

Decision No. 13836.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of)
G. W. MURRAY) Application No. 10048.
to establish rates as a public utility.)

Louis B. Stanton for applicant.

E. M. Burntrager for Imperial Utilities
Corporation.

BY THE COMMISSION:

O P I N I O N

In this proceeding G. W. Murray asks permission to establish a certain schedule of rates and to put into effect certain rules and regulations in connection with the service of water as a public utility, to consumers residing on Tract No. 4747, Los Angeles County.

Public hearings in this matter were held before Examiner Williams at Los Angeles on June 7th and July 9th, 1924, due notice thereof having been given so that all interested parties might appear and be heard.

The testimony shows that Tract No. 4747 was subdivided by the J. D. Millar Realty Company, which drilled a well on Lot 15 in the tract, installed pumping equipment and a distribution pipe system. Subsequently the water system was transferred to G. W. Murray, who has delivered water to consumers and made charges therefor in accordance with an agreement by virtue of which

the consumers consented to pay the charges until such time as Murray could secure a certificate of public convenience and necessity from the Commission.

At the hearing on June 7th applicant stated that the consumers desired the Imperial Utilities Corporation, which operates in the immediate vicinity, to take over the service. At the same time a petition was presented, signed by 10 of the 12 consumers on the tract, asking the Commission to order the said utility to connect its pipes with the mains of the Murray system and supply its consumers. Applicant therefore was given until July 9th to endeavor to work out some arrangement whereby service could be so rendered.

At the adjourned hearing on July 9th applicant stated that negotiations with Imperial Utilities Corporation had been unsuccessful and that he did not desire to supply water to consumers as a public utility. The request was made that the Commission find that service heretofore rendered by applicant was not a public utility service but was in the nature of an accommodation to consumers, and that the application herein be dismissed.

It is apparent that Imperial Utilities Corporation is in a position to render better service to the residents of this tract than can be rendered by the applicant herein. On the other hand it does not appear that any earnest attempt has been made to induce Imperial Utilities Corporation to extend its system to supply these consumers. It is therefore recommended that the applicant herein and consumers supplied by this water system endeavor to work out some method whereby Imperial Utilities Corporation will assume public utility service in the tract. Under the circumstances it is unnecessary at this time to determine whether or not the service heretofore rendered by G. W. Murray is of a public utility character.

The application will be dismissed, as has been requested by applicant.

O R D E R

C. W. Murray having made application to the Commission as entitled above, and having requested at the hearing that the application be dismissed,

IT IS HEREBY ORDERED that the above entitled application be and the same is hereby dismissed.

The effective date of this order is hereby fixed as twenty (20) days from the date hereof.

Dated at San Francisco, California, this 23rd day of July, 1924.

C. Seavey

Dwight Martin

J. E. Whittey
Commissioners.