

ORIGINAL

Decision No. 88264 DEC 20 1977

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of WALTER GORDON MILLER }
and HELEN MARY MILLER for an order }
exempting applicants from the pro- }
visions of Decision No. 84527. }

Application No. 56334
(Filed March 18, 1976)

Walter Gordon Miller and Helen Mary Miller,
for themselves, applicants.
Dinkelspiel, Belavin, Steefel & Levitt, by
Lenard G. Weiss, Attorney at Law, for
California-American Water Company,
interested party.
Lionel B. Wilson, Attorney at Law, and
Eugene Lill, for the Commission staff.

O P I N I O N

Applicants, Walter Gordon Miller and Helen Mary Miller, request that the Commission issue an order exempting them from the provisions of Decision No. 84527 so that they may receive water service from California-American Water Company (Cal-Am) at their real property, described as Lot No. 40, Block 153D, 3163 Forest Lake, Pebble Beach, California. Public hearing was held in this matter in San Francisco on May 3, 1976.

Ordering Paragraph 4 of Decision No. 84527, the Second Interim Order in Case No. 9530, as modified by Decision No. 84683, provides as follows:

"Until otherwise permitted by further order of this Commission, California-American Water Company shall not provide water to new service connections within its Monterey Peninsula District, other than those in municipally sponsored redevelopment or renewal projects, unless, prior to the effective date of this Order, a valid building permit has been issued. However, this prohibition shall not apply to those parcels of property granted a variance from Decision No. 81443 by Decision No. 81987."

On August 16, 1977, subsequent to the filing of this complaint and the hearing therein, the Commission issued Decision No. 87715, the Tenth Interim Opinion in Case No. 9530. That decision, which is now final and effective, lifts the ban on providing water service to some 1,500 residential lots in the service area of Cal-Am's Monterey Peninsula District. Applicants' lot is among that number. Thus, applicants may now receive water service upon making appropriate request therefor to Cal-Am.

The Commission concludes that the application should be dismissed.

O R D E R

IT IS ORDERED that the application is dismissed.

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

Dated at San Francisco, California, this 20th day of DECEMBER, 1977.

Robert Batistoni
President
William Lyons
Vernon L. Sturgeon
Richard D. Gwalt

Commissioners

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