

Decision No. 22163

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

THE AGOURA IMPROVEMENT
ASSOCIATION,

Complainant,

vs.

Case No. 2789.

INDEPENDENCE ACRES WATER WORKS
L.L. COLODNY and I. COLODNY,
Owners.

Edward Hazelton, for Complainant.

I. Colodny, for Defendant.

BY THE COMMISSION:

O P I N I O N

This is a complaint brought by the Agoura Improvement Association, whose members are residents of Agoura, Los Angeles County, and who receive water service from Independence Acres Water Works, owned and operated by L.L. Colodny and I. Colodny. It is alleged by the complaining consumers that they were entirely out of water for periods of from one to ten days from October 30 to November 9, 1929; that the public school was closed for one day because of lack of water and that there is an ample supply available but, due to poor equipment and apparent neglect on the part of defendants, the consumers are at times entirely without water. The Commission is asked to compel defendants to use due diligence in supplying water and to install such auxiliary pumps and equipment as shall enable them to furnish a

constant supply.

No answer was filed by defendants other than a letter sent to the Commission in connection with the above complaint in which the allegations therein were denied and it was further stated that over \$1,500. was expended by defendants last year in attempting to develop additional water from wells and that for a period of six months water was purchased from an adjoining well to augment the supply.

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

Independence Acres Water Works is owned and operated by Colodny & Colodny, real estate operators, who subdivided certain tracts of land in what is now known as Picture City or Agoura, in Los Angeles County. In Decision No. 18250, dated April 18, 1927, a certificate of public convenience and necessity was granted by the Commission to this company to supply water in this territory. The water supply is obtained from wells located in the subdivision and is pumped into a storage tank from which it is delivered to the consumers by gravity. There are fifty-four consumers at the present time.

With reference to the specific complaint of serious interruption in water service from October 30 to November 9, 1929, the testimony shows that at the beginning of this period there occurred a major break-down in the main pumping plant which required the installation of an entirely new pump and motor. This installation was delayed through unavoidable difficulties in securing delivery of the proper equipment as ordered. The evidence further shows that the pumping machinery is practically all new, modern and in fair operating condition,

the main difficulty admittedly being a lack of adequate water supply during the summer and fall months. Defendants have drilled several wells on their property but have not as yet obtained a sufficient flow of water to satisfy the requirements of the present consumers. One of these wells is very deep, apparently drilled originally to prospect for oil rather than water. According to the testimony of one of the defendants, approximately \$1,500. was expended during 1929 in an effort to increase the flow of their wells. A temporary agreement was made with the owner of a well on property near Agoura whereby surplus water was purchased last year for a period of six months to serve to consumers on this water system. The testimony, however, shows that this source will no longer be available as it has been disposed of to other interests.

From the evidence submitted herein it is clear that defendants have actually endeavored to furnish their consumers with a continuous and sufficient water service. It is equally clear that during the past summer there was not an adequate supply available and that, unless additional water is obtainable before long, the same shortage will occur again this summer. Water is not easily obtainable in large volume throughout this territory and the prospecting for, and development of, water therein is by no means inexpensive. Defendants have testified that they will be able to further develop certain of their own wells and hope thereby to obtain sufficient water for the coming summer season. In view of the difficulties of the situation and the apparently sincere assurances of defendants that earnest efforts will be made to develop and/or secure additional water without unnecessary delay, it appears reasonable that they should be given such an opportunity. With the understanding, therefore,

that such efforts will be made by defendants, this matter accordingly may be dismissed at this time. In the event of another serious shortage of water on this system, complainants are, of course, free to again bring the matter to the attention of this Commission.

O R D E R

Complaint as above entitled having been filed, 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 this proceeding be and it is hereby dismissed.

Dated at San Francisco, California, this 26th day of February, 1930.

Al Seamy

Leon Whitwell

Thos. D. Kretsch

W. J. Lane
Commissioners.