

Decision No. 90213 APR 24 1979**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the petition of)
 the INVERNESS PUBLIC UTILITIES)
 DISTRICT requesting the Public)
 Utilities Commission to fix just)
 compensation for the acquisition)
 of the public utility property)
 of the INVERNESS WATER COMPANY.)

Application No. 58061
 (Filed May 9, 1978)

ORDER OF DISMISSAL

On May 9, 1978, Inverness Public Utilities District (District) filed a petition pursuant to Public Utilities Code Section 1401 et seq.^{1/} (which we treated as this application) requesting us to determine the just compensation for the acquisition by the District of the lands, property, and rights of the Inverness Water Company (Company). The District is a public utilities district (a political subdivision of the State of California) located in Marin County. The Company is a California corporation which is a wholly owned subsidiary of Citizens Utilities Company, a Delaware corporation, with its principal place of business in Stamford, Connecticut.

Pursuant to Section 1405, the Commission issued its order to show cause why it should not proceed to hear the petition and to fix just compensation for the Company's lands, property, and rights. The order to show cause was served pursuant to Sections 1405 and 1406.

Hearing on the order to show cause was duly noticed and was held before Administrative Law Judge Donald C. Meaney in Novato, California, on August 21, 1978. No person appeared and presented any reason why the Commission should not proceed to fix just compensation.

^{1/} Further reference to code sections are to sections of the Public Utilities Code.

Later hearing dates were selected for the presentation of just compensation evidence. The hearing was continued and finally was removed from calendar upon notification to the ALJ that just compensation had been agreed upon.

On January 22, 1979, the District and the Company filed in this proceeding a stipulation indicating that a settlement between the parties had been reached as to the amount to be paid by the District to the Company for the transfer of the property, and making certain other recitals, including the agreement that such settlement is a compromise and not to be utilized in any subsequent action of the parties. The stipulation also states that this application may be "discontinued", which we interpret as an agreement that the matter may be dismissed.

IT IS ORDERED that this application is dismissed.

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

Dated at San Francisco, California, this 24th day of APRIL, 1979.

Commissioner CLAIRE T. DEDRICK

Present but not participating.

John E. Byron
President
Henry L. Livingston
Richard D. Crowl
Leonard J. [Signature]
Commissioners