

ORIGINAL

Decision No. 22444

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

Inverness Improvement Association,
Complainant,

vs.

Inverness Water Works,
Mrs. Julia S. Hamilton, Owner,
Defendant.

Case No. 2784.

Arthur H. Barendt, for Complainant.

Chickering & Gregory, by V.I. Compagno,
for Defendant.

BY THE COMMISSION:

O P I N I O N

In this proceeding Inverness Improvement Association, an incorporated organization of property owners and water consumers of Inverness, Marin County, complains against the service being rendered by Inverness Water Works, owned and operated by Mrs. Julia S. Hamilton.

The complaint alleges that the water frequently has been shut off from the service mains when a supply was available in the storage tanks; that the intakes at the streams were choked with vegetation; that water is wasted at the points of diversion and at the storage tanks and through leaks in defective pipes; and that there is no competent operator in charge of the system at any time of the year. It is further alleged that the many and frequent interruptions of service have resulted in unsanitary

conditions in the homes and schools and have greatly increased the fire hazard in the community.

Defendant by answer enters a general denial of the allegations set out in the complaint and contends that service has been interrupted through the general practice of the consumers using water for lawn and garden irrigation and sprinkling; that the water supply has been reduced to some extent owing to lack of rainfall; that the intakes and water channels are regularly cleaned; and that repairs of breaks in the mains are made as soon as possible after discovery thereof.

A public hearing in this matter was conducted by Examiner Williams at Inverness.

The water for this system is obtained by diversion from streams in several small canyons in the hills above the community of Inverness in what is known as First Valley and stored in four tanks of a combined capacity of 40,000 gallons. The water is distributed by gravity from the tanks through approximately 19,000 feet of 2 and 4-inch pipe. There are 150 consumers served, one-half of which are permanent or all-year residents, the others requiring service only for the summer season and on occasional week-ends and holidays.

The evidence shows that for several years last past there have been frequent periods of intermittent and interrupted service, affecting most seriously those consumers residing in that part of the colony locally known as the "Mesa." This comprises an area situated at a high elevation and during periods of low water flow or at times of excessive draft consumers residing therein are unable to receive sufficient water by reason of the resulting reduced pressure and at times have been wholly without water for periods varying from several hours to as long

as two days. The testimony also shows that the water mains throughout the system are in a very bad state of deterioration and decay, as a result of which throughout the entire year there are frequent breaks in the mains wasting large quantities of water until repairs have been accomplished. In this connection the testimony further indicates that there has been, for at least the last year and a half, no one in responsible charge of the system whose duty it was to patrol the pipe lines and make the necessary repairs. The owner of the utility has been in impaired health for some time and has depended upon information furnished by consumers as to the location of leaks and breaks in the pipe lines before efforts have been made to obtain the necessary help to make repairs. As a result of the above lack of proper supervision, there have been frequent times when the conditions of water supply have been intolerable.

Mr. William Stava, one of the Commission's hydraulic engineers, made a field inspection of this system prior to the date of hearing and in this proceeding testified that the condition of the distribution mains and pipe lines was such as to require immediate repairs and replacement of considerable portions of the original pipe lines, which at the time of installation apparently had been second-hand material. As a result of his investigations, he recommended that immediate steps be taken to provide proper cleaning and screening of the intakes and the placing in responsible charge of the system of some person whose duties, among other things, would be to make daily inspections of the properties and be available in or near the community of Inverness at all reasonable times throughout the day during the summer season and also during week-ends and

holidays throughout the remainder of the year, so that, when occasion arose, he would be in a position to make repairs without the present serious and unnecessary delays. The Commission's engineer further suggested that, by placing the service of the "Mesa" area in a separate zone, connecting it with the Tinney Tank, so-called, together with the installation nearby of additional storage to the extent of not less than 10,000 gallons, the difficulties now experienced could, to a large extent, be eliminated without the expenditure of any considerable amount of money.

Defendant apparently assumed that this utility was under no obligation to supply water for other than strictly household uses and that it should not be required or be expected to supply water for lawn and garden irrigation and sprinkling purposes. It should be pointed out at this time that this utility in rendering domestic service is under the obligation to deliver water not only for use strictly within the home but also for reasonable uses in connection with the upkeep of grounds and gardens. The original dedication of this service included the furnishing of water for such purposes. There is ample water available throughout most of the year in normal seasons to deliver a satisfactory supply for lawn and garden irrigation and sprinkling purposes provided some competent person is put in responsible charge of the properties and the system is placed in a proper state of repair. In the event the present water supply proves inadequate, the testimony shows that at little extra expense an additional water supply can be brought in from an adjoining canyon. Should this become necessary, the Commission reserves the right to direct the development of water from

-this source.

From the revenues and operating expenses of this utility as presented during the hearing, it appears that it is far from being in an impoverished financial condition and can well afford to make the necessary expenditures to place this system upon a reasonable and efficient operating basis. The record discloses that at frequent periods in the summer and also during many week-ends and holidays throughout the year the service has been far from satisfactory. As there exists no good and sufficient reason for failure to improve these conditions, this utility will be expected to take immediate steps to prevent their recurrence during the coming summer season and thereafter. In fairness to the utility it should be stated that the testimony indicates that certain consumers have been careless and wasteful in their use of water. The company should file with this Commission revised rules and regulations which will provide among other things for the shutting off of further water service to any consumer who indulges in wasteful and unreasonable practices in regard to the use of water unless and until proper assurance is given that such consumer will cease and desist from so doing in the future. It is further recommended that a comprehensive plan for the metering of all consumers on this system be undertaken as soon as possible. The installation of meters will, to a large extent, eliminate careless and wasteful practices in the use of water.

O R D E R

Inverness Improvement Association, a corporation, having filed complaint 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 Mrs. Julia S. Hamilton, operating a water system under the fictitious firm name and style of Inverness Water Works, be and she is hereby directed to file with this Commission, within thirty (30) days from the date of this order and subject to approval of the Commission, detailed plans as indicated in the foregoing opinion for the improvement of the water system of the Inverness Water Works, said plans among other things to provide:

1. For the installation of proper screens and sanitary protection at the intakes of the various diversions of the water system.
2. For the replacement and repair of depreciated distribution mains and pipe lines.
3. For the zoning of that certain part of the service area of the utility known as the "Mesa," together with the installation therein of the necessary storage facilities.

Provided further that said improvements as approved shall be installed and in proper working order, acceptable to the Commission, on or before the thirtieth (30th) day of June, 1930.

IT IS HEREBY FURTHER ORDERED that said Mrs. Julia S. Hamilton file with this Commission, within thirty (30) days from the date of this order, revised rules and regulations governing the service and distribution of water to her consumers, said rules and regulations to become effective upon their acceptance for filing by this Commission.

IT IS HEREBY FURTHER ORDERED that said Mrs. Julia S. Hamilton obtain or cause to be obtained a regular employee and place said employee in responsible charge of the operation of this utility throughout the period commencing June 1st to and including the 15th day of September of each year, and also cause

to have available during week-ends and holidays during the remainder of the year some person or persons in responsible charge of the operation of the water works, it being understood that the duties, among other things, of said employee and said responsible person or persons shall be to patrol the water system, and take immediate steps to repair any leaks or damage that may occur, and to control and prevent excessive and unreasonable use or waste of water.

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 17th day of May, 1930.

C. L. Sawyer
Ernest J. ...
Thomas ...
M. J. ...
 Commissioners