

Decision No. 25629

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
A.B. Swain for order authorizing ex-
tension of Russian River Terrace
Water System to supply Forest Hills
Subdivision, Hollydale Park and Holly-
dale Beach.

Application No. 18593.

Harry T. Kyle, by Dana A. Bremmer,
for applicant.

BY THE COMMISSION:

ORIGINAL

O P I N I O N

A.B. Swain, who owns and operates a public utility water system supplying the residents of a subdivision known as Russian River Terrace, asks for a certificate of public convenience and necessity to permit him to extend service to three other subdivisions, Forest Hills, Hollydale Park and Hollydale Beach, immediately adjoining said Russian River Terrace. All four tracts are located on the Russian River about five miles upstream from Guerneville, in Sonoma County.

A public hearing in this proceeding was held at Santa Rosa before Examiner Johnson.

Applicant has operated the present water system since 1912. The water is obtained from springs located above the tract and from a well in the bed of the Russian River. Additional water may be developed whenever required by the installation of new wells and pumping equipment. The three tracts which applicant proposes to serve were recently subdivided. The Forest Hills

subdivision comprises eighty acres of land, of which twenty acres at present are subdivided. Hollydale Park has an area of one hundred forty acres, of which fifty-six acres are subdivided. Hollydale Beach contains eighteen acres completely subdivided. The acreage portions of the tracts are expected to be plotted into lots whenever the demand therefor arises. At present there are twenty residents in Forest Hills and sixty in Hollydale Park. These consumers are now being supplied by applicant under the same rates and rules effective on the main water system.

Arrangements for the extension to these three tracts have been drawn up in the form of two written agreements made by and between A.B. Swain and Charles William Ogburn and others, covering Forest Hills, and by and between said A.B. Swain and J.C. Pohley and L.G. Deffner, owners of the Hollydale Park and Hollydale Beach subdivisions, both of said agreements being subject to approval by the Railroad Commission.

Applicant has obtained a franchise from the Board of Supervisors of Sonoma County covering the installation, construction and operation of mains throughout all of said tracts. As no one objected to the granting of the authority requested and as the water supply and other facilities appear to be ample at this time, the application will therefore be approved.

O R D E R

A.B. Swain having made application as entitled above, a public hearing having been held thereon, the matter having been submitted and the Commission now being fully advised in the premises,

The Railroad Commission of the State of California

hereby declares that public convenience and necessity require the extension, construction and operation by A.B. Swain of his water works to supply the residents of Forest Hills tract, Hollydale Park tract and Hollydale Beach tract, substantially in accordance with the terms of the contracts marked Exhibits A and B attached to the application herein and hereby made a part of this Order by reference, said tracts being located in Sections 25 and 26, Township 8 North, Range 10 West, M.D.B.M., County of Sonoma, California, and to exercise the rights and privileges granted to him under and by virtue of that certain resolution duly passed and adopted by the Board of Supervisors in and for the County of Sonoma on the thirteenth day of December, 1932, granting to A.B. Swain authority and permission to lay and maintain pipes, pipe lines, mains, laterals, service connections and all other appurtenances therein proper upon and across all public roads, avenues, lanes and trails lying and being within the said Forest Hills, Hollydale Park and Hollydale Beach subdivisions.

IT IS HEREBY ORDERED that A.B. Swain be and he is hereby directed to file with the Railroad Commission, within thirty (30) days from the date of Order, rules and regulations governing the relations with his 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 14th day
of February, 1933.

Al Seney
Leon Whiteley
M. J. Cunn
M. B. Harris

Commissioners.

Commissioner Ware, having recently been apprised of the fact that his associate in the law business advised with one of the parties interested in this proceeding prior to the time that Commissioner Ware became a member of the Railroad Commission, feels himself disqualified and therefore has not participated in this decision.