

Decision No. 20021

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of the Suburban Mutual Water Company, a business trust, for a certificate of necessity and convenience entitling the applicant to operate a water pumping and distributing system.

ORIGINAL

Application No. 14754.

Maurice C. Sparling, for Applicant.

Romaine L. Hogan, for certain Contestants.

BY THE COMMISSION:

O P I N I O N

In the above entitled application, the Suburban Mutual Water Company, a business trust, asks for a certificate of public convenience and necessity to operate an irrigation and domestic water system to supply water to a tract known as the Valley Truck Farms, being Tract No. 1995, San Bernardino County. The establishment of a schedule of rates to be charged for such service also is requested.

A public hearing in this matter was held before Examiner Satterwhite in Los Angeles.

It appears that Mr. R.W. Sparling, President of the Suburban Mutual Water Company, entered into an agreement with a certain Mr. Cleaveland, the original subdivider of said Tract No. 1995, whereby the said R.W. Sparling installed a water system to supply the tract, for which he was to receive a bonus of One Hundred Fifty (150) Dollars per acre, to be paid by the purchaser of lots at the rate of \$15.00 down and \$5.00 per month.

The lot purchaser, however, received no interest in the water system, the title being vested in the name of R.W. Sparling.

The Suburban Mutual Water Company in this application desires to lease this water system from R.W. Sparling for One Hundred Forty Dollars per month, with a provision whereby it could demand from the consumers the payment of said bonus to R.W. Sparling as a condition precedent to the rendering of public utility water service. Such a request is wholly unfair and unreasonable and contrary to the express provisions of the Public Utilities Act and the spirit thereof. The Railroad Commission heretofore has prevented the Suburban Mutual Water Company in several previous instances in its attempts to burden its consumers with similar highly improper and discriminatory exactions, obviously inconsistent with its duties and obligations as a public utility to supply water to its patrons upon fair and equitable terms and conditions. (See Decision No. 16329, dated the thirtieth day of March, 1926.)

The request of applicant herein being unfair and unreasonable, the matter therefore must be denied.

O R D E R

Suburban Mutual Water Company, a business trust, having made application as entitled above, 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 the application herein be and the same is hereby denied.

The effective date of this order shall be twenty (20)

days from and after the date hereof.

Dated at San Francisco, California, this 11th day
of July, 1928.

Leon Whitall

Al Seamy

Ernest Scott

Thos B. Powell

M. J. Kim
Commissioners.