

Decision No. 21273

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application  
of J.F. PHILPOTT to sell, and  
J.V.A. FRATES to purchase the  
Windsor Water Works, and applica-  
tion of J.V.A. FRATES for the  
fixing of the water rates in  
Windsor, Sonoma County.

Application No. 15615.

J.F. Philpott and J.V.A. Frates,  
for Applicants.

BY THE COMMISSION:

O P I N I O N

In the above entitled proceeding, J.F. Philpott asks authority of the Railroad Commission to sell and J.V.A. Frates asks authority to buy the public utility property known as the Windsor Water Works, which furnishes water for domestic purposes in the Town of Windsor, Sonoma County. Mr. Frates also asks that rates be established by this Commission for the sale of water delivered through this water system.

The application herein alleges that applicant Philpott has been operating a public utility water system in the Town of Windsor in Sonoma County since 1908; that the number of consumers has diminished to the extent that it no longer pays him to operate the plant and that Mr. Frates has agreed to purchase and operate the system provided the Commission will authorize the transfer and establish a more reasonable schedule of rates.

A public hearing was held in the above proceeding before Examiner Satterwhite at Windsor, Sonoma County.

The water supply for this plant is obtained by pumping with a 4 H.P. engine from a 6-inch well, from which the water is elevated into a 8,000-gallon tank. Delivery is made by gravity through approximately 3,600 feet of pipe to eight consumers. The testimony shows the estimated original cost of these properties to be \$1,983 and the annual replacement annuity to be \$34, based upon a sinking fund at five per cent. The consideration for the transfer of the system is \$160. Mr. Philpott, the present owner of the system, has operated the utility in conjunction with his plumbing supply business and has kept no records of the operating expenses and revenues receivable. The small number of consumers served makes it difficult to establish rates commensurate with the actual expenses involved. However, the rehabilitation of the plant and an effort to give better and more dependable service, as proposed by the purchaser, will make it possible to secure quite a few additional water users. No objection was made by any of the consumers to the establishment of a more equitable schedule of water rates. The rates set out in the following Order compare favorably with the average charges for water supplied by other utilities in the general vicinity, and are reasonable rates to cover the service to be rendered by this utility.

As it further appears that Mr. Frates is in a position to personally look after the operation of this system and to install the necessary improvements to insure a better standard of service, the request for authority to transfer should be granted.

#### O R D E R

Application as entitled above having been made to this Commission for authority to transfer a certain public utility water system and for the establishment of rates, 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 found as a fact that the rates now charged by J.F. Philpott for water supplied to his consumers in the Town of Windsor, Sonoma County, are unjust and unreasonable insofar as they differ from the rates herein established and that the rates herein established are just and reasonable rates to be charged for the service rendered, and

Basing its Order on the foregoing findings of fact and upon the further statement of facts contained in the Opinion which precedes this Order,

IT IS HEREBY ORDERED that J.F. Philpott be and he is hereby authorized to file with this Commission, within thirty (30) days from the date of this Order, the following schedule of rates to be charged for all service rendered to his consumers on and after the first day of July, 1929.

RATES

Flat Rates

Domestic and Commercial Service-----\$1.50 per mo.

Meter Rates

Monthly Minimum Charges:

5/8 x 3/4-inch meter-----	\$1.50
1-inch meter-----	2.50
1 1/2-inch meter-----	3.50
2-inch meter-----	5.50

Each of the foregoing "Monthly Minimum Charges" will entitle the consumer to the quantity of water which that minimum monthly charge will purchase at the following "Monthly Quantity Rates."

Monthly Quantity Rates:

From 0 to 600 cubic feet, per 100 cubic feet-----	\$0.25
Next 1,400 cubic feet, per 100 cubic feet-----	0.20
All over 2,000 cubic feet, per 100 cubic feet-----	0.15

IT IS HEREBY FURTHER ORDERED that J.F. Philpott be and he is hereby directed to file with this Commission, within thirty (30) days from the date of this Order, revised rules and regulations governing the relations with his consumers, said rules and regulations to become effective upon their acceptance for filing by this Commission.

IT IS HEREBY FURTHER ORDERED that J.F. Philpott be and he is hereby authorized to transfer to J.V.A. Frates the public utility water system known as the Windsor Water Works and used for supplying water to consumers in the Town of Windsor, Sonoma County, subject to the following terms and conditions:

1. The consideration for the transfer herein authorized shall not be urged before this Commission or any other public body as a finding of value for rate-fixing or any purpose other than the transfer herein authorized.
2. The authority herein granted shall apply only to such transfer as shall have been made on or before the first day of September, 1929, and a certified copy of the final instrument of conveyance shall be filed with this Commission by J.F. Philpott within thirty (30) days from the date on which it is executed.
3. Within ten (10) days from the date on which J.F. Philpott actually relinquishes control and possession of the property herein authorized to be transferred, he shall file with this Commission a statement indicating the date upon which such control and possession were relinquished.

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 24th day of June, 1929.

David S. Lott  
C. Seaver  
Leon Whittell  
M. A. Cur  
Commissioners.