

Decision No. 24547

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
Ernest F. Bent, operating under the)
fictitious name of Imperial Cities)
Water Company, for a certificate of)
public convenience and necessity.)

Application No. 17727.

H.T. Cory, for applicant

BY THE COMMISSION:

ORIGINAL

O P I N I O N

In this proceeding Ernest F. Bent, operating under the fictitious firm name and style of Imperial Cities Water Company, asks the Commission for a certificate of public convenience and necessity to operate a public utility water system to supply water for domestic purposes in wholesale quantities to the systems serving the communities and municipalities of Holtville, Calexico, Heber, El Centro, Imperial and Brawley, which are all in Imperial County.

The application alleges that the above mentioned communities now obtain water from the Imperial Irrigation District through its ditch system and that the water so delivered at times requires de-silting before it may be used conveniently for household purposes. It is proposed to develop a supply of water from wells and deliver it to the various communities in wholesale quantities, after which the water can be distributed to the users through the existing facilities.

A public hearing was held in this proceeding at El Centro before Examiner Johnson.

Mr. H.T. Cory, a consulting engineer representing applicant, testified that the communities mentioned in the application and also the town of Mexicali, which is in Mexico just across the border from Calexico, are all supplied with water by the Imperial Irrigation District through its ditch system, which was designed as an agricultural irrigation project; that this water is obtained by diversion from the Colorado River and that the water which he proposes to furnish will be of superior quality and will eliminate the present rather expensive costs for desilting the ditch water. Mr. Cory further testified that, if a certificate of public convenience and necessity is granted, applicant proposes to form a corporation and enter into contracts with the various municipalities for the furnishing and delivery of well water in any quantities desired; that this water will be distributed to the users through the local existing facilities and that a known well field is available where sufficient water can be developed to supply the present and future needs of all of the communities mentioned at a reasonable rate. It is proposed to install transmission facilities to convey a supply of twenty-five million gallons of water daily, estimated to be twice the present requirements of the communities to be served. Production facilities to meet the demands for water will be installed and transportation will be by conduit from the wells to

Brawley about fifty-four miles in total distance. The cost of the completed project will be approximately one million dollars (\$1,000,000).

Mr. Wm. J. Best, a supervisor of Imperial County, testified that there is an urgent demand for a higher quality of water in the communities that applicant proposes to supply and there is no known objection on the part of the public to the project. He further stated that the project is a feasible one provided the communities will take the water and that no doubt proper arrangements can be made if and when the final proposal is presented to the various communities and a proper showing made that the project will be carried to completion.

The evidence shows that no detailed studies or plans have been made of the facilities and structures required and no test wells have been driven in the proposed well field. However, an investigation has been made of other wells in the vicinity which indicates that water will be found in the quantities it is estimated will be required to meet the present and future demands of the area to be supplied. No financial backing has as yet been provided nor a franchise obtained from the county authorities for permission to install transmission facilities in the public highways. Applicant stated that a certificate of public convenience and necessity is desired in order to enable the company to negotiate with the communities to be supplied with water.

No objection was made at the hearing to the granting of

a certificate and no other utility or agency is supplying or offering to supply at this time the service proposed by applicant. However, as the proposed project is still in a promotional stage, it is considered advisable at this time to issue only an order preliminary to the granting of a certificate of public convenience and necessity in order to give applicant an opportunity to proceed with the project. If a satisfactory showing can be made at a later date that applicant is in a position to finance and construct the project, a certificate of public convenience and necessity will then be issued by this Commission upon proper application therefor.

O R D E R

Ernest F. Bent, operating under the fictitious firm name and style of Imperial Cities 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,

It is hereby declared that the Railroad Commission of the State of California will hereafter issue, upon proper application therefor by Ernest F. Bent, operating under the fictitious firm name and style of Imperial Cities Water Company, and upon proper showing by said Ernest F. Bent of a legal operative franchise from the county authorities and agreements or contracts with the communities sought to be served providing for the purchase of water in wholesale quantities as contemplated in the application, a certificate of public convenience and necessity upon such terms and conditions as this Commission may designate covering said ap-

plicant's proposed water utility operations.

The authority herein granted shall be effective only for a period of six (6) months from and after the date of this Order.

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 7th day of March, 1932.

C. Deane
Leon Whiteley
W. A. C.
M. B. Harris
Geo. G. Stewart
Commissioners.