

Decision No. 23321

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of W.O. LANG, operating under the firm name and style of OAKS WATER COMPANY, for a certificate of public convenience and necessity authorizing him to distribute and sell water to the inhabitants residing in Hillsborough Oaks Subdivision, located in the City of Hillsborough, California.

ORIGINAL

Application No. 17035.

W.F. Williamson, Wallace & Vaughan,
by Reginald L. Vaughan, for Applicant.
John E. Manders, for himself and certain
other consumers.
J.C. Nowell, City Manager, for Town of
Hillsborough.

BY THE COMMISSION:

O P I N I O N

In the above entitled proceeding W.O. Lang, doing business under the fictitious firm name and style of Oaks Water Company, applies to the Railroad Commission for a certificate of public convenience and necessity authorizing him to sell water for domestic purposes to residents in a subdivided tract known as Hillsborough Oaks located within the incorporated town of Hillsborough, San Mateo County.

A public hearing in this matter was held before Examiner Williams at Hillsborough.

The evidence shows that this water system was installed during or about the year 1927 in Hillsborough Oaks, a subdivision developed and placed upon the market by the Lang Realty Company,

in which W.C. Lang is a partner. There are at present twenty-five consumers receiving water service, all on a metered basis. Water is obtained by purchase from the municipal water works operated by the city of Burlingame and also from a well located in the subdivision and used as an auxiliary supply. Available storage comprises two tanks with a combined capacity of 60,000 gallons. The distribution system consists of pipe mains four and three inches in diameter.

During the past summer season several complaints were made to the Commission by certain water users in Hillsborough Oaks to the effect that the water service was wholly inadequate. As a result of informal negotiations, the owner of this system agreed to install certain improvements suggested by the Commission to remedy this condition with the result that there is now available and in service 50,000 gallons additional storage and a new booster pump operated by automatic control connected with the Burlingame municipal water system and pumping directly into the distribution mains. These changes have resulted in providing water in greater volume and at higher pressure and for the demands of existing consumers the service appears at this time to be adequate and satisfactory.

The pipe lines and mains were installed in the streets and highways prior to their dedication to the public use and for this reason no franchise or other permit is required from local municipal authorities.

Applicant, who also owns another small public utility water works operating under practically identical circumstances and conditions in another section of the town of Hillsborough

known as the Brewer Tract, the rates for which were recently established by this Commission in its Decision No. 22112 dated February 11, 1930, asks that the same schedule for the above system be made effective for service in Hillsborough Oaks with the exception of the monthly charge for fire hydrants which applicant has agreed to reduce to one dollar, the present effective rate. The rate schedule as proposed is practically the same as is now being charged the consumers and will therefore be approved.

Applicant has charged all present consumers for the costs of installing meters and service connections based upon the practices of the Burlingame Municipal System. As the Commission requires public utilities to install at their own expense all meters and service connections, applicant, similarly as directed in the above Decision No. 22112, will be required to refund, to all consumers having been so charged, the amounts paid by them for such purposes. This may be accomplished either by cash payments or by credit on water bills until satisfied.

No objections against proposals herein were made during the hearing conducted in this proceeding and the requests of applicant, appearing to be reasonable under the circumstances, will be granted.

ORDER

W.O. Lang, doing business under the firm name and style of Oaks Water Company, having made application 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,

The Railroad Commission of the State of California hereby

declares that public convenience and necessity require that W.O. Lang, doing business under the fictitious firm name and style of Oaks Water Company, operate a water system for the purpose of supplying water for domestic and other purposes in Hillsborough Oaks subdivision, Hillsborough, San Mateo County, as said subdivision is more particularly delineated on the map entitled "Exhibit A," attached to the application herein; and

IT IS HEREBY ORDERED that W.O. Lang, doing business under the fictitious firm name and style of Oaks Water Company, be and he is hereby directed to file with the Railroad Commission of the State of California, within thirty (30) days from the date of this Order, the following schedule of rates to be charged for all service rendered subsequent to the 31st day of January, 1931.

METER RATES

Monthly Service Charge to Apply to all Metered Services:

5/8-inch meters-----	\$0.50
3/4-inch meters-----	0.75
1-inch meters-----	1.25
1 1/2-inch meters-----	1.75
2-inch meters-----	3.00
3-inch meters-----	4.50
4-inch meters-----	6.00

Quantity Rate to Apply to all Water Used:

From 0 to 50,000 gallons, per 1,000 gallons-----	\$0.42
Over 50,000 gallons, per 1,000 gallons-----	0.40

MUNICIPAL USE

Fire hydrants owned and installed by W.O. Lang,
each per month-----\$1.00

All other municipal service charged for at the regular meter rates.

IT IS HEREBY FURTHER ORDERED that the rules and regula-

tions applicable to the Brewer Tract and heretofore accepted for filing by this Commission be and they are hereby declared to be effective for all water service to be rendered in Hillsborough Oaks.

IT IS HEREBY FURTHER ORDERED that W.O. Lang be and he is hereby directed to refund, within one (1) year from the date of this Order, to each consumer entitled thereto all amounts collected as charges for meter and/or service connections, either by cash repayments or by way of credits on monthly water bills, or both, and said W.O. Lang shall file with this Commission, on or before one (1) year from the date of this Order, a certified statement setting forth the name of each consumer charged as above, the amount of each such charge and the date or dates each such repayment has been made.

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 26th day of January, 1931.

C. Deane
Leon Whitely
M. J. [unclear]
M. B. [unclear]
Fred G. [unclear]
 Commissioners.