

Decision No. 23234**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
ANNA H. MOSES for authority to abandon  
and discontinue water service.

Application No. 16843.

Anna H. Moses, in propria persona.

Cyril Williams, Jr., for Alameda County  
Water District, interested party.

BY THE COMMISSION:

O P I N I O N

In this proceeding Anna H. Moses, applicant herein, who owns and operates a small public utility water system in the unincorporated town of Newark, Alameda County, asks the Commission for authority to abandon and discontinue water service.

Public hearings in the above entitled matter were held at Newark before Examiner Williams.

The water system owned and operated by Anna H. Moses supplies at the present time approximately twenty-four consumers in the town of Newark. Water is obtained from a shallow well and is distributed and sold at flat rate charges. It appears from the testimony that the present owner does not reside in the community served by this water system and therefore must employ someone in Newark to operate and look after the property. The supply available from the existing well has become greatly diminished by reason of the past several years of subnormal rainfall which has

caused a serious lowering of the water-table in this general territory. In addition to this, it appears that it will be necessary to replace the existing pumping equipment before the beginning of the coming summer season. Applicant has testified that she is unable to raise the funds necessary to make this improvement.

The Alameda County Water District has a pipe line receiving water from one of the transmission lines of the former Spring Valley Water Company's system which passes near Newark. This District at the present time serves several consumers with water for domestic and other purposes in the town of Newark and in the vicinity thereof. Mr. Cyril Williams, Jr., engineer and manager of the District, testified that his organization had an ample supply of water and was ready and willing to serve all of the consumers now being supplied by the Moses' system provided it could obtain permission from Mrs. Anna H. Moses to acquire and operate her distribution system. Arrangements have now been made wherein and whereby Mrs. Moses will donate to the Alameda County Water District the water mains, pipe lines and services constituting the distribution system provided the Commission grants her the authority to discontinue public utility service. In view of these circumstances, it appears that the present consumers will be able to obtain water at any time upon application to the Water District and, as said District is in a position to give a better and more adequate service to all consumers, it is evident that the request to discontinue the service of water by this utility should be granted.

O R D E R

Anna H. Moses having made application to this Commis-

sion for permission to discontinue the service of water to consumers residing in the unincorporated town of Newark, Alameda County, public hearings having been held thereon, the matter having been duly submitted and the Commission being now fully advised in the matter,

IT IS HEREBY ORDERED that Anna H. Moses be and she is hereby authorized to discontinue on the first day of February, 1931, the service of water to all consumers in the territory formerly served by her in Newark, Alameda County, and thereafter stand relieved of all public utility obligations and liabilities in connection therewith upon the following conditions and not otherwise:

1. Within ten (10) days from the date of this Order, Anna H. Moses shall notify, in writing, each of her consumers, if any, now being served with water by her, of her intention to discontinue the operation of the system on the first day of February, 1931.
2. Anna H. Moses shall file with this Commission, within twenty (20) days from the date of this Order, an affidavit setting forth the fact that each consumer, if any, now receiving water service from this system has been duly notified of her intention to discontinue the operation of the plant on the first day of February, 1931, or that all consumers heretofore served are receiving water from another source, as the case may be.
3. The authority to discontinue service as ordered herein shall be contingent upon the transfer of the distribution system of this utility to the Alameda County Water District on or before the first day of February, 1931.

4. In the event the Alameda County Water District takes control and possession of the distribution system of the water works now owned and operated by Anna E. Moses prior to the first day of February, 1931, said Anna E. Moses is hereby authorized to discontinue her public utility operations on the date said District takes control and possession thereof.
5. Anna E. Moses shall file with this Commission, within thirty (30) days from the date on which it is executed, a certified copy of the final instrument conveying her water distribution system to Alameda County Water District.
6. Within ten (10) days from the date on which Anna E. Moses actually relinquishes control and possession of her water distribution system to Alameda County Water District, she shall file with this Commission a certified 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 30<sup>th</sup> day  
of December, 1930.

Cl. Sawyer  
Ernest J. ...  
Paul ...  
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 Commissioners.