

Decision No. 87020

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of LOMPOC UTILITY SERVICES, a)
California corporation, for)
authority to increase its rates)
charged for sewer service.)

Application No. 53990
(Filed April 23, 1973)

FINAL OPINION

On September 24, 1974 this Commission issued Decision No. 83478 which became effective 10 days later.

Decision No. 83478 contained the following ordering paragraphs:

- "2. Within one year after the effective date of this order, applicant shall file a verified, written application with the Santa Barbara County Board of Supervisors requesting that the value of its taxable property be reduced by excluding therefrom all Contributions in Aid of Construction.
- "3. Applicant shall diligently prosecute its application before the Santa Barbara County Board of Supervisors by complying with all requests for information, attendance at hearings, etc., that may be required of applicant by the County Board.
- "4. Applicant, within thirty days of filing its application with the Santa Barbara County Board of Supervisors, shall transmit to the Commission a copy of the application, and, within thirty days of its receipt of a decision on the application by the Santa Barbara County Board of Supervisors, shall transmit to the Commission a copy of said decision.

- "5. If the Santa Barbara County Board of Supervisors denies the application, the tariff sheet set forth in Appendix A shall, by supplemental order, be made permanent.
- "6. If the Santa Barbara County Board of Supervisors grants the application, the rates set forth in Appendix A shall, by subsequent order, be reduced by amounts which fully reflect the reduction in applicant's property tax effected by such grant of application.
- "7. Applicant is authorized to collect inclusion fees of \$430 per connection. These fees shall be impounded in a separate interest-bearing account in a California bank or insured savings and loan association. The fees and accrued interest are to be expended only for treatment plant additions and betterments, and only after specific authorization has been obtained by means of a letter signed by the Executive Director of the Commission. Applicant shall provide the Commission, attention of the Finance and Accounts Division, two copies of an annual statement no later than March 31 of each year, detailing the proper distribution and amount of all additions, interest earned, and withdrawals from the fund during the prior calendar year, together with the balances in the fund at the close of the year."

On August 9, 1976 the following letter was received from applicant:

". . .

"Pursuant to your letter dated February 4, 1976, we did the following things:

1. Contacted Santa Barbara County Assessment Appeals Board in order to ascertain that the assessed valuation change following our filing on August 26, 1974 of an appeal for reduction of assessed valuation, as evidenced by a copy of an Application for Reduction in Assessment.

2. On February 10, 1976 we did receive a letter from the Assessor for the County of Santa Barbara, stating that a change in the assessed valuation was made.
3. All tax bills have been mailed to MONY, holder of a mortgage on plant of Lompoc Utility Services. We did not ascertain the amount of reduction of tax until May, 1976.
4. On May 5, 1976, we submitted to the Commission the following papers:
 - A. Advice Letter No. 4. COPY ATTACHED.
 - B. A worksheet showing the basis for reduced sewer rates due to the reduction in property taxes.
 - C. We also stated in our letter of May 5, 1976, that, Re: Paragraph 7 in Decision No. 83478, No inclusion fees were received in 1975.

"We believe that the ordering paragraphs in Decision No. 83478 were pursued in an effort to follow and comply with the orders, however due to changes in Legal Counsel and lack of direct communication with Mutual of New York (MONY) we received the tax reduction notice in May of 1976."

Advice Letter No. 4 reduced the monthly rate for sewer service by 7.93 percent and became effective on May 23, 1976.

At the hearing held on January 23, 1974 applicant indicated that it was asking for interim relief and would amend its application to request final relief based on a complete showing including rate of return. As applicant has not yet made such a request and the data available in this record is outdated, it appears appropriate to make Decision No. 83478 final.

FINAL ORDER

IT IS ORDERED that Decision No. 83478 is hereby made final.

The effective date of this order shall be twenty days after the date hereof.

Dated at, San Francisco, California, this 15th day of MARCH, 1977.

Robert Bateman
President
William J. ...
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Commissioners