

Decision No. 11370.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of ELIAS V. ROSENKRANZ and TITLE )  
INSURANCE AND TRUST COMPANY, a )  
corporation, as executors of the )  
estate of Emil Firth, deceased, )  
for authority to discontinue a )  
public utility supplying water to )  
Arlington Square Tract, Los An- )  
geles City, California, or in- )  
crease its rates. )

Application No. 8346.

Elias V. Rosenkranz, for Applicants.

BY THE COMMISSION:

O P I N I O N

In the above entitled application Elias V. Rosenkranz and Title Insurance and Trust Company, a corporation, as executors of the estate of Emil Firth, deceased, ask authority to discontinue a public utility water system known as the Arlington Square Water System, unincorporated, of which Emil Firth was sole owner. The Arlington Square Water System was installed to aid in the sale of real estate and supply water to Tracts 809 and 2195, Los Angeles County, California. Applicants allege in effect that all of the territory now served is duly and properly a part of the municipality of Los Angeles; that upon petition of the residents of the above designated tracts, said municipality has installed a complete system of mains and pipe lines for the purpose of supplying water to all of the territory heretofore served by applicants; that all of applicants' consum-

ers can be supplied from the municipal water system of the City of Los Angeles; that applicants have already lost a large number of consumers, thus decreasing the revenue to such an extent that, to continue water service, an increased rate for service to the remaining consumers will be required in order to meet the cost of operating the system.

A public hearing in this matter was held at Los Angeles before Examiner Williams, of which all of applicants' consumers were notified and given an opportunity to appear and be heard.

The testimony shows that in July, 1922, by regular proceedings, all of applicants' territory became annexed to the City of Los Angeles, and on the 18th day of September, 1922, the required number of petitioners was obtained to secure the installation of the municipal water system. The mains are now installed and parallel the entire system of applicants, except on two short alleys. Mr. L. M. Anderson, Controller of the Public Service Commission, City of Los Angeles, stated that the city is willing and ready to serve any and all consumers on the tracts as soon as they make the proper application for service. This requires the payment of 80 cents a front foot and a connection charge of \$15.00.

The testimony shows that the City of Los Angeles now serves approximately 184 water consumers in the territory in question, whereas applicants serve only 66. Applicants allege that revenues received have become reduced to such an extent that they will be compelled to operate at a greater loss than heretofore has been incurred, the rates remaining unchanged.

No one appeared to protest the granting of this application, and after a careful consideration of the evidence, the conclusion is reached that all the consumers have another and adequate water supply available from the City of Los Angeles, at rates considerably lower than those now charged by applicants.

It appears unnecessary to require that this system continue in operation, under the conditions shown. Neither is it necessary to discuss the question of an increase of rates.

### O R D E R

Elias V. Rosenkranz and Title Insurance and Trust Company, a corporation, as executors of the estate of Emil Firth, deceased, operating a small water system furnishing and distributing water to consumers in Tracts 809 and 2195, Los Angeles County, California, having made application to this Commission for authority to discontinue water service or increase the rates now charged, a public hearing having been held and the matter having been submitted,

It Is Hereby Found as a Fact that public convenience and necessity do not require the continued operation of Arlington Square Water System.

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

IT IS HEREBY ORDERED that Elias V. Rosenkranz and Title Insurance and Trust Company, a corporation, as executors of the estate of Emil Firth, deceased, be and they are hereby authorized to discontinue the service of water to consumers in Tracts 809 and 2195 as above, on March 1st, 1923, provided that within ten (10) days from the date of this order said applicants notify each and every consumer in writing of their intention to discontinue service on March 1st, 1923, and further, that within fifteen (15) days of the date of this order they furnish to the Commission an affidavit setting forth the fact that each

consumer affected by this order was duly notified of such intention to discontinue service.

Dated at San Francisco, California, this 22<sup>d</sup> day of December, 1922.

H. M. Brundage

Irving Martin

J. F. Brundage

Commissioners.