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Decision 93494 SEP 1 1981

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

CONSOLIDATED FIRE PROTECTION DISTRICT)
OF LOS ANGELES COUNTY, a political)
subdivision of the State of California,)

Complainant,)

vs.)

SAN GABRIEL VALLEY WATER COMPANY,)
a California corporation,)
and Does I through V, inclusive,)

Defendants)

ORIGINAL

Case No. 10696
(Filed December 5, 1978)

Case No. 10913
(Filed September 24, 1980)

CITY OF EL MONTE, CALIFORNIA, a)
municipal corporation,)

Complainant,)

vs.)

SAN GABRIEL VALLEY WATER COMPANY,)
a California corporation,)
and Does I through V,)

Defendants.)

Case No. 10710
(Filed January 17, 1979)

ORDER MODIFYING DECISION 93119
AND DENYING REHEARING

A petition for rehearing has been filed by San Gabriel Valley Water Company. The Commission has considered each and every allegation contained in the petition and is of the opinion that good cause for granting rehearing has not been shown. However, the petition has raised certain areas of inaccuracy and ambiguity which we will correct through the modifications set forth below.

IT IS HEREBY ORDERED that D.93119 is modified as follows:

1. The last three sentences in the first paragraph on page 7 are deleted;
2. Conclusion of Law No. 1 is modified as follows:

"1. San Gabriel is not authorized to make charges to and collect from El Monte or Los Angeles for costs related to providing water for fire protection purposes or for any costs of operation, intallation, capital, maintenance, repair, alteration, or replacement of facilities related to furnishing water for such fire protection purposes."

3. The following Conclusion of Law is added to the decision:

"9. On and after January 1, 1980, unless a fire protection agency (as defined in Section 2713 of the Public Utilities Code) agrees in a signed, written statement, as permitted by the 1979 Act, to assume the costs of operation, installation, capital, maintenance, repair, alteration, or replacement of public fire hydrants, these costs are the responsibility of the water utility."

4. Ordering Paragraph 9 is modified to state:

"Such signed agreements are to be presented for Commission approval by an advice letter filing no later than October 31, 1981."

5. Ordering Paragraph 10 is modified to read as follows:

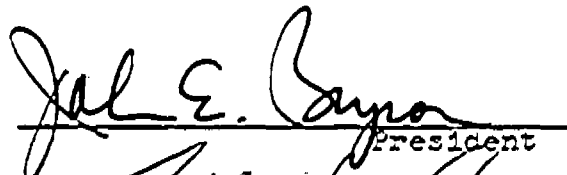
"10. Any monies collected from El Monte for costs incurred since January 1, 1980, related to the provision of water for fire protection purposes or for any costs of operation, installation, capital, maintenance, repair, alteration, or replacement of facilities related to the provision of water for fire protection purposes, shall be refunded within thirty days after the effective date of this order."

C.10696, et al. - L/sm

IT IS FURTHER ORDERED that rehearing of D.93119, as modified herein, is denied.

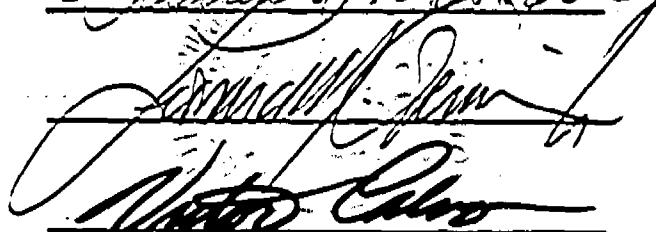
The effective date of this order is today.

Dated SEP 1 1981, at San Francisco, California.



President







Commissioner