Decision __SS CS 017__   SEP 7 1983   ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Petition of the City of San Jose   )
for the determination of just   )
compensation for acquisition of   )   Application 83-07-28
a portion of the certificated   )   (Filed July 15, 1983)
service area of the Great Oaks   )
Water Company.   )
_____)

ORDER TO SHOW CAUSE

On July 15, 1983, the City of San Jose (San Jose) filed a
petition of first class,[1] setting forth the intention of San Jose
to acquire under eminent domain proceedings all the property of the
Great Oaks Water Company (Great Oaks) employed in providing water
service to that portion of Great Oak's certificated service area
situated southerly of U.S. Highway 101 and easterly of Coyote Creek
(as shown on Appendix A to this order). San Jose intends that the
San Jose Municipal Water System will serve this portion of Great
Oak's certificated service area.

By this petition San Jose requests that the Commission fix
the just compensation which should be paid by San Jose for any lands,
property, and rights of any character whatsoever involved of Great
Oaks.

_____

[1] By Resolution 56782 dated June 28, 1983, the San Jose City Council
determined that the public interest and necessity required that the San
Jose Municipal Water System provide water service to the expanded Edenvale
Redevelopment Area, Phase 1, and authorized commencement of eminent domain
proceedings. Accordingly San Jose filed this petition. By error the
petition was filed under Public Utilities (PU) Code § 1504. By an
amendment filed August 30, 1983, this was corrected to reflect intent to
file under PU Code §§ 1401 et seq.

PU Code § 1408 requires the Commission to hold a hearing on the petition not less than 30 days after the filing of the petition.

Therefore, IT IS ORDERED that, under PU Code § 1405:

1. Great Oaks Water Company shall appear before the Commission at 10:00 a.m., Thursday, September 29, 1983, in the Commission Courtroom at 350 McAllister Street, San Francisco, to show cause, if any they have, why the Commission should not proceed to hear the petition and to fix the just compensation to be paid for such lands, property, and rights.

2. The hearing on September 29, 1983 shall be in the nature of a prehearing conference and shall be for the purpose of:

    a. Identifying and simplifying the issues;

    b. Arriving at agreements for the completion of discovery;

    c. Arranging for the exchange of proposed exhibits or prepared expert testimony;

    d. Identifying witnesses;

    e. Arriving at stipulations;

    f. Scheduling further hearing dates;

    g. Determining the extra costs to be incurred, under PU Code § 1409, by the Commission to comply with the requirements of PU Code § 1401, et seq. and the schedule of payments to be made by the City of San Jose, and

    h. Discussing such other matters as may expedite the orderly conduct and disposition of the proceeding.

3. The Executive Director is directed to serve a certified copy of this order and a copy of the petition upon:

    a. Great Oaks Water Company
       6146 Camino Verde Drive
       San Jose, CA 95119

    b. Santa Clara County Board of Supervisors
       County Government Center
       70 West Hedding Street
       San Jose, CA 95110

    c. State of California
       Department of Water Resources
       P.O. Box 388
       Sacramento, CA 95802

d. Santa Clara County Tax Collector
County Government Center, East Wing
70 West Hedding Street
San Jose, CA 95110

e. State of California
Franchise Tax Board
Sacramento, CA 95867

f. Department of the Treasury
Internal Revenue Service
450 Golden Gate Avenue
San Francisco, CA 94102

Such service shall be by United States mail, enclosed in a sealed envelope, certified, and with postage prepaid.
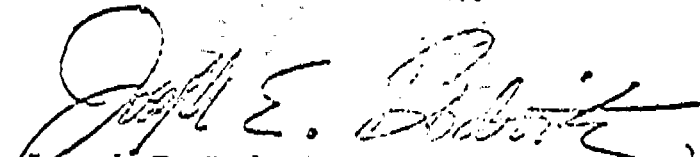
This order is effective today.

Dated __SEP 7 1983__, at San Francisco, California.

LEONARD M. GRIMES, JR.
President
VICTOR CALVO
PRISCILLA C. GREW
DONALD VIAL
Commissioners

Commissioner William T. Bagley
being necessarily absent, did
not participate.

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

Joseph E. Bodovitz, Executive Director

- 3 -

/ALJ/jn

GREAT OAKS WATER COMPANY.

PRESENT CERTIFICATED AREA