

Decision No. 92643

JAN 21 1981

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)
Robert F. Popp for an exemption to)
the building moratorium, Tulare Co.)

Application No. 59158
(Filed September 24, 1979)

JOHN T. BEGLEY, AUDLEY R. CAMPBELL,)
J. C. EVANS, CARLOS B. MORRISON,)
AND BERTHA HUTCHINS,)

Complainants,)

vs.)

GERALD WEDEL, doing business)
as PINE MOUNTAIN WATER CO.,)

Defendant.)

Case No. 10763
(Filed July 26, 1979)

PINE MOUNTAIN RANCH PROPERTY)
OWNERS ASSOCIATION,)

Complainant,)

vs.)

GERALD WEDEL, doing business)
as PINE MOUNTAIN WATER CO.,)

Defendant.)

Case No. 10775
(Filed August 24, 1979)

ORDER TO SHOW CAUSE
AND NOTICE OF HEARING

Upon the reading and consideration of the Affidavit of
Robert M. Mann attached hereto and good cause appearing therefor,
IT IS HEREBY ORDERED that Gerald Wedel, doing business as
Pine Mountain Water Co., a public utility certificated by and
subject to the regulations of the Public Utilities Commission of

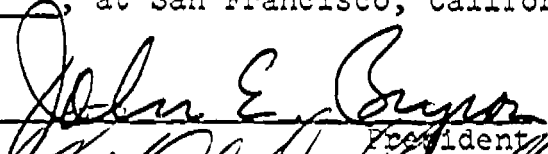
the State of California, appear and show cause before Administrative Law Judge Orville I. Wright in the Commission Courtroom, 107 South Broadway, Los Angeles, California, on February 25, 1981, at 10:00 a.m., if any cause there be why he should not be adjudged in contempt of the decision and order of this Commission made on May 20, 1980, in the above-entitled matters, to wit, Decision No. 91806, Ordering Paragraph No. 6.

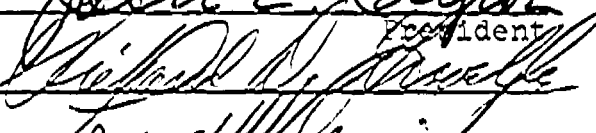
IT IS FURTHER ORDERED that Gerald Wedel further appear and show cause at the aforementioned time and place if any cause there be why the Commission should not punish for such contempt as it may find by fining Gerald Wedel as described in Public Utilities Code Sections 2107, 2108 and 2110 and/or by imprisonment of Gerald Wedel until said Gerald Wedel does or performs or causes to be done or performed the acts of installing a water storage tank with a capacity of at least 64,000 gallons to the facilities of the Pine Mountain Water Company.

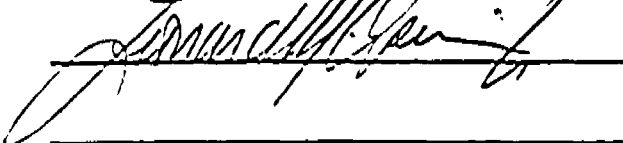
IT IS FURTHER ORDERED that the Executive Director of this Commission cause a true copy of the Affidavit of Robert M. Mann attached hereto to be personally served upon Gerald Wedel with this order.

The effective date of this order is the date hereof.

Dated JAN 21 1981, at San Francisco, California.







Commissioners

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2 In the matter of the application of)
3 Robert F. Popp for an exemption to)
4 the building moratorium, Tulare Co.)

Application No. 59158
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6 J.C. EVANS, CARLOS B. MORRISON, AND)
7 BERTHA HUTCHINS,)

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9 vs.)

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11 as PINE MOUNTAIN WATER CO.,)

12 Defendant.)

13 _____)
14 PINE MOUNTAIN RANCH PROPERTY)
15 OWNERS ASSOCIATION,)

16 Complainant,)

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(Filed August 24, 1979)

17 vs.)

18 GERALD WEDEL, doing business)
19 as PINE MOUNTAIN WATER CO.,)

20 Defendant.)

21 AFFIDAVIT OF ROBERT M. MANN

22 STATE OF CALIFORNIA)
23 COUNTY OF LOS ANGELES) SS

24 Robert M. Mann, being first duly sworn, deposes and
25 says:

26 That he is employed as a Senior Utilities Engineer by the
27 Public Utilities Commission of the State of California
(hereinafter, "Commission") with business address at 107 South
Broadway, Los Angeles, California 90012.

1 That on May 20, 1980, the Commission issued Decision No.
2 91806 directing that Gerald Wedel, doing business as Pine Mountain
3 Co., install as part of the facilities of that water company,
4 inter alia, a water storage tank with a capacity of at least
5 64,000 gallons as expeditiously as possible, but not later than
6 ninety days after May 20, 1980, and, within five days after the
7 new storage tank was placed in service, file a completion notice
8 with the Commission.

9 That on or about November 10, 1980, he personally made an
10 on-site visual inspection of the facilities of the Pine Mountain
11 Water Co. pursuant to his duties as an employee of the Commission.

12 That during said inspection, he did not see any evidence
13 that a water storage tank had been installed as required by
14 Decision No. 91806.

15 That he was accompanied on said inspection by Gerald Wedel
16 and a person who represented himself as being an employee of the
17 Pine Mountain Water Co., one Herman Kanthack.

18 That during said inspection both Gerald Wedel and Herman
19 Kanthack admitted to knowledge of Decision No. 91806 and its
20 requirements and to knowledge that the Pine Mountain Water Co.
21 should comply with said decision.

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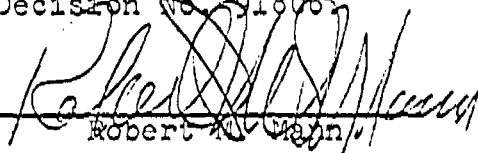
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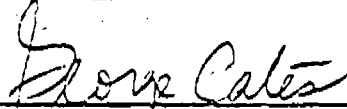
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1 That during said inspection both Gerald Wedel and Herman
2 Kanthack admitted that no water storage tank had been installed
3 despite their knowledge of the requirements of Decision No. 91806.

4 WHEREFORE, an order of the Commission is sought holding said
5 Gerald Wedel in contempt of Decision No. 91806.

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7 
Robert A. Mann

8 Subscribed and sworn to before me
9 this 12th day of January, 1981.

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12 ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~
13 George Cates
Assistant Executive Director

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