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ORIGINAL

Decision No. 89616 . JAN 4 1979

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

RISING SUN MINE PROPERTY OWNERS
ASSOCIATION, INC.,

Complainant,

vs.

PACIFIC GAS AND ELECTRIC COMPANY,

Defendant.

Case No. 10640
(Filed July 28, 1978)

ORDER DENYING INTERVENTION

On October 23, 1978, the County of Placer (County) filed a petition to intervene and become a party to Case No. 10640.

County is a political subdivision of the State of California within whose boundaries the Rising Sun Mine Property Owners Association, Inc. (Rising Sun) is situated. County alleges that Rising Sun will request that County, through its County Service Area, provide treated water for domestic purposes to its members.

According to County, to provide such water, it would be required to purchase such water from Pacific Gas and Electric Company (PG&E).

Therefore, County requests that it be allowed to intervene in the proceeding to insure that all water provided in such County Service Area will be treated water of an adequate quantity.

According to Rising Sun, for the past 15 years, it has operated a water purification system, obtaining water from the Boardman Canal, which is owned by PG&E, and transporting such treated water through its water mains to points where members of its association can make service connections. At present, there are 66 service connections, with the possibility of an additional 30 services being added as remaining parcels are developed within the service area. As each service connection has been made, PG&E has installed a water meter in the service line and, thereafter, has billed each individual water user for the amount of water used.

Rising Sun's water mains and properties of members of its association are outside the designated service area of PG&E, but are adjacent thereto.

PG&E's water lines serving the Colfax area are in close proximity to Rising Sun's water mains and the properties served therefrom. Although Rising Sun has requested PG&E to supply treated water from its Colfax plant to it and its members and has offered to pay the cost of extending such water service, PG&E has refused to do so, except upon condition that Rising Sun pay the sum of \$500,000. PG&E's demand for payment of \$500,000 was for the stated purpose of partially defraying the cost of replacing the intake line to PG&E's Colfax plant, which is more than 50 years old and, for many years, has been in a state of disrepair requiring replacement.

The allegations contained in County's petition have no connection whatsoever to Rising Sun's complaint against PG&E. Thus,

it appears that intervention should not be granted, as Rule 53 of this Commission's Rules of Practice and Procedure prohibits intervention if such intervention would unduly broaden the issues presented by Rising Sun. Such would be the case if County was allowed to intervene.

Therefore, IT IS ORDERED that the petition of the County of Placer to intervene and become a party to Case No. 10640 is denied.

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

Dated at San Francisco, California, this 4th day of JANUARY, 1979.

Robert Bateman
President
Arthur D. Howell
Clair T. DeLoach

Commissioners