

ORIGINAL

Decision No. 19172

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
Oak Park Water Company for permission
to serve water to additional territory.

Application No. 13905.

Hahn and Hahn, by Joseph G. Pyle,
for Applicant.
Leonard A. Diether, for City of
Pasadena.

BY THE COMMISSION:

O P I N I O N

In this proceeding, Oak Park Water Company, an unincorporated public utility owned and operated by Guy B. Humphrey and supplying water for domestic purposes in a certain 40-acre tract adjacent to the city limits of Pasadena, in Los Angeles County, makes application for authority to extend its service to a certain adjoining subdivided tract designated in the application as "Parcel No. 1", and to execute and carry out the terms and provisions of a certain agreement with the Pacific-Southwest Trust and Savings Bank, Pasadena Branch, as Trustee under Trust No. 1149, wherein applicant proposes to lease from said Trustee for a period of twenty years the water system, including a well source of supply, pumping equipment and distribution pipe lines which said Trustee proposes to install in said Parcel No. 1.

A public hearing in this matter was held at Los Angeles before Examiner Vaughan after all interested parties had been duly notified and given an opportunity to appear and be heard.

From the testimony, it appears that this Commission in

its Decision No. 16886, dated June 11, 1926, granted to Fred A. Braley and E.T. Gruwell a certificate of public convenience and necessity to operate a water system under the fictitious firm name and style of Oak Park Water Company in Tract No. 7747 and certain territory adjacent thereto, near the City of Pasadena in Los Angeles County. Thereafter, one Guy B. Humphrey, applicant herein, acquired the Oak Park Water Company by purchase authorized by the Commission's Decision No. 18560, dated June 28, 1926. Said Humphrey has entered into an agreement with Pacific-Southwest Trust and Savings Bank, as Trustee under Trust No. 1149, wherein said Trustee, at its own expense, agrees to install a complete water system in a certain tract of land comprising some seventy acres, more or less, and designated as Parcel No. 1, situate adjacent to the territory now served by said Humphrey, and thereafter lease said water system for a period of twenty years for a nominal consideration of \$1.00 per year to said Humphrey who, in turn, is to obtain the necessary authority to serve the new area and is thereafter to operate and maintain the system and furnish the consumers in Parcel No. 1 with an adequate and proper water supply. The contracts for the installation of the water system specify a plant of proper design and adequate capacity to serve the reasonably probable domestic water requirements of the entire parcel to ultimate and complete development; the pipe lines are to be of cast iron pipe of 4-inch, 6-inch and 8-inch diameter; the total estimated cost of the system closely approximates \$30,000.

No one at the hearing opposed the granting of this application and it appears from the evidence that applicant will be enabled to furnish a proper and adequate domestic water service in the additional territory designated above as Parcel No. 1 and

it appearing further that the public interests will best be served by authorization of the agreement of lease as set out in the application, the Commission is therefore of the opinion that the requests should be granted.

ORDER

Guy B. Humphrey, operating a water system under the fictitious firm name and style of Oak Park Water Company, having applied to this Commission for authority to extend his public utility water service into certain additional and adjacent territory, designated as Parcel No. 1, and having also asked for authority to enter into a lease with the Pacific-Southwest Trust and Savings Bank, a corporation, as Trustee providing for the installation and operation of the necessary water plant to serve said Parcel No. 1, a public hearing having been held thereon and the Commission being now fully informed in the premises,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require and will require that Guy B. Humphrey, under the fictitious firm name and style of Oak Park Water Company, operate a water system for the purpose of supplying water for domestic and other purposes in Parcel No. 1, also known as Tracts No. 9562 and No. 9623, and/or parts thereof, in Los Angeles County, and as more particularly described in the application herein and the exhibits attached thereto.

IT IS HEREBY ORDERED that said Guy B. Humphrey be and he is hereby authorized to enter into an agreement with the Pacific-Southwest Trust and Savings Bank, a corporation, as Trustee, providing for the lease by said Trustee to said Guy B. Humphrey

of a certain water system to be installed in said Parcel No. 1 substantially in accordance with the terms, conditions and provisions of the "Memorandum of Agreement" attached to the application herein and marked Exhibit "C", which is hereby referred to and made a part of the order herein by reference.

IT IS HEREBY FURTHER ORDERED that the authority herein granted for the entering into of said agreement to lease shall apply only to such agreement as shall have been made on or before the first day of March, 1928, and a certified copy of said agreement shall be filed with this Commission by said Guy B. Humphrey within ten (10) days after said agreement has been executed.

The authority herein granted shall become effective upon the date hereof.

Dated at San Francisco, California, this 23rd day of December, 1927.

Edward J. Keenan
Leon Whittell
Pho S. Koutou
M. J. Linn
 Commissioners.