

ORIGINAL

Decision No. 90496 JUL 3 1979

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
(Petition for Modification
filed May 16, 1979)

ORDER MODIFYING DECISION NO. 90213

Inverness Water Company, one of the applicants in this proceeding, petitions to modify Decision No. 90213 (dated April 24, 1979) to remove certain erroneous language from the decision.

The decision dismissed the proceeding because the parties had agreed on a settlement. However, the decision recites that the scheduled hearing was removed from calendar "upon notification that just compensation had been agreed upon."

The petition for modification correctly points out that the stipulation for dismissal (on file herein) expressly provides that the compensation to be paid in settlement should not be construed as a finding of just compensation or be considered as precedent in the determination of just compensation in this or any other proceedings.

We find that the first paragraph of the second page of Decision No. 90213 should be revised as indicated in the order which follows to avoid creating a misunderstanding of the basis for our dismissal.

IT IS ORDERED that the second sentence of the first paragraph on page 2 of Decision No. 90213 is modified to read:

"The hearing was continued and finally was removed from calendar upon notification to the ALJ that a stipulation for dismissal would be filed."

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

Dated at San Francisco, California, this 3rd day of JULY, 1979.

John E. Burns
President

Thomas E. Thompson

Robert D. Howell

Clifford J. DeWitt

Richard J. ...
Commissioners