

Decision No. 92793 MAR 17 1981

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

Investigation on the Commission's own motion into the operations, practices, service, equipment, facilities, rules, regulations, contracts, and water supply of the MONTEREY PENINSULA DISTRICT OF CALIFORNIA-AMERICAN WATER COMPANY, a corporation, and of RANCHO DEL MONTE DIVISION OF WATER WEST CORPORATION.

Case No. 9530
(Filed April 3, 1973)
Petition for Modification of
Water Rationing Plan
(Filed November 9, 1972)

FREDERICK J. BENN
& LELIA M. BENN,

Complainants,

vs.

CALIFORNIA-AMERICAN WATER COMPANY,

Defendant.

Case No. 10006
(Filed November 17, 1975)

ENTERPRISE CANNERY, a partnership consisting of WILLIAM V. SHAW and MARY MORSE SHAW and ANSEL ADAMS and VIRGINIA ADAMS as trustee under that Declaration of Trust dated January 9, 1974, as amended, and SEBASTIAN SOLLECITO,

Complainants,

vs.

CALIFORNIA-AMERICAN WATER COMPANY,
a corporation,

Defendant.

Case No. 10083
(Filed April 19, 1976)

Bryant H. Prentice, Jr.,
Complainants,
vs.
Monterey Peninsula District of
California-American Water Company,
a corporation,
Defendant.

Case No. 10088
(Filed April 21, 1976)

SAMUEL URCIS and DORY URCIS,
Complainants,
vs.
CALIFORNIA-AMERICAN WATER COMPANY,
a California corporation,
Defendant.

Case No. 10173
(Filed September 15, 1976;
amended January 17, 1977)
(Rehearing granted June 7, 1977)

Application of SANTO COPPUCCIO for
a variance from the restrictions of
Ordering Paragraph 4 of Decision
No. 84527 to permit move of existing
meter to new location.

Application No. 57185
(Filed March 28, 1977)

ORDER MODIFYING DECISION NO. 89195

We have been informed that the Board of Directors of the Monterey Peninsula Water Management District (District) has adopted a policy under which that agency would exercise first review authority on requests by California-American Water Company (Cal-Am) or its potential customer for authority to extend service beyond its service area boundaries.

It is our opinion that this policy is in keeping with our finding in Decision No. 89195 that:

"17. The rate and nature of growth in the Monterey Peninsula, like the management of water resources, is an area-wide concern. Because

Cal-Am's water supply is sufficient to accommodate growth within its Monterey Peninsula District service area, the extent and nature of the growth can most appropriately and effectively be determined by the responsible local government agencies and not by either Cal-Am or by this Commission through restrictions on water service connections and main extensions."

Section 118-363 of the Water Code-Appendix provides as follows:

"No person, owner, or operator shall establish, extend, expand, or create a water distribution system unless and until the approval of the board is first obtained in writing. For the purposes of such approval, the board may adopt such rules and regulations and establish such forms for such applications as are necessary and proper. The board may provide by ordinance for exceptions to the requirement for approval for systems furnishing domestic water to three or fewer parcels or lots in the district."

Clarifying which agency has first review authority should be helpful to Cal-Am and other interested parties as well as avoid duplication of effort by our staff and that of the District.

We will indicate our concurrence with the District's policy by modifying ordering paragraph 6 of Decision No. 89195. We do not believe a public hearing is necessary, however, we are making this order effective in 30 days to provide any party an opportunity to request a hearing. Therefore,

IT IS ORDERED that:

Ordering paragraph No. 6 of Decision No. 89195 is modified to read in full as follows:

"Cal-Am shall not extend water service beyond the boundaries of its present service area in the Monterey Peninsula District without prior Commission


L/pm Case No. 9530 et al.

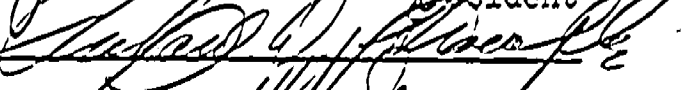
approval. A request for such approval shall be made by advice letter and shall include a copy of the approval of the Monterey Peninsula Water Management District pursuant to Water Code-Appendix, Section 118-363."

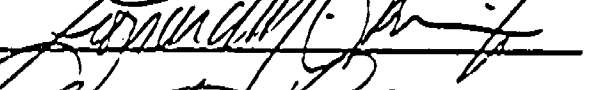
The effective date of this order shall be 30 days from the date hereof.

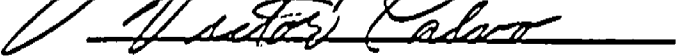
MAR 17 1981

Dated _____, at San Francisco, California.



President






Commissioners