

ORIGINAL

Decision No. 87655 AUG 2 1977

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of ROBBIE G. GARZINI AND REBECCA S. GARZINI, for exemption from the provisions of Decision No. 86193, and for emergency water service from Citizens Utilities Company of California.

Application No. 57229 (Filed April 15, 1977)

ORDER DENYING REQUEST FOR MODIFICATION

By Decision No. 86193 dated August 3, 1976 in Application No. 55538 and Case No. 10093 the Commission imposed the following restriction upon Citizens Utilities Company of California (Citizens), Montara District:

- "3. Respondent shall make no new connections until such time as it can demonstrate a sufficient water supply to provide for additional customers without adversely affecting service to existing customers. Respondent shall exempt therefrom all applicants for service having a building permit issued prior to August 3, 1976."

On April 15, 1977 Robbie G. Garzini and Rebecca S. Garzini filed the instant application requesting modification of the above order alleging that they are the owners of property within the service area of Montara District; that they commenced negotiations for the purchase of said property in March 1976; that prior to purchase they contacted the Airport Landing Commission, the Central Coast Regional Coastal Zone Conservation Commission, the Montara Sanitary District, and the Citizens Utilities Company-Montara District and were advised that they would have no difficulty in obtaining the necessary authorities and service; that being inexperienced they were aware of the need to proceed as soon as possible; that on March 29, 1977 they were informed by the Montara Sanitary District that a

sewer permit would be issued; that when application for water service was made they were informed of the restriction against new connections; and that denial of water service would result in an undue hardship.

Although the Commission has granted similar relief from the restriction imposed by Decision No. 86193, in each instance the applicants indicated that application for water service or sewer connections had been made prior to the Commission's order banning new connections.

The Commission found in establishing the restriction on new services that the water supply sources were deficient. To make an exception in this instance, particularly where timely filings for water and sewer services had not been made, would defeat the very purpose of the restriction. It would open the door to many other individuals who are similarly situated and thereby place undue demands upon limited facilities during a period of drought.

The application will be denied.

IT IS ORDERED that Application No. 57229 is hereby denied.

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

Dated at San Francisco, California, this 2nd day of AUGUST, 1977.

Robert Batyian  
President  
William J. Quinn  
Vernon L. Sturgeon

\_\_\_\_\_  
\_\_\_\_\_  
Commissioners

Commissioner Richard D. Gravelle, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner Claire T. Dedrick, being necessarily absent, did not participate in the disposition of this proceeding.