

WATER/DRP:jrb

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

**Water Division
Water Advisory Branch**

**Resolution No. W-4137
March 4, 1999**

RESOLUTION

(RES. W-4137), SOUTHERN CALIFORNIA WATER COMPANY (SCWC), CALIPATRIA-NILAND DISTRICT. ORDER AUTHORIZING SUBSTITUTION OF SERVICE TO THE STATE OF CALIFORNIA, DEPARTMENT OF CORRECTIONS, FROM TARIFF TO PROVISIONS OF GENERAL ORDER NO. 96-A CONTROLLING SERVICE TO GOVERNMENTAL AGENCIES

SUMMARY

By Supplement Advice Letter 1035-W-A, received on January 21, 1999, SCWC seeks authority to withdraw the tariff for water service to the State of California, Department of Corrections, at the Calipatria State Prison (CAL). Presently, CAL receives service under a contract executed in 1990 that specifies rates to be charged but permits periodic revisions in tariff Schedule CN-7M, Metered Service to Department of Corrections. Except for the matter of rates, all terms and conditions of the contract have been fulfilled. Rather than repeatedly revise its tariff, SCWC desires to withdraw the schedule and furnish service to CAL under the provisions for service to governmental agencies, as set forth in General Order No. 96-A.

BACKGROUND

SCWC and CAL entered into a contract in July, 1990, outlining the construction, payment of, and responsibility for service to the prison. The contract specified the initial rates for SCWC to charge which were later filed in Schedule No. CN-7M. SCWC subsequently revised those rates on several occasions. Since all construction and payment called for in the contract has been performed, the only effect of the contract is on rates. General Order No. 96-A, Section X. B., however, permits utilities to furnish service at free or reduced rates to agencies of the United States and the State of California, with the requirement to advise the Commission by Advice Letter. SCWC desires, therefore, to withdraw Schedule CN-7M and furnish service under the provisions of the General Order. CAL is the only customer served under this schedule and no one will be affected by its withdrawal. Correspondingly, SCWC has filed a revised List of Contracts and Deviations deleting the contract with CAL and has filed a revised Service Area Map delineating the territory where CAL is receiving service.

DISCUSSION

Rates in SCWC's tariff and in the contract for service to CAL appear to be duplicative. Since its provisions relating to construction have been fulfilled, the contract with CAL need not remain in effect and SCWC should be permitted to provide service at a level of reduced rates that is agreeable to CAL, as provided for under Section X. B. of General Order 96-A. Such an arrangement would avoid ambiguity in rates and the necessity of filing periodic revisions to the tariff.

NOTICE AND PROTESTS

Copies of Advice Letter No. 1035-W and Supplement Advice Letter No. 1035-W-A have been mailed to CAL and other interested parties. No protest has been received.

FINDINGS AND CONCLUSIONS

THE COMMISSION FINDS, after investigation by the Water Advisory Branch of the Water Division, that the request to cancel and withdraw Schedule No. CN-7M and provide service at reduced rates under the provisions Section X. B. of General Order 96-A is reasonable.

IT IS ORDERED that:

1. Supplement Advice Letter No. 1035-W-A of Southern California Water Company is approved contingent upon its provision of service to the State of California, Department of Corrections, Calipatria State Prison, under the provisions of Section X. B. of General Order 96-A and promptly advising the Commission thereof by Advice Letter.
2. Southern California Water Company is authorized, to make effective, on the filed date of the Advice Letter notifying the Commission that service has commenced under the provisions of Section X.B. of General Order 96-A, the revised Service Area Map and the revised List of Contracts and Deviations, and concurrently cancel the presently effective Schedule No. CN-7M, Metered Service to Department of Corrections.

3. This resolution is effective today.

I certify that this resolution was adopted by the Public Utilities Commission at its regular meeting on March 4, 1999. The following Commissioners approved it:



WESLEY M. FRANKLIN
Executive Director

RICHARD A. BILAS
President

HENRY M. DUQUE

JOSIAH L. NEEPER

Commissioners