

**ORIGINAL**Decision No. 89450 OCT 3 1978

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application  
of Emil Magliocco, et al., to  
obtain metered service from  
California-American Monterey  
Division Water Mains.

Application No. 57890  
(Filed February 24, 1978)

O P I N I O N

Applicant Emil Magliocco requests that the Commission issue an order authorizing California-American Water Company to extend water service into a proposed new 10-lot nonresidential subdivision to provide domestic water service.

This Commission, by Ordering Paragraph 1 of Decision No. 81443, dated May 30, 1973, in Case No. 9530, prohibited the California-American Water Company from extending or accepting distribution mains within or from its Monterey Peninsula Division system to serve new developments; and by Ordering Paragraph 4 of Decision No. 84527, dated June 10, 1975, in Case No. 9530, directed that until otherwise permitted by further order of this Commission, California-American Water Company could not provide water to new service connections within its Monterey Peninsula District. Although there were stated exceptions to both orders, the exceptions were specific and did not apply to the instant application.

On August 8, 1978, subsequent to the filing of this application, the Commission issued Decision No. 89195 in Case No. 9530, effective September 8, 1978. That decision, by Ordering

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Paragraphs 1.a. and 1.d. rescinded both Ordering Paragraph 1 of Decision No. 81443 and Ordering Paragraph 4 of Decision No. 84527, thus removing both restrictions from which Mr. Magliocco had requested a variance. He may receive water service after September 8, 1978 upon proper application to the California-American Water Company. His application therefore becomes moot and should be dismissed.

O R D E R

IT IS ORDERED that Application No. 57890 is dismissed. The effective date of this order shall be thirty days after the date hereof.

Dated at San Francisco, California, this 3rd day of OCTOBER 1978.

Robert Bateman  
President  
William J. Gannon  
Richard L. Stephens  
Charles W. Gault  
Clair J. Deziel  
Commissioners