

Decision No. \_\_\_\_\_.

ORIGINAL

Decision No. 3376-

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of WHITTIER WATER COMPANY for permission to exercise permit. } Application No. 2190.

BY THE COMMISSION.

O P I N I O N.

This is an application of Whittier Water Company, a corporation, engaged in the business of furnishing water, principally for irrigation purposes, to consumers in East Whittier and its vicinity for permission to exercise the rights and privileges conferred by a permit of the County of Los Angeles to lay pipe along the county road into territory not now served by applicant.

A public hearing was held in Whittier April 26, 1916. From the evidence it appears that two tracts of land, one known as the Orchard Dale tract and the other as the Luitwieler tract, situated from one to two miles from applicant's pipe line have each for some time past been supplied by mutual water companies. The Orchard Dale tract contains 605 acres divided into 103 lots. The whole tract is under cultivation and is owned by 65 separate holders. The Luitwieler tract contains 227 acres, 101 acres of which are now under cultivation, divided into from 5 to 7 acre holdings.

The respective mutual water companies supplying these two tracts have each come to the conclusion that it would be cheaper for the land owners to obtain their water from applicant at its prevailing rates than to continue to operate their own plants and the testimony of Mr. A. Moore of the Orchard Dale Mutual Water Company and that of Dr. R. L. Morrison, President

and Manager of Luitwieler Irrigation Company, strongly corroborated this conclusion. Both of the mutual companies are extremely anxious to have applicant commence supplying their customers with water in the very near future in order to be relieved from overhauling and commencing to operate their plants this season. In order to supply these tracts permanently it will be necessary for applicant to obtain a franchise from the County of Los Angeles. It has already applied for such a franchise and has expectation of obtaining the same but the delays incidental to advertising and the giving of the customary notices will probably consume ninety or more days from the date of the application (March 20, 1916).

In order to be able to furnish water to the consumers on the above mentioned tracts in time for this year's irrigation season, Whittier Water Company applied to the Board of Supervisors of Los Angeles County for permission to construct or lay an 18" wood stave pipe from applicant's main on the Los Angeles and Santa Ana Road, a distance of 10,255 feet along the Colima Road. This permission was granted by the County under the designation of Permit 5382.

According to the testimony of Mr. George Chaffee, applicant's president and manager, his water company at present furnishes a steady supply of 140 miners inches of water to the various consumers in East Whittier and also furnishes these consumers with any further amount of water which they may desire upon a metered basis. He estimated the amount of water which will be required by the Orchard Dale and the Luitwieler tracts as follows:

Normal amount of water required for Orchard Dale tract.....60 inches

Maximum additional water which will be needed for two or three days two or three times a year.....90 inches

Total maximum demand.....150 inches

Normal amount of water required for Luitwieler tract.....20 inches

Maximum additional water which will be needed for two or three days two or three times a year.....30 inches

Total maximum demand..... 50 inches

Total maximum for the two tracts.....200 inches

Mr. Chaffee further testified <sup>that</sup> applicant now has a capacity of 500 inches of water even in the driest portions of dry seasons and that his company had never in the past run short of water except for occasional interruptions in service for a day or two owing to accidents. He further stated that applicant would be ready and willing to operate the present pumping plants of the mutual water companies in order to furnish additional water if the supply should ever in the future run short. Finally, he testified that applicant was at present concluding negotiations for the settlement of certain legal questions through which he expected Whittier Water Company to establish its right to an additional 900 inches of water.

Under all the circumstances and in order to avoid delay and unnecessary hardship to applicant and to the consumers on the Orchard Dale and Luitwieler tracts, we feel that this application should be granted upon the understanding, however, that if the County of Los Angeles grants applicant the franchise requested, applicant shall then apply to this Commission for a certificate that public convenience and necessity require the exercise by

said corporation of rights and privileges under said franchise.

O R D E R

WHITTIER WATER COMPANY having applied to this Commission, under Section 50 of the Public Utilities Act, for permission to exercise rights and privileges under Permit No. 5382, granted by the County of Los Angeles Road Department on March 29, 1916, and a public hearing having been held, and the matter being now ready for decision,

THE RAILROAD COMMISSION OF CALIFORNIA declares that public convenience and necessity require the laying, in accordance with the provisions of Permit No. 5382, by Whittier Water Company of an 18" main along the Colins Road in Los Angeles County from applicant's main on the Los Angeles and Santa Ana Road to the tracts known as the Orchard Dale and the Luitwieler tracts, a distance of between 9,000 and 10,000 feet; provided, that upon the granting by the County of Los Angeles of the franchise for which application has been made as set forth in the foregoing Opinion, applicant shall file a supplemental application for a certificate, under the provisions of Section 50 of the Public Utilities Act, that public convenience and necessity require the exercise by said corporation of rights and privileges under said franchise.

Dated at San Francisco, California, this 8th day of  
May, 1916.

Max Thelen

Alvin London

Edwin O. Edgeston

Francis R. DeWitt

Commissioners.