

DRAFT

AGENDA ITEM #8135

WATER/RSK/FLC/PTL/OE2/jlj

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

**DIVISION OF WATER AND AUDITS
Water & Sewer Advisory Branch**

**RESOLUTION NO. W-4728
December 4, 2008**

R E S O L U T I O N

(RES. W-4728), CALIFORNIA WATER SERVICE COMPANY (CAL WATER). ORDER AUTHORIZING A 3-MONTH EXTENSION OF TIME, REQUESTED ON BEHALF OF CUSTOMER ERDA LABUHN, TO SUBMIT A BUILDING PERMIT TO RETAIN HER WATER SERVICE CONNECTION IN CAL WATER'S REDWOOD VALLEY DISTRICT'S COAST SPRINGS WATER SYSTEM.

SUMMARY

By Advice Letter No. 1886, filed on October 8, 2008, Cal Water seeks authorization to grant a 3-month extension of time to its potential customer, Erda Labuhn, a lot owner in its Coast Springs Water System (Coast Springs), to submit the building permit required by Decision (D.) 03-03-037 to retain her name on the approved water service connection list for connections without active meters. This resolution grants Cal Water's request.

BACKGROUND

Coast Springs serves the Dillon Beach and Oceana Marin areas, approximately four miles west of Tomales in Marin County. Coast Springs is a division of Cal Water's Redwood Valley District. Cal Water's domestic water supply permit for Coast Springs issued by the California Department of Public Health (DPH) on December 18, 2000, revised July 3, 2003, provides that it may not exceed 255 service connections until Cal Water has demonstrated to DPH that it has sufficient capacity to handle the additional connections. At this time, the Coast Springs system has an "approved list" which identifies services without active meter connections which were approved by Cal Water within the moratorium limit and a "waiting list" which identifies applications for water service exceeding the moratorium limit.

D.03-03-037 required in Ordering Paragraph No. 1 that the following special condition be added to tariff Schedule No. RV-CS-1:

Applicants requesting water service that would cause the Coast Springs Water System to exceed 250 service connections, or such higher number of connections as DPH may subsequently allow under Coast Springs Water System's domestic water supply permit, will be placed on a waiting list. Once additional service connections become available, applicants on the waiting list will be notified in the order they were received. Any previously accepted application for water service in the Coast Springs Water System will be revoked if proof of a valid building permit is not provided within 18 months of acceptance of the application for water service or [the date this order was mailed], whichever is later. Applicants who have had their approval revoked in this manner will be placed at the end of the waiting list. This special condition shall expire on [three years after the date this order was mailed] absent further order of the Commission.

Mrs. Labuhn is 94 years old and owns a vacant lot in the Coast Springs Water System with an approved service connection. December 7, 2008, is the deadline for her to submit a building permit to Cal Water. On September 30, 2008, Mrs. Labuhn contacted Cal Water with an email request to apply for an extension on her behalf. She also informed Cal Water that her husband had passed away in June 2008 and that her daughter was now assisting her in completing the permit application process. Mrs. Labuhn requested that Cal Water seek a 3-month extension to enable her to get her affairs in order.

NOTICE

As part of its filing, Cal Water notified all holders of approved service connections, waiting list applicants, owners of unserved lots and others who have requested notification, a copy of this advice letter. The Division received no protests.

DISCUSSION

Cal Water requests a 3-month extension for Mrs. Labuhn to comply with the building permit requirement, which is an approved connection list procedure adopted in D.03-03-037. Due to her husband's death, Mrs. Labuhn states that she was unable to seek a permit during a portion of the 18 months provided by D.03-03-037.

This advice letter is filed pursuant to D.03-03-037 which provides that "Revisions and exceptions to the approved connection list procedure and waiting list procedure may be made only with Commission approval. Approval may be either by formal application and decision, or with the concurrence of the Division of Water and Audits, by advice letter and Commission resolution." The Division of Water and Audits accepted Cal Water's Advice Letter No. 1886 on October 8, 2008.

A review of the construction contract documents shows Mrs. Labuhn has made diligent efforts to secure the permit. The Division agrees to a 3-month extension for Mrs. Labuhn to secure a building permit to retain her name on the approved service connection list.

COMMENTS

This is an uncontested matter in which the resolution grants the relief requested. Accordingly, pursuant to Public Utilities Code 311 (g)(2), the otherwise 30-day period for public review and comment is being waived.

FINDINGS

1. Mrs. Erda Labuhn owns a vacant lot in California Water Service Company's Coast Springs Water System and she is one of the customers on the approved service connection list.
2. December 7, 2008 is the deadline for Mrs. Labuhn to submit a building permit to Cal Water.
3. On September 30, 2008, Cal Water was notified that Mrs. Labuhn had suffered the loss of her husband, who was processing the permit application in June 2008 and was unable to complete the application as a result of this. Mrs. Labuhn requested a 3-month extension.
4. Without an extension, Mrs. Labuhn will lose her place on the approved service connection list and her name will be placed at the bottom of the waiting list as she has yet to secure a building permit – as required by D.03-03-037, Ordering Paragraph No. 1.
5. Ordering Paragraph No. 2 of D.03-03-037 provided for changes and exceptions to the approved connection list procedure and waiting list procedure by Commission resolution.

6. Cal Water supports a 3-month extension of time for Mrs. Labuhn to secure a building permit to retain her name on the approved service connection list.
7. The Water Division has received no protests regarding a time extension for Mrs. Erda Labuhn.
8. This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to Code Section 311(g) (2), the otherwise applicable Public Utilities 30-day period for public review and comment is being waived.

THEREFORE IT IS ORDERED THAT:

1. California Water Service Company is authorized to grant Mrs. Erda Labuhn, a lot owner in its Coast Springs Water System, a 3-month extension of time to submit the building permit required by Decision 03-03-037 to retain her name on the approved water service connection list for connections without active meters.
2. This resolution is effective today.

I certify that the foregoing resolution was duly introduced, passed, and adopted at a conference of the Public Utilities Commission of the State of California held on December 4, 2008; the following Commissioners voting favorably thereon:

PAUL CLANON
Executive Director