

ORIGINAL

Decision No. 2660

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BEFORE THE RAILROAD COMMISSION
OF THE STATE OF CALIFORNIA.

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B. GHEFFOLI and DOMINIC PEIRANO,
Complainants,

vs.

Case No. 712.MARIN WATER AND POWER COMPANY, a
corporation,

Defendant.

Frank J. Burke for complainants.
Joseph Haber, Jr., for defendant.

DEVLIN, Commissioner.

O P I N I O N .

The complainants in this action live along Butterfield Road in the City of San Anselmo, Marin County, and have petitioned this Commission that an order be issued commanding the Marin Water and Power Company, the utility furnishing water service to adjacent territory, to extend its mains along Butterfield Road so as to provide service to residents along that street.

There were two hearings held in this matter. At the first hearing it was evident that the complainants could not promise any stated amount as a guarantee to the water company to insure it some reasonable return upon the proposed investment. The case was continued in the hope that sufficient customers, estimated by the Commission's hydraulic engineer to be at least 15, might be induced to guarantee to the company an aggregate payment of at least \$30 per month. Owing to the probable purchase of defendant's entire system by the Marin Municipal Water District in the near future, the

cost of the extension in this case would, by stipulation, be returned to the company in case the District took over the system.

A field investigation of the situation was made by one of the Commission's hydraulic engineers and from a canvass of all the possible consumers along the proposed extension, 9 signatures were secured. Certain of these parties were willing to guarantee a double amount of water in order to make the plan successful but the total was not over 12.

At the adjourned hearing held in San Francisco on June 29, 1915, the complainants were not able to produce additional signatures to make a total of 15 to be benefitted by the extension, so the case was submitted with the understanding that any additional evidence of value might be presented before the end of the month of July.

The time has now expired in which the additional signatures or guarantees might have been secured and nothing has been received by the Commission.

Considering all the evidence in this case, I believe that the business to be derived from the extension does not justify the investment necessary therefor, and shall recommend to the Commission that the case be dismissed.

I submit herewith the following form or order:

O R D E R .

Complaint having been made by B. Gheffoli and Dominic Peirano against Marin Water and Power Company, alleging their refusal to extend their water mains along a street in the City of San Anselmo, known as Butterfield Road, and public hearings having been held thereon, and it appearing from all the evidence that conditions are not such as should require Marin Water and Power Company to construct such extensions at its expense,

IT IS HEREBY ORDERED by the Railroad Commission of the State of California that the complaint be and hereby is dismissed without prejudice to the complainants.

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 Thelem
H. H. Houlacid
Paul R. Durbin

Commissioners.