

Decision No. 24882

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 PARIS HOOD, LEO RICE, CATHERINE SHERRETT,
 FRANK L. LUMLEY and HARVEY E. WOODMAN,
 doing business under the fictitious name
 of SOUTHWEST WATER SERVICE COMPANY, for
 a certificate of convenience and necessity
 for the operation of a water system.

ORIGINAL

Application No. 18111.

Carl W. Faucett, for Applicants.

Malcolm MacNeil, for Mrs. M.C. McFarland.

BY THE COMMISSION:

O P I N I O N

In the above entitled proceeding, the Railroad Commission is asked to grant a certificate of public convenience and necessity to Paris Hood, Leo Rice, Catherine Sherrett, Frank Lumley and Harvey E. Woodman to operate a public utility water system under the fictitious name of Southwest Water Service Company in that certain tract known as Liberty Acres in the County of Los Angeles, heretofore supplied with water by the Liberty Acres Water Company.

A public hearing in this matter was held before Examiner Johnson at Los Angeles.

The evidence shows that Liberty Acres Water Company was incorporated by one Ole Hanson for the purpose of supplying water to the Liberty Acres Tract. The Railroad Commission in its Decision No. 13926, dated August 16, 1924, granted to this company a certificate of public convenience and necessity to supply water to the residents of said tract. The stock of this company has

changed hands several times and finally came into the possession of J.W. Pitt who has managed and operated the water system for several years.

On or about April 1, 1932, J.W. Pitt abandoned the water plant and moved away without notice and left no one in charge of the system. The residents of the tract decided by vote at a community meeting held to discuss the water problem that they would be compelled, as an emergency measure, to take over and operate the plant. A committee of five was appointed from the consumers, empowered to take the necessary steps to carry out their plans. It was found that a two months' power bill had not been paid and that the state and county taxes have been delinquent for the five years last past. Attempts to operate as a mutual or cooperative enterprise resulted in dissatisfaction and serious difficulties so that the consumers finally decided to operate under the control and jurisdiction of the Railroad Commission as a public utility. It is the desire of applicants to continue under the same rules and regulations and charge the same rates as those heretofore effective and established for the Liberty Acres Water Company.

In view of the fact that applicants at this time have no legal title to the water works nor any authority from the owners thereof to enter upon and take possession of the properties, the plan adopted contemplates that said applicants will obtain title thereto when the property is sold for delinquent taxes, which sale is to occur some time during the month of June, 1932. Should J.W. Pitt be located, every effort will be made to obtain a transfer of the property directly from him, should he at that time have a transferable interest therein. In the absence of any request to this Commission on the part of Liberty Acres Water Company for

authority to abandon its public utility properties and/or be relieved of its public utility obligations and liabilities to supply service to its consumers and in the absence of any request for authority to transfer the system and its appurtenances to applicants herein, it is apparent that the Commission at this time should issue only a temporary certificate of public convenience and necessity. If at some time in the future the tangled affairs of Liberty Acres Water Company become adjusted satisfactorily or applicants obtain title to said water system, the Commission may, upon application therefor and a proper showing, make permanent the certificate herein granted.

O R D E R

Paris Hood, Leo Rice, Catherine Sherrett, Frank L. Lumley and Harvey E. Woodman, doing business under the fictitious name of Southwest Water Service 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 Paris Hood, Leo Rice, Catherine Sherrett, Frank Lumley and Harvey E. Woodman, temporarily and until further order of this Commission, supply or cause to be supplied water for domestic, commercial and/or irrigation purposes to the residents of Liberty Acres Tract in the County of Los Angeles.

IT IS HEREBY ORDERED that Paris Hood, Leo Rice, Catherine Sherrett, Frank L. Lumley and Harvey E. Woodman be and they are hereby authorized and directed to file with this Commission, within

thirty (30) days from the date of this Order, the following schedule of rates to be charged for all service rendered consumers in said Liberty Acres Tract on and after the date of the Order herein.

FLAT RATES

Residences, eight rooms or less, including bath and toilet-----	\$2.50
For each additional room over eight-----	.25
For each additional bathtub-----	.25
For each additional toilet-----	.15
For sprinkling or irrigating lawns and gardens for each month during which water is actually used, per 100 square feet of surface irrigated-----	.05
Fire hydrants, each-----	.75

METER RATES

Minimum Monthly Charges:

5/8 x 3/4-inch meter-----	\$2.50
3/4-inch meter-----	3.00
1-inch meter-----	4.00
1 1/2-inch meter-----	5.50
2-inch meter-----	8.00

Each of the foregoing "Minimum Monthly Charges" will entitle the consumer to the quantity of water which that minimum monthly charge will purchase at the following "Monthly Quantity Rates."

Monthly Quantity Rates:

From 0 to 1,000 cubic feet, per 100 cubic feet-----	\$0.35
From 1,000 to 2,500 cubic feet, per 100 cubic feet-----	.25
Over 2,500 cubic feet, per 100 cubic feet-----	.15

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IT IS HEREBY FURTHER ORDERED that Paris Hood, Leo Rice,

Catherine Sherrett, Frank L. Lumley and Harvey E. Woodman be and they are hereby directed to file with the Railroad Commission, within thirty (30) from the date of this Order, rules and regulations governing relations with their 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 13th day of June, 1932.

W. J. Conway
Leon Whidbey
M. A. Carr
W. B. Lamm
Fred G. Stewart
Commissioners.