

Decision No. 14975.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

EMMA R. YORK,

Complainant,

vs.

OCEAN PARK HEIGHTS LAND AND
WATER COMPANY,

Defendants.

Case No. 2050.

ORIGINAL

W. L. York, for complainant.

H. T. Robinson, for defendant.

BY THE COMMISSION:

O P I N I O N

In this proceeding complaint is brought by Emma R. York against the Ocean Park Heights Land and Water Company, defendant, a public utility serving water to certain consumers located in Los Angeles County, alleging that water service to her premises was discontinued when a private pipe line serving her property was plowed up by a paving contractor engaged in repaving Washington Boulevard; that the defendant has refused to install a service connection from the water main in the street in front of her property, Washington Boulevard, although she has made written application to the company for such water service.

The answer of defendant alleges that the existing water

main on Washington Boulevard will be abandoned when additional rights of way have been obtained by the County of Los Angeles for the proposed widening of the boulevard; that service from the present main would only be temporary; and that a pipe line extension from the Marshall Manor Tract is the only practical way of providing a permanent service to the York premises.

A hearing in this proceeding was held by Examiner Satterwhite at Los Angeles, after all interested parties had been duly notified and given an opportunity to appear and be heard.

The evidence shows that complainant has obtained service in the past from the defendant water company through a privately owned pipe line, which was destroyed during recent paving operations, and that the county officials have refused to permit the complainant to replace the pipe line.

Although the defendant company has a water main in the street in front of the complainant's premises, the company nevertheless proposes that service be rendered to the property by an extension from a main in Marshall Manor Tract at the entire expense of the complainant. This extension would require the installation of several hundred feet of pipe, at an expenditure of approximately \$100.00. This proposal was advocated by the company for the reason that the contemplated widening of Washington Boulevard will necessitate the removal or abandonment of the present main in that street and its relocation in the new right of way. This change cannot be made until the land is acquired by the county authorities and it necessarily follows that any service connection made from the present water main for the purpose of supplying water to complainant's premises will have to be reconnected when the new main is installed.

It is further contended by the defendant that as the Los Angeles County officials object to the cutting of the new

pavement recently laid in this street or to be laid in the near future, this service reconnection cannot be made when the Washington Boulevard main is relocated in the new right of way. However, the evidence shows that it will be a very ordinary matter to install a service from the present main on Washington Boulevard so as to avoid any necessity for disturbing the pavement in case reconnection is required in future.

A careful consideration of the evidence indicates that complainant is entitled to a permanent water service without being required to advance the cost of any main extension, and that the logical location of such a service is from the Washington Boulevard main. This service should have been installed to complainant's premises at the time the private line was plowed out, and before any pavement was laid. At the present time but one half of the roadway is paved. It will therefore only be necessary to bore or drive a service pipe a short distance under the pavement. The connection to a new main can be easily provided for by doubling back with the service pipe to the property line before crossing the boulevard, and later on when the occasion arises a connection to the proposed new main can be made without cutting the new pavement. This arrangement is the least expensive and the most desirable of any of the plans proposed for providing service to complainant. The proposed extension from Marshall Manor to Berkshire Avenue is also feasible provided complainant or defendant can obtain permission to connect the existing pipes on complainant's property over private property, to a service from the proposed extension. However, the connection to the Washington Boulevard main is the most direct, and its location is such that it can be reconnected at a later date to a main that may be installed on the north side of Washington Boulevard when that block is subdivided.

O R D E R

Emma R. York having filed a formal complaint with the Railroad Commission, asking that the Ocean Park Heights Land and Water Company be ordered to install a water service to her premises from its Washington Boulevard main, the matter having been heard and the Commission being fully advised in the premises,

It Is Hereby Found as a Fact that Emma R. York is entitled to a permanent water service from the mains of the Ocean Park Heights Land and Water Company, without being required to advance payment for the extension of a main.

Basing its order upon the foregoing finding of fact and upon the further statements of fact contained in the preceding opinion,

IT IS HEREBY ORDERED BY THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA that Ocean Park Heights Land and Water Company be and it is hereby directed to install a service connection to the premises of Emma R. York from its Washington Boulevard water main, within ten (10) days from the date of this order.

IT IS HEREBY FURTHER ORDERED that upon completion of the installation of the service connection as directed above, Ocean Park Heights Land and Water Company notify this Commission in writing of the date such installation was made.

The effective date of this order is hereby fixed at ten (10) days from the date hereof.

Dated at San Francisco, California, this 21st day of November, 1924.

Cl. Scavely

Dwight Martin

J. T. Whittney

Commissioners.