

Decision No. 91493 APR 2 1980

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own motion into the status, tariffs, rates, rules, regulations, facilities, equipment, water supply, operations, service, contracts, and practices of CUYAMA VALLEY COMMUNITY, INC., a California corporation; ATLANTIC RICHFIELD COMPANY, a Pennsylvania corporation; FOUNDATION FOR AIRBORNE RELIEF, a California corporation; and ARKANSAS VALLEY DEVELOPMENT CORPORATION, an Oklahoma corporation.

Case No. 9661
(Filed February 13, 1974;
amended August 26, 1975)

ORDER TERMINATING INVESTIGATION

On March 4, 1975 we issued an Interim Opinion (D.84172) in this proceeding which concluded that Cuyama Valley Community, Inc. (CVC) is a public utility subject to our jurisdiction with respect to its operation of certain water and sewer systems. We also concluded that Foundation For Airborne Relief's (FAR) control, operation, and management of CVC constitutes it as a water corporation and sewer system corporation, as defined by Sections 216 and 2701 of the Public Utilities Code.^{1/}

On August 26, 1975 we amended this investigation to include Estado Corporation as a respondent. On January 27, 1976 we issued a Second Interim Opinion (D.85383) which declared Estado Home Loan Company (Estado) to be a water corporation and a sewer system

^{1/} All references are to the Public Utilities Code.

corporation subject to our jurisdiction and ordered Estado to continue to operate the systems pursuant to its agreement and not to transfer any of the utility properties without our prior authorization. We found, at the time, that there were too many contingencies, over which we have no control, to determine the ownership of CVC and therefore continued the matter for further hearings at a time and place to be set.

On March 8, 1978, at the request of respondent Atlantic Richfield Corporation (ARCO), an informal conference was held at which all parties were present. The results of the conference were inconclusive.

By letter of January 9, 1980 all parties were advised we were considering terminating this investigation. We requested comments on this proposal by January 31, 1980. Three responses were filed within the time limit. No other responses have been received to date. All parties were served with the three responses. ARCO and the staff recommended termination, and Guyama Community Services District recommended keeping the matter open for six months, because of pending negotiations to acquire the operating properties.


No good cause was presented for not terminating this investigation. If the District's negotiations are successful this matter would be terminated. On the other hand, if the District should request us to institute condemnation proceedings as indicated in its response this matter would also be terminated. Thus, it would appear that the rights of the parties are not being denied by the immediate termination of this proceeding.

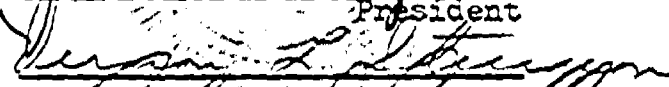
Therefore, IT IS ORDERED that:


1. Interim Decisions Nos. 84172 and 85383 are made final.
2. The investigation in Case No. 9661 is terminated.

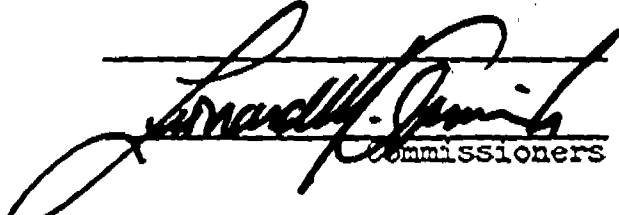
The effective date of this order shall be thirty days after the date hereof.

Dated APR 2 1980, at San Francisco, California.



President






Commissioners

Commissioner Claire T. Dedrick, being necessarily absent, did not participate in the disposition of this proceeding.