

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA,

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DONALD S. GITTINGS, et al,
Complainants,

-VS-

THE WINDSOR WATER COMPANY and
OTTO PACHEMAYR,

Defendants.

ORIGINAL

Case 689.

Decision No. 2275

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Donald S. Gittings, in propria
persona, for complainants,
W. A. Martin, for Defendants.

DEVLIN, Commissioner.

O P I N I O N

On October 1st, 1914, Donald S. Gittings, et al, consumers, filed a complaint with this Commission against The Windsor Water Company.

The complainant alleges that the Windsor Water Company is engaged in the business of supplying water for domestic purposes in a district including the Goodfellow Tract outside of and adjoining the south city limits of Los Angeles; that the complainants reside in the said Goodfellow Tract; that for a period of some nine days in September, 1914, during purported repairs to a pump, the Company was unable to furnish adequate pressure or supply of water on the said tract. It was alleged that inadequacy is due to the fact that the tract receives its water supply through a 2 inch pipe and that the Company had refused to increase the size of the said 2 inch main and advised the consumers to refer to the concerns who subdivided and sold the Tract.

The complainants ask that this Commission make an order com-

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pelling The Windsor Water Company to furnish at all times a sufficient and adequate supply of water for domestic, and lawn and garden irrigation purposes, and that a rate be fixed to apply to the said tract.

The answer of the defendant in part denies that the Windsor Water Company comes under the Public Utility Act but that the water company was installed and has since been operated by virtue of a contract with certain tract owners in the County of Los Angeles, under which defendant agreed to supply water to each and every lot in these tracts upon lot owners paying to defendant a monthly charge not exceeding the rates prevailing in Los Angeles; admits that during a period of some nine days in September, 1914, less water than usual was available due to the breakdown of one pump but denies that there was then an insufficiency of water for domestic purposes. It was denied that defendant refused to increase the size of 2 inch main in this tract and claimed that some 2 inch is now being replaced by 4 inch pipe. A public hearing was held on March 2nd, at Los Angeles, and a field investigation conducted by a Commission Engineer.

It was established that the water supply is sufficient at the source to provide adequately for these complainants as well as all other consumers of this utility. The defendants have a 52,700 gallon tank which they claim is always kept full for emergencies. This, however, does not mean that the service will always be satisfactory.

In regard to the rates of the company, it was determined that the complaint was not so drawn as to permit this Commission to change the rates now in effect. It was explained that the contracts between the tract owners and the water company provided that the rates should not exceed those charged by the City of Los Angeles, and it is claimed that the rates charged by this company result in payments for equivalent amounts of water, 15% to 25%.

less than charged by the City of Los Angeles.

According to the testimony in this case, the service provided in the Goodfellow Tract during the Summer months, especially in 1914 was inadequate, this inadequacy of supply being due, apparently, both to the amount of water available and to the fact that some forty consumers receive their supply through two 2 inch pipes. There was also considerable complaint that 1/2 inch pipe has been used in a number of service lines instead of 3/4 inch pipe that is customary and that the smaller services will not allow the use of a sufficient supply for lawn and garden purposes.

The defendant company, in rebuttal, claim that the deficiency of supply has been caused largely by waste of water by consumers. This, however, is a matter that can be controlled through the ordinary course of establishment and enforcement of rules and regulations, in which the Commission is always ready to assist utilities.

I submit herewith the following form of order:

O R D E R.

A hearing having been held in the above entitled matter, and the same having been submitted and the Commission being fully apprised in the premises,

IT IS HEREBY FOUND AS A FACT by the Railroad Commission of the State of California that The Windsor Water Company is a public utility under the laws of the State of California engaged in the sale of water for domestic and other purposes.

IT IS FURTHER FOUND AS A FACT that the water distributing system and water supply of this utility are, to a certain extent, inadequate, and basing its order on the foregoing findings of fact and the further findings of fact set forth in the Opinion preceding this order,

IT IS HEREBY ORDERED by the Railroad Commission of the State of California that The Windsor Water Company replace its 2 inch

main now in service on Moneta Avenue with 4 inch pipe, and that it replace at least 300 feet of 2 inch pipe lines now in service on each of Morrell, Manor and Barabec Streets with 4 inch pipe.

IT IS FURTHER ORDERED that the Commission be notified by report semi-monthly of the progress of this work and that the entire order be carried out within sixty days of the date hereof.

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 3rd day of April, 1915.

W. D. McLaughlin
Edwin C. Egerton
Frank R. Kohn
Commissioners.