

ORIGINAL

Decision No.            ✓

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

Geo. E. Marsh et al.,  
Complainants,

vs.

N. C. Kelley, a water company,  
Defendant.

Case No. 647

Decision No. 1814

R. C. Sternberg for complainants  
N. C. Kelley in propria persona

EDGERTON, Commissioner.

O P I N I O N

The complaints in this case allege that N. C. Kelley, owner of a water system in North Glendale is not providing adequate service to complainants and that through lack of pressure, the fire hazard was increasing.

Mr. N. C. Kelley has placed upon the market two pieces of real estate in North Glendale, known as Casa Verdugo Tract and Tract 726, comprising fifty acres and twenty acres, respectively. When marketing these lots, the defendant installed a water system. He obtained water from the North Glendale Pipe and Reservoir Company, according as the number of shares which he owned, and also rented, bore to the total number issued. Out of the original 10,000 shares in the water of Verdugo canon, apportioned to the land in and around Glendale, defendant owns 151 shares and rents 36½ shares, the latter of which are subject to withdrawal from his control at any time.

During the last few summers, which have been seasons of low rainfall, the service through the Kelley system has been admittedly poor. Although this season was one of good rainfall, the adoption

of a rigid schedule worked to the disadvantage of defendant. Defendant has ample storage facilities and the system is a metered one, but the suspended matter in the water has affected the successful operation of some of the meters and complaint was made in that regard.

Defendant stated that out of a possible 125 service connections, only 75 were actually revenue producing at the present time and that he was feeling the shortage in the income.

One of the Commission's engineers has made an investigation of the entire system and has reported that Mr. Kelley may not be able to acquire any more shares of the flow in Verdugo Canon. On the other hand, judging by the water secured in a well adjoining Tract No. 726, it may be that water may be developed by Mr. Kelley through sinking a well.

The evidence in this case is not sufficient to warrant a conclusion at this time as to which is the better method of producing more water for this system.

Therefore, I recommend that Mr. Kelley be ordered to submit to the Commission, within sixty days from the date hereof, a plan for providing a more adequate water supply for this system.

I submit herewith the following form of order:

### O R D E R

Complaint having been made by Geo. E. Marsh et al against the service rendered by N. C. Kelley, operating a water system in North Glendale, and a public hearing having been had thereon, and the matter having been submitted, and the Commission being fully apprised in the premises,

IT IS HEREBY ORDERED by the Railroad Commission of the State of California that N. C. Kelley, operating a water system in North Glendale, submit to this Commission within sixty days from the date of this order a plan for producing and maintaining a more adequate water supply for the use of his consumers.

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

Dated at San Francisco, California, this 21<sup>st</sup> day of September, 1914.

John M. Eshleman

H. D. Stewart

Max Thelen

Edwin U. Edgerton

Commissioners.