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**DEPARTMENT REPORTS**

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Water Power and Control Commission

the determination and payment of any and all legal damages to persons and property, both direct and indirect, which will result from the execution of said plans or the acquiring of said lands.

#### Decision

*Wherefore*, the Water Power and Control Commission does hereby approve the said application, maps and plans of the village of Brocton as thus modified.

In the Matter of the Application of the MONROE COUNTY WATER AUTHORITY for Approval of Acquisition of Water Supply and Distribution System of NEW YORK WATER SERVICE CORPORATION Constituting All Real and Personal Property Thereof Appertaining to Waterworks Systems Owned and Operated Thereby Within Boundaries of Monroe County, and Approval of Financial and Engineering Plans for Acquisition of Such Water Supply and Distribution System. SECOND APPLICATION. MODIFYING DECISION

Water Supply Application No. 2615  
(December 14, 1954)

Decision modified as indicated.

#### Proceedings

BY THE COMMISSION.—Franklin W. Judson, chairman of the Monroe County Water Authority, acting in the name and on behalf of that authority, on September 7, 1954 filed with the Water Power and Control Commission an application for approval of the plans of the authority for its acquisition by condemnation or purchase, of all of the plant and property of the Rochester division of the New York Water Service Corporation. This application was approved by the commission on November 9, 1954.

The application as filed, related to the acquisition of the existing water supply system, "by condemnation or purchase" and the project as outlined in the said decision so stated these alternate methods of acquisition as did finding No. 11.

*Condition "A"* of the decision of November 9, 1954 was worded to read as follows:

"A. Under this decision and approval, Monroe County Water Authority is authorized to acquire by condemnation all of the plant and property of the Rochester division of the New York Water Service Corporation including the sources of supply of that division of that company. This approval, however, is subject to compliance by the Authority with all the conditions of the decision rendered this day by the Commission on Water Supply Application No. 2315 affecting the Rochester Division of the New York Water Service Corporation, if title to this system is vested in the Monroe County Water Authority prior to the date or any extension thereof

stated in that decision for full compliance with all of its terms and conditions."

On November 23, 1954 counsel for the applicant advised the commission that the omission of the words "or purchase" from the said condition might well affect the substantive meaning of the decision. Counsel, therefore, has requested that the decision be modified by a revision of *Condition "A"* to include the words inadvertently omitted therefrom.

#### Determination

Therefore, *Condition "A"* of the original decision can be and hereby is revised to read as follows:

A. Under this decision and approval, Monroe County Water Authority is authorized to acquire by condemnation or purchase, all of the plant and property of the Rochester division of the New York Water Service Corporation including the sources of supply of that division of that company. This approval, however, is subject to compliance by the authority with all of the conditions of the decision rendered this day by the commission on *Water Supply Application No. 2315* affecting the Rochester division of the New York Water Service Corporation, if title to this system is vested in the Monroe County Water Authority prior to the date or any extension thereof stated in that decision for full compliance with all of its terms and conditions.

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

#### Decision

*Wherefore*, the Water Power and Control Commission does hereby modify the decision on the said application of Monroe County Water Authority as indicated herein.

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In the Matter of the Application of JAMAICA WATER SUPPLY COMPANY for Authority to Abandon Existing Well No. 18 Designated on Records of Water Power and Control Commission as Well Q-318, and to Drill and Construct Substitute Well to Obtain New and Additional Source of Water Supply on Same Well Site on Southwest Corner of 164th Street and 84th Avenue, Jamaica, Queens County. THIRTY-FOURTH APPLICATION

Water Supply Application No. 2632  
(December 14, 1954)

Application, maps and plans approved as modified.

#### Proceedings

BY THE COMMISSION.—D. J. Hennessy, president of Jamaica Water Supply Company, acting on behalf and in the name of said corporation, on October 7, 1954 made application to the Water