

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY & COMPLIANCE DIVISION
WATER UTILITIES BRANCH

RESOLUTION NO. W-3983
APRIL 19, 1996

R E S O L U T I O N

(RES. W-3983), SANTA PAULA WATER WORKS, LTD. (SPWW). ORDER RELIEVING SPWW OF ITS PUBLIC UTILITY OBLIGATION AS A RESULT OF TRANSFER OF OWNERSHIP TO THE CITY OF SANTA PAULA.

BY LETTER FILED ON JANUARY 12, 1996.

SUMMARY

This Resolution relieves Santa Paula Water Works, Ltd., of its public utility obligation and revokes its Certificate of Public Convenience and Necessity as a result of a Final Order of Condemnation issued by the Superior Court of the State of California in Ventura County on January 2, 1996. SPWW's system is now owned and operated by the City of Santa Paula (City).

DISCUSSION

On August 22, 1995, the City filed in the Superior Court of the State of California, County of Ventura, a lawsuit (Case No. CIV 157925) against the Santa Paula Water Works, Ltd., et al. A Judgment in Eminent Domain (Judgment) in the above action was entered on November 20, 1995. The plaintiff (City), in accordance with that Judgment, has paid to defendant (SPWW) just compensation in the total amount of \$18,777,725.68 as evidenced by the Acknowledgement of Receipt of Compensation filed on January 2, 1996.

While SPWW currently remains in existence as a corporation, all the assets with which it formerly provided utility service to its customers now belong to the City. SPWW has no employees; with one exception, all the prior employees of SPWW are now employees of the City. The City has taken over the provision of utility service in the area previously served by SPWW, and SPWW is no longer operating as a public utility.

On January 12, 1996, a letter addressed to Fred Curry, Chief of the Water Utilities Branch, was received from Leigh K. Jordan, Senior Vice President of Park Water Company (parent of SPWW), informing him of the court proceeding as discussed above.

FINDING OF FACT

As a result of a Judgment in Eminent Domain in favor of the City, SPW is no longer operating as a public utility.

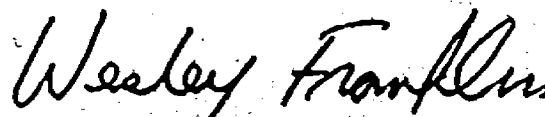
CONCLUSION OF LAW

SPW should be relieved of its public utility obligation.

IT IS ORDERED that:

1. Santa Paula Water Works, Ltd., is relieved of its public utility obligation and its Certificate of Public Convenience and Necessity is hereby revoked.
2. The presently effective tariffs of Santa Paula Water Works are cancelled.
3. This resolution is effective today.

I certify that this resolution was adopted by the Public Utilities Commission at its regular meeting on April 19, 1996. The following Commissioners approved it:



WESLEY M. FRANKLIN
Executive Director

DANIEL Wm. FESSLER
President
P. GREGORY CONLON
JESSIE J. KNIGHT, Jr.
HENRY M. DUQUE
Commissioners

Commissioner Josiah L. Neeper, being necessarily absent, did not participate.