

Decision No. 11337.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
LIDA MONTEITH for an order authoriz-  
ing selling water for irrigation and  
domestic purposes and setting price  
if Commission finds that applicant  
must furnish adjoining lands and  
neighbors with water.

ORIGINAL

Application No. 7904.

A. O. Dillon, for applicant.

BY THE COMMISSION:

O P I N I O N

Lida Monteith, applicant herein, engaged in the business of supplying water for irrigation and domestic purposes to four consumers in Chino Township, San Bernardino County, asks in effect that the Railroad Commission make its order relieving applicant from obligation to sell water to adjoining ranches or to her neighbors; that if the Commission after hearing finds that applicant must sell water to others, it set the price for such service and state how much water must be sold and when applicant must sell water.

A public hearing in this matter was held at Pomona before Examiner Williams, of which all interested parties were notified and given an opportunity to be present and be heard.

The water supplied by this plant is obtained by pumping from a 304 foot, 12 inch well into a 3000 gallon tank, from

which distribution is made by gravity through approximately 1900 feet of concrete pipe.

The present rates charged by applicant are as follows:

Irrigation Rate

For each hour run of pump. . . . \$0.76

Domestic Rate

Per month. . . . . 0.50

It was shown by uncontested testimony that the property upon which this water plant is located was purchased by Mrs. Monteith, knowing that water was being sold to various consumers; that she continued to sell to these same consumers and the question of service was not raised until a dispute arose with one consumer over an extraneous matter; that she is willing to continue service, even if not declared a public utility; that no other source of supply is available to these consumers at the present time.

It appears that this water was dedicated to public use in 1912; that water has been continuously sold to consumers from 1912 to 1922 inclusive, and that adequate service cannot be had from other established sources in the district at the present time. The Commission is therefore of the opinion that Lida Monteith is supplying water as a public utility and should continue so to serve.

At this hearing applicant did not present an appraisal of her property, but accepted the appraisal presented by the Railroad Commission's engineer. Mr. D. H. Harroun, one of the Commission's hydraulic engineers, submitted a report of an investigation of the system wherein the estimated original cost was shown as \$3,723, and a replacement annuity computed by the 6% sinking fund method of \$87. The figures presented by Mr. Harroun are considered reasonable and will be used for the purpose

of this proceeding.

Based upon the foregoing items, the annual fixed charges are as follows:

Return on \$3,723 at 8% . . . . .	\$298
Replacement annuity, 6% sinking fund. . . . .	<u>87</u>
	\$385

A large portion of the water developed by this plant is consumed by applicant upon her own property, but no record has been kept of the amount so consumed. It was therefore impossible to obtain an accurate statement of the total revenues earned by this plant. One consumer served from this system in 1921 obtained his supply elsewhere in 1922, which reduced the quantity of water produced by applicant in 1921 by 46 per cent. Being deprived of this amount of business in 1922, and several of the expenses not being reduced in proportion, the cost of pumping was increased 40 per cent. over that of 1921, per hour of operation.

Applicant evidenced intention of improving this plant with the purpose of increasing the delivery capacity, making the service more attractive and satisfactory to water users.

After careful study of the evidence introduced, the Commission is convinced that applicant is entitled to an increased rate for the service rendered and will therefore establish a rate, based on the costs of operation and maintenance in the past and an estimate of same for the future taken in connection with the fixed charges indicated above, which will be fair and proper for water service from this plant.

#### O R D E R

Lida Monteith having made application for the determination of her public utility status, and, in the event that the Commission decides that she is operating as a public utility, for the establishment of a proper rate, a public hearing having been held and the matter having been submitted,

It Is Hereby Found as a Fact that -

1. Lida Monteith is furnishing public utility service from her water plant near Pomona, San Bernardino County, and in rendering such service is subject to the jurisdiction of the Railroad Commission;

2. The rates now charged by Lida Monteith for water delivered to her consumers are unjust and unreasonable in so far as they differ from the rates herein established, and that the rates herein established are just and reasonable rates for such service.

And basing its order upon the foregoing findings of fact and upon the statements of fact contained in the preceding opinion,

IT IS HEREBY ORDERED that Lida Monteith be and she is hereby authorized and directed to file with this Commission within twenty (20) days from the date of this order, the following schedule of rates to be charged for water delivered to her consumers, such rates to be effective for all water delivered subsequent to December 31, 1922:

Irrigation Rate

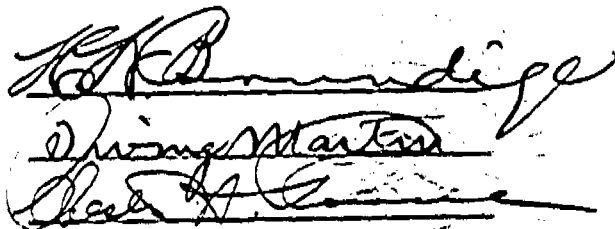
For each hour plant is operated at full capacity, the charge shall be . . . . \$1.25  
The minimum charge shall be for one hour's operation of the plant.

Domestic Rate

Flat Rate . . . . . \$1.00 per month.

IT IS HEREBY FURTHER ORDERED that Lida Monteith be and she is hereby directed to file with this Commission within thirty (30) days from the date of this order, rules and regulations to govern relations with her consumers, such rules and regulations to become effective upon their acceptance by the Commission.

Dated at San Francisco, California, this 11<sup>th</sup> day of December, 1922.

  
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Commissioners.