

DWA/RSK/BMD/PTL/MCV/jlj

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

DIVISION OF WATER AND AUDITS

Water and Sewer Advisory Branch

RESOLUTION NO. W-4907

February 16, 2012

R E S O L U T I O N

(RES. W-4907), STEWART WATER COMPANY (SWC). ORDER
AUTHORIZING SWC TO BE EXEMPTED FROM COMMISSION
JURISDICTION.

BY ADVICE LETTER 13, FILED DECEMBER 27, 2011.

SUMMARY

This Resolution approves SWC's request to be exempted from Commission jurisdiction.

BACKGROUND

By Advice Letter (AL) 13, filed on December 27, 2011, Mrs. Gloria Eighme, Secretary of Gordon Water Acres Water Company (GWAWC), a non-profit mutual benefit corporation, requested that the Commission delete SWC from the list of regulated water utilities. On March 27, 2004, SWC and its customers incorporated into GWAWC and SWC therefore is no longer operating as a regulated water utility.

Division of Water and Audits (Division) staff has reviewed GWAWC's request and recommends the approval of AL 13 consistent with the treatment afforded to Lucerne Vista Water Company by Res. W-4029.

NOTICE AND PROTEST

In accordance with General Order 96-B, AL 13 was served on December 22, 2011, to adjacent utilities and persons on the general service list. No protests were filed.

DISCUSSION

GWAWC is a non-profit mutual benefit corporation, incorporated on March 27, 2004, whose specific purpose is to provide water to its members and landowners in the Gordon Acres Tract Number 4721, in Lucerne Valley, California. Division finds that

GWAWC is exempt from California Public Utilities Commission's regulations and jurisdiction per Public Utilities Code Section 2705, which states in part:

"Any corporation or association that is organized for the purpose of delivering water to its stockholders and members at costs, ... is not a public utility, and is not subject to the jurisdiction, control and regulation of the commission."

GWAWC delivers water only to its members who are landowners in the Gordon Acres in Lucerne Valley, California; and since it is a non-profit corporation, delivers water at cost.

COMMENTS

This is an uncontested matter that grants the relief requested. Pursuant to Public Utilities Code Section 311(g) (2) this Resolution was not circulated for public comment.

FINDINGS

1. GWAWC is a non-profit mutual benefit corporation, incorporated on March 27, 2004, whose specific purpose is to provide water to its members and landowners in the Gordon Acres in Lucerne Valley, California.
2. Division finds that GWAWC is exempt from California Public Utilities Commission's regulations and jurisdiction, per Public Utilities Code Section 2705, since it delivers water at cost only to its members who are landowners in the Gordon Acres in Lucerne Valley, California.

THEREFORE IT IS ORDERED THAT:

1. Stewart Water Company's tariffs are cancelled.
2. Stewart Water Company should be classified as no longer regulated by the Commission.

3. 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 February 16, 2012; the following Commissioners voting favorably thereon:

/s/ PAUL CLANON

Paul Clanon
Executive Director

MICHAEL R. PEEVEY
President

TIMOTHY ALAN SIMON

MICHEL PETER FLORIO

CATHERINE J.K. SANDOVAL

MARK J. FERRON

Commissioners