

ORIGINAL

Decision 93254 JUL - 7 1981

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Petition of Citizens Utilities )  
Company of California for )  
Authorization to Institute A )  
Temporary Moratorium to the )  
Provision of New Water Service )  
in its Montara District. )

Application 59321  
(Filed December 6, 1979)

(See Decision 91422 for appearances.)

FINAL OPINION

In Interim Decision (D.) 91422 dated March 18, 1980,  
Application (A.) 59321 of Citizens Utilities Company of California  
(Citizens) we ordered:

"1. Ordering Paragraph 2 of Decision No. 86193  
is changed as follows:

'On and after the effective date of  
this order, applicants for water  
service having a valid sewer permit  
issued by January 31, 1980 may be  
connected to the Montara District  
water system of Citizens Utilities  
Company of California (Citizens) in  
accordance with the procedure set  
forth in Appendix A, attached  
hereto.'

"2. Citizens shall proceed on a priority basis  
to take all steps necessary to place the  
four new contracted for wells in production  
as soon as possible and furnish monthly  
progress reports.

"3. Citizens shall promptly thereafter comply with  
Ordering Paragraph 4 of Decision No. 86193 and  
file the water supply report.

- "4. Citizens shall file its recommendation and basis therefor of lifting the limited moratorium being authorized herein at the time of filing the water supply report.
- "5. Citizens shall continue to emphasize and encourage conservation of water in its Montara District.
- "6. Citizens shall, by mail, inform all of its customers of the necessity of eliminating the nonconsumptive uses of water on the customer's premises. Citizens shall also concurrently provide its customers with suggestions for eliminating such nonconsumptive uses.
- "7. Citizens shall establish liaison by a management employee with the Montara Sanitary District."

Citizens filed with us the procedure for new customers to obtain water service which was specified in Ordering Paragraph 1 above. Citizens, by letter filed October 29, 1980, reported that it completed and connected the 4 wells specified in Ordering Paragraph 2. The water supply capabilities report specified in Ordering Paragraph 3 was filed August 28, 1980. Such report shows the limited water resources available in Citizens' Montara District.

In response to Ordering Paragraph 4, Citizens, by letter filed October 10, 1980, "recommends that the procedures for new customers to obtain water service as described in Appendix A to Decision 91422 be retained" (see Appendix A).

In support of its recommendation, Citizens states:

- "1. There are very limited additional water resources economically developable in and around our Montara District;
- "2. Production capabilities and consumption patterns have varied in the recent past;  
and

- "3. The retention of an orderly Commission prescribed system of allocating water service only to those premises which have authorization for construction by the California Coastal Commission, County of San Mateo and Governmental agencies having jurisdiction over development in the area is essential in order to avoid commitments for water service to those applicants having little or no intention or possibility of utilizing that service."

The Hydraulic Branch of the Commission staff (staff), by memorandum filed February 9, 1981, received as Exhibit 1, recommends adopting the present procedures on a permanent basis, but deleting the requirement that the sewer permit must be issued not later than January 31, 1980.

Citizens and staff are recommending that any person may obtain a new water connection: (1) who has received an approved sewer permit, (2) who intends to build soon, (3) who has submitted plans and specifications to be checked by the San Mateo County Building Department, and (4) who has applied to the California Coastal Commission for any necessary authorization to build.

Now that the water supply has been enhanced by the connection of 4 new wells, it is not reasonable to continue the moratorium on new service connections by requiring customers to have an approved sewer permit issued before February 1, 1980. Citizens has a public utility responsibility, within its service area, to furnish water service to all existing customers and to qualified applicants for a new service connection. Requiring new customers to have an approved sewer permit and to show intent is reasonable. This requirement should result in efficient use of the limited water resources available in Citizens' Montara District. The procedure for new customers to obtain water service contained in Appendix B, attached hereto, is reasonable.

Findings of Fact

1. D.91422 limited water service to new customers having an approved sewer permit issued by January 31, 1980.
2. Citizens completed and connected the 4 wells specified in Ordering Paragraph 2 of D.91422.
3. Furnishing service to only those with sewer permits issued before February 1, 1980, is unreasonable.
4. Continuing to require new customers to have an approved sewer permit and to show intention to build soon is reasonable.
5. The procedure for new customers to obtain water service contained in Appendix B is reasonable.

Conclusions of Law

1. By an administrative law judge's letter dated April 15, 1981 all parties in this proceeding were notified about the revised procedure and were given fifteen days to file any protest. No protest has been received. A public hearing is not necessary.
2. Citizens' request should be authorized in the manner set forth in the following order.

FINAL ORDER

IT IS ORDERED that on and after the effective date of this order, applicants for water service who have a valid sewer permit may be connected to the Montara District water system of Citizens Utilities Company of California in accordance with the procedure set forth in Appendix B, attached.

This order becomes effective 30 days from today.

Dated APR 7 1981, at San Francisco, California.

Jal E. Guyer  
President

Richard D. Gravelle

Victor Castro

Prudence C. Green  
Commissioners

Commissioner Richard D. Gravelle, being necessarily absent, did not participate in the disposition of this proceeding.

APPENDIX A

Citizens Utilities Company of California  
Procedure for New Customers to Obtain Water Service

The addition of 227 customers at the rate of 120 customers per year will be on a first come, first serve basis.

New service connections shall be limited to those persons with approved sewer permits as of January 31, 1980 who intend to build soon and have submitted plans and specifications to be checked and approved by the San Mateo County Building Department and have applied to the California Coastal Commission for any necessary authorization to build.

In order to obtain water service, the new customer must provide Citizens with a notice received from the San Mateo County Building Department, which indicates that authorization for a water service connection is the last item required for the final approval for a building permit from the County.

Further, the new customer must furnish Citizens approval from the Coastal Commission as necessary.

Finally, the customer must provide the utility with an affidavit which states that construction will commence within 90 days of the date of the last approval (Coastal or Building).

If construction does not commence within said 90 days, such customer will lose his position on Citizens' list established pursuant to the above conditions.

A moratorium shall apply to any other application for a new service connection at this time.

APPENDIX B

Citizens Utilities Company of California  
Procedure for New Customers to Obtain Water Service

New service connections shall be limited to those persons with approved sewer permits, who intend to build soon, have submitted plans and specifications to be checked and approved by the San Mateo County Building Department, and have applied to the California Coastal Commission for any necessary authorization to build.

In order to obtain water service, the new customer must provide Citizens with a notice received from the San Mateo County Building Department, which indicates that authorization for a water service connection is the last item required for the final approval for a building permit from the County. The new customer must furnish Citizens approval from the Coastal Commission as necessary. The customer must provide the utility with an affidavit which states that construction will commence within 90 days of the date of the last approval (Coastal or Building).

If construction does not commence within said 90 days, such customer will lose his position on the first-come, first-served basis list maintained by Citizens pursuant to the above conditions.