

Decision No. 18517

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
J. MARTINEZ for a certificate of
public convenience and necessity to
operate a public utility water system
near Garden Grove, Orange County,
California.

Application No. 13663.

J. Martinez, in propria persona.

BY THE COMMISSION:

O P I N I O N

In the above entitled application J. Martinez asks for authority to operate a public utility water system to sell and deliver water to the residents of Tract Number 538, near Garden Grove in Orange County.

A public hearing in the matter was held at Garden Grove before Examiner Williams after all interested parties had been duly notified and given an opportunity to appear and be heard.

The evidence shows that this water system was installed several years ago in connection with the sale of lots in Tract Number 538. Through ignorance of the law or otherwise, no certificate of public convenience and necessity for the operation of this plant was ever applied for or obtained. During the period of operation, charges ranging from \$1.00 to \$2.00 per month have been made for water service. At present, however, and for the last two years, the rate has been \$1.75 flat per month.

The water supply is obtained from a well equipped with a deep-well turbine pump operated by a ten horse-power motor and is

lifted into a 5,000 gallon storage tank elevated 16 feet above the surface of the ground. The distribution system consists of 2 and 3-inch standard screw pipe located on easements at the back of the lots and no franchise was required for the pipe line installation.

The well, pumping equipment, tank and pipe lines are adequate to supply the needs of the present consumers and also to provide reasonably for the requirements of the near future. However, the tank is entirely too low to give proper and satisfactory pressure. Applicant has agreed to raise this tank to a greater elevation and it is expected that this change will be accomplished within the next thirty days.

No one appeared at the hearing to protest against the granting of this application and it therefore appears that the request of applicant should be approved. The rate now in effect on this system is a reasonable rate to be charged for the service rendered under present conditions of operation and will be approved in the following Order.

O R D E R

J. Martinez having made application to this Commission as entitled above for a certificate of public convenience and necessity to operate a water system, a public hearing having been held thereon, and the matter having been submitted,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require and will require that J. Martinez operate a water system for the purpose of supplying water for domestic purposes to consumers residing in Tract Number 588, near Garden Grove in Orange County; and

IT IS HEREBY ORDERED that J. Martinez be and is hereby authorized and directed to file with the Railroad Commission of the

State of California within twenty (20) days of the date of this order the following schedule of rates to be charged for all service rendered subsequent to July 1, 1927, subject, however to terms and conditions as hereinafter provided:

MONTHLY FLAT RATE

House on one lot-----	\$1.75
Each additional house on same lot----	1.00
Stores-----	1.75

IT IS HEREBY FURTHER ORDERED that J. Martinez be and is hereby directed to file with the Railroad Commission within thirty (30) days from the date of this order rules and regulations governing the distribution of water to its consumers, said rules and regulations to become effective upon their acceptance for filing by this Commission.

IT IS HEREBY FURTHER ORDERED that the above schedule of rates shall not become effective unless and until said J. Martinez shall have raised the present storage tank to such a height that the elevation of the bottom thereof shall be at least 35 feet above the present ground surface and shall have provided said tank with a proper roof for protection against contamination and shall have installed a proper wash-out valve and connection in said tank for cleaning and flushing purposes; provided further that said J. Martinez shall notify this Commission in writing of the date on which the improvements ordered herein have been installed and in proper operating condition.

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 14th day of June, 1927.

Emmert

H. B. Brundage

C. Seaver

Leon Whitell

Thos. S. Lewis

Commissioners.