

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

Max Cohen and W. C. Heim,
Complainants,

vs.

Case No. 820.

Marin Water and Power Com-
pany,
Defendants.

GORDON, Commissioner.

O P I N I O N

On June 23, 1915, Max Cohen and W. C. Heim, of Kentfield, Marin County, filed a complaint with this Commission against Marin Water and Power Company, alleging that the facilities employed by the Marin Water and Power Company for serving water to the residents of Kentfield were inadequate. Complainants specifically alleged that a two-inch pipe used by the company for this purpose was insufficient, and request was made that the defendant be compelled to install a pipe of larger size. Marin Water and Power Company, in answer, admitted that a larger pipe was necessary for the proper service of the residents of Kentfield, but cited the fact that Marin Municipal Water District had brought proceedings to have this Commission place a value on its properties for the purpose of a condemnation suit thereafter to be instituted; that this Commission had fixed a value for these properties and that defendant had filed a

petition with the Supreme Court of the State of California for a review of the decision of this Commission fixing such value. Accordingly Marin Water and Power Company asked that the complaint be dismissed and that the action abate until subsequent to August 28, 1915.

At the hearing upon this matter, on July 27, the parties agreed to enter into a stipulation whereby Marin Water and Power Company should agree to install a six-inch or an eight-inch water main for the service of residents of Kentfield, and Marin Municipal Water District should agree, in the event that it should acquire by condemnation the properties of Marin Water and Power Company, that it would, at the same time, pay the Marin Water and Power Company an additional sum for the cost of the six-inch or eight-inch main when the price had been approved by the Railroad Commission.

This stipulation has been duly signed and filed with this Commission. The Commission will, accordingly, enter its order in this matter. The water company will be expected to use all diligence in substituting the eight-inch main for the two-inch pipe.

Accordingly I recommend the following form of order:

O R D E R

IT IS HEREBY ORDERED by the Railroad Commission of the State of California that Marin Water and Power Company shall, not later than sixty days from date, install new water mains for the purpose of serving the residents of Kentfield, Marin County, as follows:

An eight-inch main connecting with the eighteen-inch main on Kemp Avenue, thence across private rights of way to Laurel Avenue and along Laurel Avenue to Red Hill and Ross Landing Road; a six-inch pipe in Red Hill and Ross Landing Road from a point approximately 1300 feet northwest of Laurel Avenue to the junction of Laurel Avenue and Red Hill and Ross Landing Road; an eight-inch main in Red Hill and Ross Landing Road from its junction of Laurel Avenue to its junction with McAllister Avenue and County Road, thence along County Road to D Street grade; and a six-inch main from County Road northerly approximately 900 feet to end of present four-inch main in Laurel Grove Avenue.

IT IS FURTHER ORDERED that Marin Water and Power Company reconnect all branch mains and service pipes to this new main.

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 3d day of August, 1915.

Max Thelen
H. L. Overland
W. G. Gordon
Frank R. Dehn

Commissioners.