

Decision No. 89118 JUL 25 1978

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

JACK I. WOHL D and DORIS I. WOHL D,
et al.,

Complainants,

vs.

Case No. 10336
(Filed May 24, 1977)

RUSSELL E. GROSSMAN, JR., and
PAULINE M. GROSSMAN dba
PEACEFUL PINES WATER COMPANY,

Defendants.

Margaret Weidling, Philip D. Smiley, Gertrude E. Schroeder, Rollin L. Schroeder, Elsie M. Bader, and Robert Fiala, for themselves, complainants.
Ed Grossman, for himself, defendant.
Leslie D. Hay, for the Commission staff.

O P I N I O N

Hearing was held on this complaint in Sonora, California, on September 1, 1977 before C. T. Coffey.

The complaint was signed by 14 individuals as users of the service of the Peaceful Pines Water Company.

The Peaceful Pines Water Company serves water in an unincorporated area known as Peaceful Pines located approximately 19 miles east of Sonora, Tuolumne County, California. Service is provided to 26 customers, only 9 of which are year-round inhabitants. The other customers are weekend and vacation customers.

Complainants allege the following:

- a. Defendants are operating a public utility water system as defined by Sections 2701 through 2712 of the Public Utilities Code of the State of California.
- b. The facilities have been operated as a public utility since at least March 8, 1957, at which time a water supply permit was issued by the

Tuolumne County Health Department to one group of the predecessor owners.

- c. The facilities have been transferred on at least two occasions since 1957 and Russell E. Grossman, Jr. and Pauline M. Grossman are presently recognized as the owners of record.
- d. That the facilities consist of an improved spring, two collection tanks, a booster pump, an elevated storage tank, distribution pipes, and services.
- e. That the rates presently being charged are \$12 per month for flat rate service while previously the charge was \$8 per month. The increase in rates was effective in early 1977.
- f. Facilities are in need of immediate repair to insure continued service to the customers even at minimal standards. The elevated tank in particular needs repair because it cannot be filled even to the halfway mark because of holes in the redwood staves.

The matter was taken off the calendar to permit the parties to investigate possible mutual or public operation.

On May 17, 1978, the Tuolumne County Water District No. 2, by letter informed this Commission that it has acquired the Peaceful Pines Water System per Resolution No. 922, adopted on April 19, 1978, which formed Improvement District No. 7.

We find that:

1. The Peaceful Pines Water Company has been operating without authority of this Commission.
2. All system transfers to date have been made without reference to this Commission.
3. Service to customers of the Peaceful Pines Water Company is now to be provided by the Tuolumne County Water District No. 2.

We conclude that this complaint should be dismissed without requiring defendant to request authorization to transfer the Peaceful Pines Water System to the Tuolumne County Water District No. 2.

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O R D E R

IT IS ORDERED that Case No. 10336 is dismissed.

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

Dated at San Francisco, California, this 25th
day of JULY, 1978.

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President
William Agnew, Jr.
Leon L. Johnson
Charles W. Havelle
Clair J. DeBrill
Commissioners