

C O N C I N A L

Decision No. 23615.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application
of the AUSTIN RESORT AND LAND
COMPANY for a certificate authoriz-
ing it to operate a public utility
water system.

Application No. 17226.

Charles L. Austin, for Applicant.

BY THE COMMISSION:

O P I N I O N

In this proceeding Austin Resort and Land Company, furnishing water for domestic purposes at Austin's Resort, Lake County, asks for a certificate of public convenience and necessity to operate as a public utility and for the establishment of rates to be charged for furnishing water in and in the vicinity of Austin's Resort.

A public hearing in this proceeding was held before Examiner Kennedy at Austin's Resort on March 27, 1931.

The evidence shows that this water system was constructed about 1924 to supply water to the resort buildings and to those purchasing lots in the surrounding tract of land consisting of about three hundred acres. Only a portion of said tract is being served at the present time. It is intended to extend service throughout the entire tract, however, should the development thereof so warrant in the future. Water has been supplied free of charge to all of the consumers up to the present time.

The system at present consists of a pumping plant, located

on the east shore of Clear Lake, having a capacity of about 90 gallons per minute. Water is pumped from the lake to three storage tanks aggregating 21,000 gallons capacity. The distribution system consists of mains 2 inches and smaller in diameter of a total length of about 14,000 feet. The historical cost of this system, exclusive of land, is approximately \$4,500. Service is rendered at the present time to about fifty regular consumers taking water throughout the year and to about fifty additional users at times during the resort season of about three months during the summer and also at various other times during week-ends and holidays throughout the year. At present portions of the distribution system are of insufficient capacity to meet the requirements of the consumers. Mr. Austin, president of the Austin Resort and Land Company, testified that it was his intention to increase immediately the size of the mains in the area at present receiving inadequate service and also to make further improvements in the system to insure good service at all times, and that extensions to outlying sections not now served because of lack of sufficient demand would be made as those sections developed and required service.

Applicant asks the Commission to authorize a charge of fifteen (15.00) dollars for the installation of each metered service connection, to be refunded upon the discontinuance of water use. It has been the general policy of the Railroad Commission, for many years, to require public utility water companies to install and maintain all meters and service connections at their own expense. Exception to this practice has been allowed only in a few instances where unusual conditions of water supply or serious financial considerations indicated the necessity of modifying this requirement. As no such necessity was shown to exist in this instance, the request will not be approved.

The rates which applicant asks to have established cover two classes of consumers: (a) regular consumers who require service throughout the year, and (b) summer or irregular consumers who require service only during the summer season or occasionally at times during the remainder of the year. The rates appear reasonable and, with minor changes to conform to what the evidence shows to be applicant's intent, will be authorized in the following order.

The entire water plant was installed within the boundary of the tract prior to the dedication of the streets, alleys and roadways therein to the public use. For this reason no county franchise or other permit is required at this time. There is no other source of water supply available to the residents of this territory and as no one opposed the granting of the application it will be approved.

O R D E R

Austin Resort and Land Company, a corporation, 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 Austin Resort and Land Company, a corporation, operate a water system for the purpose of supplying water for domestic and other purposes to consumers residing at Austin's Resort, within that certain territory more particularly set forth and delineated in colored blocks on the map filed in this proceeding as "Applicant's Exhibit No. 1" and entitled "Map of Austin Resort and Land Co's Clear Lake Woodlands, Lake County, Cal.," said colored blocks being marked "Club TR. 2,"

"Tr. 3," "Tr. 5," "Villa Tract" and "Club Tr," together with that certain area colored in blue on said Exhibit No. 1 situate, lying and being westerly from Tracts 3 and 5, between the waters of Clear Lake and said Tracts 3 and 5.

IT IS HEREBY ORDERED that Austin Resort and Land Company, a corporation, be and it 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 water service rendered subsequent to the 30th day of April, 1931:

METER RATES

PERMANENT OR REGULAR USE

Monthly Minimum Charges:

5/8" x 3/4" Meter.....	\$1.50
3/4" Meter.....	2.00
1" "	2.75
1 1/2" "	4.00
2" "	6.00

Each of the foregoing "Monthly Minimum Charges" will entitle the consumer to the quantity of water which that monthly minimum charge will purchase at the "Monthly Quantity Rates" set out below:

Monthly Quantity Rates:

0 to 3000 gallons, per 1000 gallons.....	\$0.50
3000 to 6000 " " " "	0.40
Over 6000 " " " "	0.35

SUMMER OR IRREGULAR USE

Irregular or summer consumers who require service only during the resort season or at other times over week-ends and holidays shall pay in advance an annual charge of \$6.00 which will entitle each such consumer to 1000 gallons of water each month throughout the year. Where water is used in excess of the above allowance of 1000 gallons per month, the regular Monthly Quantity Rates shall apply.

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IT IS HEREBY FURTHER ORDERED that Austin Resort and Land

Company, a corporation, be and it is hereby directed to file with this Commission, within thirty (30) days from the date of this order, rules and regulations governing relations with its consumers, said rules and regulations to become effective upon their acceptance for filing by the Railroad Commission.

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 20th day of April, 1931.

Cl. Seaman
Leon O. White
M. A. Carr
M. B. Harris
Fred G. Stewart
 Commissioners.