

Decision No. 12022

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of)
the NORTH MONETA GARDEN LANDS WATER)
COMPANY, a corporation, and W. T.)
ESTEP for an order authorizing an in-)
crease in rates for sale of water.)

Application No. 8642.

N. E. BERGEREN and forty-six other)
water consumers and land owners,)
Complainants,)

vs.)

Case No. 1750.

NORTH MONETA GARDEN LANDS WATER COM-)
PANY, a corporation,)
Defendant.)

Salzman & Kornblum by I. B. Kornblum, for
Applicants and Defendant.

I. D. Whaley, for Consumers and Complainants.

M. B. McNamara, in propria persona, Complainant.

BY THE COMMISSION:

O P I N I O N

In the above entitled application the North Moneta Garden Lands Water Company, a corporation, and W. T. Estep ask authority to increase rates for the sale of water to consumers in the North Moneta Garden Lands Tract No. 874, in Los Angeles County.

Case No. 1750 is a complaint filed by N. E. Bergeren and other consumers and land owners against the North Moneta Garden Lands Water Company alleging in effect that the utility has ne-

glected to make necessary repairs and betterments to the system to enable it to furnish adequate and satisfactory water service to its consumers; that the pipe lines and mains are allowed to leak to such an extent that certain portions of land are continually soaked with seepage water, and are thereby rendered useless and unhealthful; that some of the consumers are unable to obtain any water at certain hours of the day, and are unable at any time to obtain water under sufficient pressure; that a 4 inch main on Rosencrans Avenue which was formerly connected with the lateral pipe lines so as to form a circulating system, has been removed or disconnected, with the result that the water supplied to the southerly portion of the tract is stagnant and unhealthful; that because of the conditions herein outlined, the consumers are not receiving an adequate or proper service, their lands are depreciating in value, their health is endangered, and they are being greatly damaged. The Commission is therefore asked to conduct an investigation and compel defendant to make such repairs and betterments to the system as are necessary to render adequate and satisfactory service.

A public hearing in these matters was held before Examiner Williams at Los Angeles. All of applicants' consumers were duly notified and given an opportunity to appear and be heard. As these proceedings are closely related, it was stipulated at the hearing by all interested parties that the two matters might be combined for hearing and decision.

The testimony shows that applicant is serving approximately 110 consumers at the following rates:

DOMESTIC

Flat rate of \$1.50 per month for water through a 3/4 inch pipe attached by a reducer to a 4 inch main.

IRRIGATION

- (1) Flat rate of 50 cents per hour for water delivered through a 2 inch hydrant attached to a 4 inch main.

- (2) Metered rate of 6 cents per 100 cubic feet, where the consumer desires to furnish his own meter, or 7½ cents per 100 cubic feet where the water company furnishes the meter.

The Commission in Decision No. 7880, dated July 15, 1920, and Decision No. 8122 (a supplemental order dated September 18, 1920), granted a revision of rates conditioned on the repair of leaks, the rendering of adequate service and the restoration of the main on Rosencrans Avenue between Williams and Centennial Streets. Applicant did not comply with the conditions set forth in the above referred to decisions and the rates therein granted have not yet been put into effect.

At the hearing applicants requested that they be granted the rates set forth in the above referred to decisions and stipulated that they would comply with the provisions therein. The complainants in Case No. 1750 also stipulated that they would be satisfied if those conditions were fulfilled.

Mr. F. E. Van Hoesen, one of the Commission's hydraulic engineers, submitted a report showing an estimated original cost of applicant's system amounting to \$30,700 and a replacement annuity of \$721. A reasonable annual maintenance and operation expense was estimated at \$2,000 per year and operating revenues at \$2,500. However, there are no accurate figures upon which either could be based. No objections were made to any of the estimates presented by Mr. Van Hoesen.

The above figures indicate that the revenue does not equal the maintenance and operating costs and replacement annuity, and it appears that applicants are entitled to an increase in revenue. However, the evidence shows that applicants' system covers a large area of sparsely settled territory and the present consumers should not be called upon to pay the total annual charges. Applicants further agreed that the rates set out in the accompanying order will be satisfactory.

The evidence shows that applicants have failed to make necessary repairs to their system. The pipe lines leak in many places and the connecting main on Rosencrans Avenue has not been restored, thus decreasing the adequacy of the service. These conditions should not be permitted to continue and the establishment of a schedule of increased rates will be conditioned on compliance with the provisions of the accompanying order.

O R D E R

North Moneta Garden Lands Water Company, a corporation, and W. T. Estep having made application in the above entitled proceeding and N. H. Bergeren et al. having made complaint against the North Moneta Garden Lands Water Company, as entitled above, a public hearing having been held thereon, the matter having been submitted and being now ready for decision,

It Is Hereby Found as a Fact that the rates now charged by North Moneta Garden Lands Water Company, a corporation, and W. T. Estep, for water supplied to consumers are unjust and unreasonable in so far as they differ from the rates herein established and that the rates herein established are just and reasonable rates to be charged for adequate service:

It Is Hereby Further Found as a Fact that the system of defendant is not in proper condition of repair to render adequate water service to its consumers and that the service herein complained of can be materially improved by making repairs to the pipe line and restoring the former 4 inch main on Rosencrans Avenue and connecting the same to the lateral pipe lines so as to effect proper circulation of water in the distribution system.

And basing the order upon the foregoing findings of fact and the statements of fact contained in the preceding opinion,

IT IS HEREBY ORDERED that North Moneta Garden Lands Water Company, a corporation, and W. T. Estep be and they are hereby ordered:

- (1) To proceed diligently to install and complete within sixty (60) days from the date of this order a four (4) inch pipe along Rosencrans Avenue between Williams and Centennial Streets, connecting same with all laterals extending thereto.
- (2) To proceed immediately to repair breaks and leaks in the pipe system and complete same within sixty (60) days of date hereof.
- (3) To file a written report with this Commission within thirty (30) days from the date of this order, setting forth a statement of work already performed hereunder and plans for the completion thereof.

IT IS HEREBY FURTHER ORDERED that North Moneta Garden Lands Water Company, a corporation, and W. T. Estep be and they are hereby authorized and directed to file with this Commission, within twenty (20) days from the date of this order, the following schedule of rates for water service, which are to be made effective by a supplemental order of this Commission upon the satisfactory completion of the foregoing ordered improvements and not otherwise:

DOMESTIC FLAT RATE

- (1) For a 3/4 inch service attached to a 4 inch main, a monthly flat rate for residences, boarding houses or tenements of 5 rooms or less of \$1.50
 For each additional room per month.25
 Additional for private barn or garage with not more than two horses or cows or one automobile, per month50
 For each additional horse or cow per month. .20
 For each additional automobile per month. .50
- (2) Sprinkling or irrigation of lawns, shrubbery, trees, gardens, etc., per square yard per month005

IRRIGATION RATES

A flat rate per hour for water delivered through
a two (2) inch hydrant attached to a four (4)
inch main of \$0.75

DOMESTIC METER RATES

For 400 cubic feet of water or less. \$1.00

From 400 cubic feet to 1000 cubic feet, per
100 cubic feet20

From 1000 cubic feet to 2000 cubic feet, per
100 cubic feet15

All in excess of 2000 cubic feet, per 100 cu-
bic feet12

NOTE: Meters may be installed at the option of
the consumer or the company. When a meter is
installed at the request of a consumer, a depos-
it may be required, such deposit to be returned
to the consumer as a credit on monthly bills at
a rate of one twentieth ($1/20$) of the deposit
per month. The following deposits may be re-
quired:

For $5/8$ inch meter.	\$15.00
For $3/4$ inch meter.	20.00
For 1 inch meter.	25.00
For $1\frac{1}{2}$ inch meter.	45.00
For 2 inch meter.	70.00

Dated at San Francisco, California, this 3d day of

May, 1923.

C. Seaver
H. B. Blanding
Livingston Martin

Commissioners.