

Decision No. 90696

AUG 28 1979

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of YUBA INVESTMENT COMPANY for modification of Decision No. 86646, as amended by Decision No. 86876, and for an order relieving applicant from its obligation to supply water for irrigation during the 1977 season.

Application No. 57255
(Filed April 25, 1977)

Martin McDonough and Barry Berrian, Attorneys at Law, for applicant.
Stanley A. Coolidge, Attorney at Law, for complainants designated in Decision No. 86646.
William J. Jennings, Attorney at Law, for the Commission staff.

ORDER OF DISMISSAL

Prehearing conference on this application was held on October 25, 1977 in Marysville, California, before Administrative Law Judge Tomita. At the prehearing conference applicant indicated that it was in the process of negotiating a sale of its operations including Royal Pines Lakes Development project. Attorneys for applicant and complainant customers indicated that they would undertake negotiations to determine how service could be restored and maintained in the future and that the Commission would be informed as to the status of such negotiations. The prehearing conference was recessed to permit such negotiations.

By letter dated January 9, 1978, L. B. Nelson Corporation indicated that it was acquiring the Royal Pines Lakes Development and would take care of the existing water line problem. On August 11, 1978, applicant's counsel requested that the Commission staff engineer inspect the facilities to determine whether the company was in compliance with the order in Case No. 9711, and, if so, that the current application be dismissed.

On April 6, 1979, the Hydraulic Branch, by memorandum, indicated that a staff engineer had inspected the canal system and found that the canal has been made operative. The Hydraulic Branch recommends that all matters before the Commission may be closed.

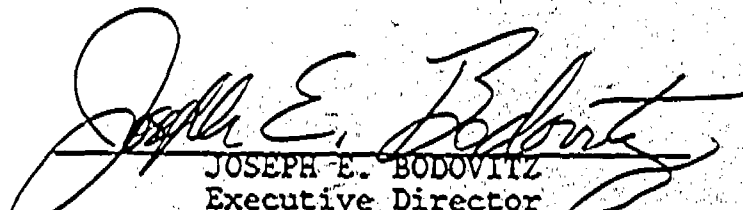
Applicant having filed a letter requesting dismissal of its application,

IT IS ORDERED that Application No. 57255 is dismissed.

This order is issued pursuant to Section 308 of the Public Utilities Code and Resolution No. A-4638.

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

Dated AUG 28 1979, at San Francisco, California.


JOSEPH E. BODOVITZ
Executive Director
Public Utilities Commission
State of California