

Decision No. 18827**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application
of Fred A. Moses and Mrs. Anna
H. Moses to discontinue public
utility water service in the Town
of Newark, Alameda County, Cal-
ifornia.

Application No. 13731.

Mrs. Anna H. Moses, for Applicants.

BY THE COMMISSION:

O P I N I O N

This is an application by Fred A. Moses and Mrs. Anna H. Moses, who own and operate a small, public utility water system supplying certain consumers in the Town of Newark, Alameda County, California, requesting the Commission to authorize the discontinuance of further service.

The application alleges in effect that the water supply for the system is insufficient to properly provide the needs of the consumers; that the plant and equipment now require the expenditure of considerable money for rebuilding and replacement; that the owners no longer live in Newark and, for these reasons, cannot afford to continue the operation of the utility. The Commission is requested to grant authority to discontinue the public utility service after allowing the consumers a reasonable time in which to secure water from other sources.

A public hearing in this matter was held before Examiner Satterwhite at Newark after all interested parties had been notified

and given an opportunity to appear and be heard.

From the evidence, it appears that this water system was originally installed by Fred A. Moses about the year 1908. The water supply is obtained from a well from which the water is elevated by an electrically driven pump and stored in a 4,000-gallon, redwood tank from which distribution is made by gravity to 24 consumers through approximately 4,500 feet of pipe, ranging from one inch to two inches in diameter.

The testimony shows that this utility urgently requires an additional water supply and storage facilities, together with certain other improvements, to properly provide for the present needs of the consumers and also to keep pace with the future demands of new consumers, all of which will require the expenditure of considerable money by applicants. However, water service may be obtained from the mains of the East Bay Water Company which supplies adjoining territory and can furnish a better and more dependable water service to all of the consumers of this utility. This company stands willing to serve all of applicants' consumers at any time and, as there were no protests against permitting applicants to discontinue their public utility service, it appears that the request should be granted, contingent upon the present consumers receiving adequate water service from some other source.

O R D E R

Fred A. Moses and Anna H. Moses having made application as entitled above for authority to discontinue their public utility water business in the Town of Newark, Alameda County, California, a public hearing having been held thereon, the matter having been submitted and the Commission being now fully advised in the premises,

IT IS HEREBY ORDERED that Fred A. Moses and Anna H. Moses

be and they are hereby authorized to discontinue the service of water to their consumers in the Town of Newark, in Alameda County, and thereafter stand relieved of all public utility obligations and liabilities heretofore incurred therewith, if and when arrangements have been made by said Fred A. Moses and/or Anna H. Moses, whereby all consumers now served by either or both of them have obtained an adequate water service from some other source, subject, however, to the following terms and conditions:

1. The authority hereby granted will become effective whenever the terms and conditions of this Order have been fully complied with and shall continue only until the thirty-first day of December, 1927.
2. Fred A. Moses and/or Anna H. Moses shall not discontinue water service to any consumers now served by either or both of them until such consumer shall be receiving water service from another source or shall be able to receive said service, if such consumer so desires.
3. If and when all of the terms and conditions of this Order have been fully complied with, Fred A. Moses and/or Anna H. Moses shall file with this Commission an affidavit setting forth such fact and also giving the date or dates upon which service has been discontinued to each of the consumers now served, as provided herein.

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 23rd day of

September, 1927.

Frederick
Estes
Leon White
Thos. J. Rourke
Adm. J. C. ...
 Commissioners.