

ORIGINAL

Decision No. SS124 NOV 22 1977

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Southwest Suburban Water, a California Corporation, and Cucamonga County Water District, a County Water District, for an amended order, authorizing the modification of Ordering Paragraph 3, Decision No. 87965.

Application No. 57346
(Filed May 25, 1977)

ORDER AMENDING DECISION NO. 87965

Southwest Suburban Water requested an amended order, for the modification of Ordering Paragraph 3, in Decision No. 87965. This modification is necessary to bring the statement in the ordering paragraph in line with Ordering Paragraph No. 1 in Decision No. 87965. Ordering Paragraph 3 of Decision No. 87965 states:

"As a condition of this grant of authority, Southwest Suburban Water shall assume all liability for refunds of main extension advances, if any, which are subject to refund, in the areas within the Etiwanda District."

Ordering Paragraph No. 1 of Decision No. 87965 states:

"On or before December 29, 1977, or subject to conditions as described in Paragraph 4.d. in the Agreement of Sale, Southwest Suburban Water, may sell and transfer the water utility facilities referred to in the application to Cucamonga County Water District, according to the terms and conditions in the Agreement of Sale attached to the application and subject to the results of the November 8, 1977 election."

A. 57346 FG

The Agreement of Sale, as attached to Application No. 57346, states as a condition in Paragraph 3, in part, that:

"In addition, the District shall assume Southwest Suburban Water's obligation to repay that portion of advances for construction existing at the Closing Date and consisting of (i) the then balance of presently existing advances for construction (estimated to be \$33,535) relating to the Subject Properties and (ii) any advances for construction hereafter created by S-W and relating to additions to or improvements of the Subject Properties approved by the District pursuant to Paragraph 6."

Due to inconsistency of the two ordering paragraphs, Ordering Paragraph No. 3 should be revised to read as follows:

"As a condition of this grant of authority, Cucamonga County Water District shall assume all liability for refunds of main extension advances, if any, which are subject to refund, in the areas within the Etiwanda District, as stipulated in the Agreement of Sale."

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 22nd day of NOVEMBER, 1977.

Robert Belmont
President
William J. Johnson Jr.
James L. Sturgeon
Richard D. Howell
Walter L. DeBartolo
Commissioners