

Decision No. ✓

BEFORE THE RAILROAD COMMISSION
OF THE STATE OF CALIFORNIA.

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GEM CITY PACKING COMPANY,
a corporation,

Complainant,

-vs-

SAN JOSE WATER COMPANY, a
corporation,

Defendant.

ORIGINAL

Case No. 489.

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ESHELMAN, Commissioner.

SUPPLEMENTARY OPINION.

In its opinion rendered April 11th, 1914, this Commission suggested that the complainant and defendant in the above entitled matter provide plans for a pipe line from the San Jose Water Company's present facilities within the town of Los Gatos to the packing house of the Gem City Packing Company, suitable to serve the needs of the complainant; and to submit estimates as to the cost of the same. The belief was expressed in this opinion that the present complaint should be settled between the parties themselves, particularly as the San Jose Water Company admits it has a plentiful supply of water which it desires to sell, and as it is very much to the interest of the Gem City Packing Company to obtain an adequate and constant supply for its particular needs.

The statement and estimate presented by the complainant listed twenty five hundred and thirty eight (2538) feet of two inch (2") iron pipe and sixty six hundred and ninety four (6694) of one and one-quarter inch (1 $\frac{1}{4}$ ") iron pipe, which was estimated to cost altogether Seven hundred and five and 62/100 (\$705.62).

dollars. The parallel statement and estimate of the defendant company alleges that the length of pipe required is ten thousand and ninety two feet (10,092), that no greater size than one inch (1") is needed for the uses of this complainant, and that the total cost would be Six hundred and fifty four and 60/100 (\$654.60) dollars. Both estimates for the extension appeared to be considerably below the probably cost by comparison with known actual cost of such pipe line extensions under similar conditions.

It has been ascertained from the officials of the defendant company that whatever the requirement, they would not of their own choice lay a pipe extension of smaller size than two inch (2"). The complainant has on hand, some certain amount of one and one-quarter inch (1 $\frac{1}{4}$ ") iron pipe, and should he be required to lay any part of this extension himself, will use this pipe.

In view of the amount of water to be used by the complainant, it seems reasonable that the San Jose Water Co. should provide a sufficient part of this extension to cover an investment equal to about one-half the entire initial expense for transmitting water from its mains to the plant of the Gen City Packing Company. It is my belief that this end will be reached should the defendant company be required to extend its mains to a point along the county road now followed by the pipe line belonging to Santa Clara County and through which the complainant in the past received its supply from the San Jose Water Company, to a point two thousand feet distant from the corporate limits of the City of Los Gatos, this pipe to be of two inch (2") pipe or of larger size, at the option of the company; and that a connection and meter be provided at the end of this main

to serve the complainant.

I submit the following order:

O R D E R

The Gem City Packing Company having made complaint to the Commission that the San Jose Water Company had failed and refused to supply water for use at the plant of the Gem City Packing Company since July 1st, 1913, and having therefore asked that the defendant be compelled to furnish and supply water to complainant in the same amounts as had been supplied prior to July 1st, 1913, and in the same manner and extent that the defendant herein supplied other persons and corporations similarly situated,

IT IS HEREBY ORDERED that the San Jose Water Company extend a main along the county road which is followed by the pipe line belonging to Santa Clara County, and through which the Gem City Packing Company originally obtained its supply, to a point two thousand (2,000) feet from the corporate limits of Los Gatos, and at that point provide meter and connection for the service of the aforesaid complainant company.

IT IS FURTHER ORDERED that the San Jose Water Company proceed with this installation and complete the same in such manner as to be able to provide water for the use of the complainant, the Gem City Packing Company, on or before July 15th, 1914.

supplementary and order are
The foregoing opinion/~~of~~ hereby approved and ordered filed as the/~~opinion of~~ supplemental and order
the Railroad Commission of the State of California.

Dated at San Francisco, California, this 22 day of June, 1914.

John McEachern
Alfred Gordon
Max Thelen