

Decision No. 11408

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

ORIGINAL

In the matter of the application of)
FRANK B. RUTLEDGE, WILLARD R. BELL)
and ALICE R. BELL for permission to)
discontinue the operation of the)
water plant for public use on Lot 5,)
Block 5, Town of Lancaster, Los)
Angeles County, California.)

Application No. 8440.

N. B. Bachtoll, for applicants.

BY THE COMMISSION.

O P I N I O N

A public hearing was held by Examiner Westover at Lancaster December 21, 1922, upon the above application to discontinue service of domestic water in Lancaster, Los Angeles County.

At the time the plant was purchased by applicants by authority of Decision No. 8792 of March 28, 1921, there were 24 consumers on the system, all domestic service being on a flat rate of \$2.00 per month. The present municipal system serving in Lancaster (Los Angeles County Water District 2104) began operation April 1, 1922. It established a rate of \$1.25 per 1000 cu. ft. with a charge of \$25.00 for meter and service to a point one foot inside the curb line. The rate has since been reduced to \$1.00 and it expects to reduce the rate to 75¢ if and when the Southern Company takes its service, an event which it expects to occur soon.

About August 15, 1922, applicants sold to E. A. Cleary the lot on which the plant is located. At that time their consumers had been reduced to 15 or 16 by transfers to the municipal system. The application, which was filed November 23, 1922, recites that all but 12 consumers had so transferred at that time.

It appears from the testimony at the hearing that at that time there were but 8 consumers left on applicants' system, two of whom were transferring to the municipal system, and one of these had a meter already set. It clearly appears that the municipal system is ready, willing and able to serve the others at the lower rate.

All consumers were notified of the hearing, but only one, using 5 services, appeared. He expressed a willingness to have the application granted.

It appearing that Mr. Cleary is now actually operating the plant under agreement for purchase of the lot referred to, upon motion of counsel leave was granted to amend by making him a party to the application.

It further appears that the plant will soon need repairs estimated to cost \$250.00 to \$400.00. Manifestly an adequate return upon investment would require a rate so high as to be prohibitive.

O R D E R

A public hearing having been held on the above entitled application, the matter being submitted and now ready for decision,

THE RAILROAD COMMISSION HEREBY FINDS that public necessity and convenience do not require operation of the water system

described in the application. Basing its order upon above finding, and all findings of fact contained in the opinion preceding this order,

IT IS HEREBY ORDERED that Frank B. Rutledge, Willard R. Bell, Alice R. Bell, and E. A. Cleary be and they are hereby authorized to discontinue service of water from the plant described in the application, 60 days after service of written copy of this order upon each of the consumers of water from said system, or prior thereto, if present consumers are sooner provided with other adequate service.

IT IS HEREBY FURTHER ORDERED that applicants shall file with the Commission a verified statement showing date that copy of this order was served upon each consumer and date when all consumers have been provided with other adequate water service, and the date when applicants finally discontinue service.

Dated at San Francisco, California, this 29th day of December, 1922.

H. B. Rutledge
Willard R. Bell
Alice R. Bell
E. A. Cleary

Commissioners.