

STATE OF NEW YORK
CONSERVATION DEPARTMENT
DIVISION OF WATER POWER AND CONTROL



WATER POWER AND CONTROL COMMISSION

Water Supply Application No. 2189-A

SPRING VALLEY WATER WORKS AND
SUPPLY COMPANY

Eighth Application

MODIFYING DECISION

OFFICIAL RECORD

TO REMAIN IN THE CUSTODY OF THE WATER POWER AND CONTROL COMMISSION

State of New York
PROCEEDINGS
Department of Conservation
WATER POWER AND CONTROL COMMISSION

Water Supply Application No. 2169--A

In the Matter of the Application

- of the following conditions:

SPRING VALLEY WATER WORKS AND
SUPPLY COMPANY
for the approval of the acquisition
of land and the construction
of a dam for an impounding reser-
voir in Rockland County, New York.

Eighth Application

MODIFYING DECISION

Application filed September 26, 1951

Original Decision July 23, 1952

Modifying Decision June 2, 1953

MODIFYING DECISION ON WATER SUPPLY APPLICATION NO. 2189

PROCEEDINGS

Henry L. deForest, Vice President of the Spring Valley Water Works and Supply Company, acting in the name and on behalf of that company, on September 26, 1951 filed an application with the Commission for approval of the plans of said company for the acquisition or taking of an additional water supply, the taking or condemnation of lands for such new source of water supply and of the construction proposed in connection therewith. This application was approved by the Commission on July 23, 1952. Among the paragraphs contained in the decision was the following condition:

- "A. This decision and approval shall have no force and effect until the proposed inter-company plan for financing the project, with the Hackensack Water Company, shall have been approved by the New York State Public Service Commission and by the similar regulating agency of the State of New Jersey. The necessary applications to those two agencies must be filed before June 1, 1953 and upon conclusion of those proceedings certified copies of the decision by each of the aforementioned agencies must be filed with this Commission within 60 days of the date of rendition."

On May 14, 1953 the applicant, through its attorney, filed a request for an extension of said time limit in which to start proceedings before the respective State Regulatory Commissions.

After due study of the recent petition and the information contained therein and after further study of the original papers filed in the case, the Commission finds as follows:

FINDINGS OF FACT

1. After approval of the application by the Commission, the objectors to the proceeding instituted a court review of the decision under Article 78 of the Civil Practice Act.

2. Since the matter is still before the Court and a determination has not been handed down, the applicant has

not yet presented the inter-company financing plan for approval of the two State Regulatory Commissions.

3. An extension of time imposed by Condition "A" of the Commission's decision of July 23, 1952 should be granted.

DETERMINATION

Therefore, Condition A of the original decision of July 23, 1952 can be and hereby is revised to read as follows:

- A. This decision and approval shall have no force and effect until the proposed inter-company plan for financing the project, with the Hackensack Water Company, shall have been approved by the New York State Public Service Commission and by the similar regulating agency of the State of New Jersey. The necessary application to those two agencies must be filed within thirty days following the final adjudication of the now pending court review of this decision and upon conclusion of the proceedings before the two State Regulatory Commissions, certified copies of the findings of each agency must be filed with this Commission within sixty days of the date of rendition.

In all other respects the said decision shall remain as originally written.

MODIFYING DECISION

WHEREFORE, the Water Power and Control Commission does hereby modify the decision on the said application of Spring Valley Water Works and Supply Company as requested.

IN WITNESS WHEREOF, the Water Power and Control Commission has caused its official seal to be affixed hereto and has filed the same with all maps, plans, reports and other papers relating thereto in its office in the city of Albany, this 2nd day of June, 1953.

WATER POWER AND CONTROL COMMISSION


Ray Phlips
Conservation Commissioner, Chairman

Carl E. Quinn
Assistant to the Chief Engineer,
Dept. of Public Works, Alternate

Edward J. Ryan
Assistant Attorney General, Alternate

Attest:

[Signature]
Secretary to the Commission