

ORIGINAL

Decision No. 88771 MAY 2 1978

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of John Romais for a deviation from Commission Decision No. 88539, and for a water service connection from the Buckingham Park Water System.

Application No. 58022
(Filed April 24, 1978)

ORDER OF MODIFICATION

By Decision No. 88539, dated March 7, 1978, in Case No. 10418, et al., the Commission imposed the following restriction upon Buckingham Park Water System:

"5. No new water service connections shall be made except for applicants who possess a building permit issued on or before February 1, 1978 with respect to the lot or lots for which service is requested, or as otherwise ordered or approved by the Commission."

On April 24, 1978, John Romais filed Application No. 58022 requesting a deviation of the above order alleging that he owns property within the service area of Buckingham Park Water System; that applicant had obtained approval for a building permit from the Lake County Planning Department on March 29, 1978; that applicant had obtained approval for a building permit from the Lake County Road Department and the Flood Control Department on April 19, 1978; that on April 19, 1978, the Lake County Department of Health denied approval for the building permit because of the moratorium established on new water service connections in the Buckingham Park Water System service area by Commission Decision No. 88539; that the effective date of Decision No. 88539 was 30 days after March 7, 1978; that the Lake County Department of Health would have approved the building permit if the request had been submitted before the effective date of the order, April 6, 1978; that if the applicant was informed,

the applicant, who lives in southern California, would have submitted the building permit for approval before the effective date of the Commission's decision; that the applicant questions the legality of the pre-established date of February 1, 1978, as the cutoff date for new water connections when the effective date of the Commission decision is on April 6, 1978.

After consideration, the Commission concludes that the application should be granted.

IT IS ORDERED that:

1. As an exception to Ordering Paragraph 5 of Decision No. 88539, Buckingham Park Water System shall, upon application, provide water service to John Romais.

2. In all other respects the provisions of Decision No. 88539 shall remain in full force and effect.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this
2nd day of MAY, 1978.

Robert Bateman
President
William S. Lyons Jr.
Vernon L. Sturgeon
Robert D. Lovell
Clare J. Deibel
Commissioners