

Decision No. 15141

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
ATTANASIO CONTE ) Application No. 11089.  
for order authorizing the abandonment )  
of water service. )

R. E. Nicholson for applicant.

BY THE COMMISSION:

O P I N I O N

Atanasio Conte owns and operates a small public utility supplying water for domestic purposes to consumers near the Bankershim district of the City of Los Angeles.

The application in this proceeding alleges in effect that the tracts of land served by applicant's system are now within the City of Los Angeles which has extended its municipal water system throughout said tracts; that a great majority of the residents have discontinued service from applicant's water system and are now obtaining water from the municipal system, and that under such conditions, applicant can no longer operate his plant without suffering considerable financial loss. The Commission therefore is requested to authorize the applicant to discontinue water service and salvage the plant, structures and equipment..

A public hearing in this matter was held before Examiner Williams after due notice thereof had been given, so that all interested parties might appear and be heard.

The evidence shows that the territory served by this applicant was recently annexed to the City of Los Angeles, which has extended its municipal water system throughout the territory

heretofore served by applicant. The mains of this utility have been paralleled by the City which is already serving a large majority of the consumers formerly served by applicant. The evidence further shows that the City can now serve all of the applicant's remaining consumers and it is estimated that on or before the fifteenth day of July, 1925, all residents living in this territory will be served solely by the municipal plant.

Applicant requests that he be given permission to remove all pumping equipment, pipe lines, reservoirs, buildings and other facilities used in connection with the water system. In this regard, it is sufficient to say that the granting by this Commission of authority to discontinue public utility water service under the conditions existing in this instance, carries with it the implied authority to salvage or otherwise dispose of the public utility property involved.

No one at the hearing opposed the discontinuance of this public utility service, and it appearing that all consumers formerly served by this system are now obtaining, or within the next thirty days will obtain, their water supply from another source, the Commission is therefore of the opinion that the application should be granted.

### O R D E R

Attanasio Conte, having made application to this Commission for permission to discontinue the service of water in a certain portion of the City of Los Angeles in and near the vicinity of Lankershim, a public hearing having been heard thereon, the matter having been submitted, and the Commission being now fully advised in the matter,

IT IS HEREBY ORDERED that Attanasio Conte be and he is

hereby authorized to discontinue on the thirty-first day of July, 1925, the service of water to all consumers located in the Attanasio Conte Tract and Lot 187 of the Lankershim Land and Water Company's Tract, Los Angeles County, as more particularly described in the application herein, and thereafter be relieved from all public utility obligations and liabilities in connection therewith upon the following conditions and not otherwise:

1. That within ten (10) days from the date of this order, Attanasio Conte shall notify in writing each of the consumers now being served by him with water, of his intention to discontinue the operation of the system on July 31, 1925.

2. That Attanasio Conte file with this Commission within twenty (20) days from the date of this order, an affidavit setting forth the fact that each of his consumers, now receiving water from this system, was duly notified of the intention to discontinue the operation of the water system on July 31, 1925.

For all other purposes the effective date of this order shall be twenty (20) days from and after the date hereof.

DATED at San Francisco, California, this 3rd day of July, 1925.

H. C. Brundage

George D. Squires  
Ernest C. Scott  
Commissioners.