

Decision No. 89695

NOV 28 1978

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's
 own motion to determine the revisions
 to the Uniform Main Extension Rules
 for water utilities necessitated by
 modifications to General Order No. 103
 ordered by Decision No. 84334.)
)
) Case No. 9902
)
)
)

ORDER SUPERSEDING INQUIRIES
 PREVIOUSLY ORDERED IN
 CASE NO. 9902

On April 15, 1975, in Case No. 9902, the Commission instituted an investigation into the operations and service of public utility water companies to determine what revision of Rule 15 (the "Water Main Extension Rule") was necessitated by the modifications to General Order No. 103 ordered by Decision No. 84334.

On June 28, 1977, concerned over the implications of the current practice which permits compensation to a water utility in condemnation proceedings for facilities contributed by developers and customers, the Commission amended Case No. 9902 to consider whether such facilities should be held in trust for the public and, in the event of condemnation, be surrendered without compensation.

On October 4, 1977, in response to Senate Concurrent Resolution No. 99, the Commission further amended Case No. 9902 to determine by what means water utilities can finance the improvements of fire protection.

Now, in the interest of clarity, and for the purpose of undertaking a comprehensive review of sewer- and water-main extensions,

IT IS ORDERED that the inquiries previously ordered in Case No. 9902 be hereby superseded by the following:

1. Should facilities contributed to a sewer or water utility be transferred without compensation in the event of their acquisition by a public agency?
2. Should money or facilities provided by an applicant for a sewer- or water-main extension no longer be subject to refund?
3. Should free-footage allowances for individual applicants be either modified or eliminated?

IT IS FURTHER ORDERED that the Commission staff prepare a report setting forth its recommendations as to these inquiries, including revised tariffs which incorporate any recommended changes, and distribute within ninety days following the effective date of this order a copy of that report to all respondents and interested parties in Case No. 9902.

Public hearings in this investigation shall be held before Administrative Law Judge Coffey at a time and place to be set.

The Executive Director shall cause a certified copy of this order to be mailed to all respondents and interested parties in Case No. 9902.

The effective date of this order is the date hereof.

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

I dissent.

William Lyons, Jr.

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.

Robert R. Rabinovich

Arthur D. Howell

David J. D'Adamo