or required by public authority, whenever such hydrants are to become the property of the utility.

Section C.2.c. - Whenever costs of main extensions and/or special facilities have been advanced pursuant to Sections C.1.a., C.1.b., or C.1.c., the utility shall annually refund to the contract holders an amount equal to two and one-half percent of the advances until the principal amounts of the contracts have been fully repaid.

Whenever costs of special facilities have been advanced pursuant to Sections C.1.b. or C.1.c., the amounts so advanced shall be divided by the number of lots (or living units, whichever is greater) which this special facilities are designed to serve, to obtain an average advance per lot (or living unit) for special facilities. When another builder applies for a main extension to serve any lots for which the special facilities are to be used, the new applicants shall, in addition to the costs of his proposed main extension, also advance an amount for special facilities. This amount shall be the average advance per lot for special facilities for each lot to be used less two and one-half percent of the average advance for each year in which refunds have been due and payable on the original contract, prorated to June 30, or the contract anniversary date, on a monthly basis.

The amount advanced to the utility by the new applicant shall be immediately refunded to the holder of the original contract, which included the cost of special facilities, and the original contract advance will be reduced accordingly. The utility will thenceforth refund two and one-half percent annually on each of the contract amounts, as determined above, to the holders of the contracts.

Advances and refunds based on additional builder participation will be determined in a similar manner.

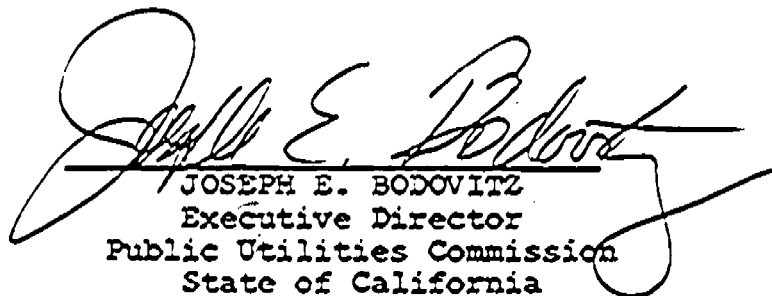
In no case shall the refund on any contract exceed the amount advanced.

Section C.2.d. - (This section is eliminated.)

Section D.1. - The cost of distribution main is designed to meet the fire-flow requirements set forth in Section VIII.1(a) of General Order 103 and is to be advanced by the applicant. The utility shall refund this advance as provided in Sections B.2. and C.2. of this rule.

This order is effective today.

Dated April 6, 1983, at San Francisco, California.


JOSEPH E. BODOVITZ
Executive Director
Public Utilities Commission
State of California