

Decision No. 20623

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

W.E. Hite, Marie Burckhalter,  
Mary A. Wright, and D. Lloyd,

Complainants,

vs.

Tomales Bay Land Company,

Defendant.

ORIGINAL

Case No. 2592.

Chris B. Fox, for the Complainants.

Chas. W. Arp, for the Defendant.

BY THE COMMISSION:

O P I N I O N

In this proceeding, W.E. Hite and three other residents of Inverness Park complain against the inadequate water service being rendered by Tomales Bay Land Company which owns and operates a public utility water system supplying Inverness Park, Marin County. The complaint alleges that for several years last past the water supply has been entirely cut off for periods varying from one to fourteen days, and that, during the summer months when water is needed most, the service is interrupted and intermittent and at all times wholly inadequate. The Commission is asked to investigate the service conditions on the system and to order the defendant to make such improvements as may be necessary to provide proper service to the consumers. E.S. Granucci, the owner of this

water works, not only neglected to file answer to this complaint but also failed to appear at the hearing held in connection therewith, notwithstanding that the Commission had issued a subpoena demanding his appearance. He did, however, send his representative, one Chas. W. Arp.

A public hearing was held in this matter before Examiner Gannon at Inverness Park.

This water system was installed many years ago to supply a tract of subdivided property located along the hillside at the head of Tomales Bay and now known as Inverness Park. There are about fifty consumers in the community, some of whom are permanent, or all-year, residents, while a considerable number are summer and week-end residents only. The water plant was formerly known as the Inverness Park Water System and, together with the unsold lots in the tract, was acquired through foreclosure proceedings about four years ago by the present owner, E.S. Granucci, who operates the properties under the fictitious name of Tomales Bay Land Company. The rates now charged were filed with the Commission July 19, 1918, and provide for a basic annual charge of \$8.00 with an additional charge of \$4.00 per year for each additional lot over two.

The water supply is obtained from two springs located in a canyon above the tract and is stored in a wooden tank of a capacity of 30,000 gallons. Delivery is by gravity through a distribution system consisting principally of 1-inch pipes. There are, however, some short reaches of 1½-inch and 1¼-inch pipe and also a few lengths of 2-inch main.

The evidence shows that for the past several years the service has been wholly unreliable and most unsatisfactory. During the winter, storms fill up the pipe lines with mud and sediment from lack of proper settling basin facilities at the intake springs.

While during the summer months there have been frequent periods of several days' duration during which there was no water available whatsoever. It appears also that during week-ends and holidays throughout the summer the water supply has generally been inadequate and insufficient for the bare household and sanitary requirements of the consumers.

The testimony shows that the collecting works at the springs allow a considerable waste of water by seepage. The storage available is inadequate for the limited water supply. The principal distributing pipes are entirely too small and are worn out and leaking in many places, causing poor pressure and additional loss and waste of water. A large part of the pipes is laid upon the surface of the ground and has numerous patches of old rags or sections of inner tubes from automobile tires. Certain consumers at the extreme lower service levels are permitted to use water without restriction for garden irrigation with the result that users on the higher levels are unable to obtain water. In addition to this, the company has no representative anywhere in the community to whom complaints may be made and who can make necessary repairs during emergencies.

It is clear from the evidence in this proceeding that this water system has been permitted to practically run itself to such an extent that it is now so badly depreciated as to be incapable of rendering the class of service to which the consumers of a public utility water plant are reasonably entitled. Defendant will be required to take immediate steps to remedy the above unsatisfactory conditions. Additional storage should be provided; the springs should be cleaned out and provided with better water cut-off and proper settling basins; mains of not less than 2 inches in diameter should be installed in certain sections

to provide proper distribution of water, and meters should be installed on the larger users, especially those consumers located at the extreme low levels and who use water extensively for lawn and/or garden irrigation purposes. In this connection, it should be pointed out that such meters will prevent unnecessary waste of water and thereby conserve additional water for the other users. Defendant will also be required to have a local agent or representative at, or in the immediate vicinity of, the water system who will be available to remedy complaints and make necessary repairs without unreasonable delay. The following order will provide for the submission to this Commission by defendant of a comprehensive plan of improvements for the rehabilitation of the water system to the end that the consumers may be able to get an adequate and dependable water supply. The present rate structure does not provide for a metered rate and the existing flat rates are not sufficiently comprehensive to provide equitable charges in accordance with the use of water. This condition can be remedied by the utility through proper procedure before this Commission.

#### O R D E R

Formal complaint having been filed 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, within thirty (30) days from the date of this order, E.S. Granucci, doing business under the fictitious firm name and style of Tomales Bay Land Company, shall file with this Commission, subject to its approval, plans for the improvement of its water system supplying consumers in and in the

Vicinity of Inverness Park, Marin County, said improvements to provide for the delivery to said consumers of an adequate and dependable water supply throughout the entire year and to be installed and in proper operation in a manner acceptable to this Commission on or before April 1, 1929.

IT IS HEREBY FURTHER ORDERED that, within thirty (30) days from the date of this order, E.S. Grenucci shall appoint and employ a competent individual to take charge of the operation of the water system at Inverness Park and who shall be authorized to receive complaints from consumers and also to make repairs to the system when emergencies arise, said individual to be locally available to the consumers at reasonable times.

The effective date of this order shall be twenty (20) days from and after the date hereof.

Dated at San Francisco, California, this 26<sup>th</sup> day of December, 1928.

Leon Whittell  
Stanley  
Ernest  
John D. Lewis  
Commissioners.