

GEM

Decision No. _____

ORIGINAL

Decision No. 170517

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

O. S. CAULFIELD et al.,
Complainant,

-vs-

THE MONTEREY COUNTY WATER
WORKS, a corporation,
Defendant.

Case No. 949.

ANDREW MANGER,
Complainant,

-vs-

THE MONTEREY COUNTY WATER
WORKS, a corporation,
Defendant.

Case No. 951.

O. S. Caulfield, in propria persona
Andrew Manger, in propria persona
J. F. Shuman, of Morrison, Dunne &
Brobeck, for defendant.

BY THE COMMISSION.

OPINION

These cases, both of which seek relief against the practice of the defendant corporation of charging more than one minimum monthly water payment where water is furnished to two or more houses through a single service connection and meter, were consolidated at the public hearing, which was held at Monterey, the testimony being taken by Examiner Bancroft.

From the evidence it appears that a number of defendant's consumers in Monterey, Pacific Grove and Carmel have two or more houses situated on one lot or on adjoining lots which obtain their water through a single service connection and meter. Defendant has charged and collected a separate minimum for each structure where water is used irrespective of its size or the amount of water consumed. It has offered to install separate meters and connections for each building and has so notified the respective consumers, who have generally declined to avail themselves of defendant's offer.

The rates of defendant as established by this Commission, and now in effect, are as follows:

Monthly Minimum Payments:

$\frac{1}{2}$ " and $\frac{3}{4}$ " services	\$0 90
1" services	1 25
1 $\frac{1}{2}$ " services	1 75
2" services	2 25
3" services and larger	3 00

Monthly Meter Rates:

First 300 cubic feet, 30 cents per 100 cubic feet.
 For next 700 cubic feet, 25¢ per 100 cubic feet.
 For all used above 1000 cubic feet, 21¢ per 100 cubic feet.

Defendant introduced as an Exhibit, a list of 195 of so-called double services, meaning services upon which it believes it is entitled to charge two or more minimum payments. By stipulation it later filed with the Commission a tabulation of all such services showing the amounts of water delivered during the 12 months' period, August, 1915 to July, 1916, inclusive. Applying to these services, first, the rate computed upon the basis of but one minimum charge, and then the multiple minimum charges actually demanded by defendant during said period, we find that the difference would amount to approximately \$300.00 per year.

There appears to us no logical reason why defendant

should be entitled to make two or more minimum charges where water is served through one meter and service connection to two or more adjoining houses belonging to one person. The water company is not subjected to any greater cost than if it were serving only one house. The size of its meter and service and the cost of billing and collecting is the same whether the water after passing through the meter is used in one or in several buildings. One illustration of the difficulty of defendant's position is that in several cases a householder had, according to the testimony, avoided paying the two or three minimum charges simply by connecting his various cottages with boards in such a manner as to be able to claim that the several cottages constituted one building.

Defendant's charges seem to be more or less governed by the old traditions of flat rates, when each house was rated separately at an estimate of probable use. The old system was, at its best, inequitable and far from scientific; but by the introduction of meters, companies are enabled to base their charges upon the amount of water actually consumed, allowing the company a reasonable minimum charge for each service and meter installed.

Under all the circumstances of this case, we are of the opinion that defendant is entitled to make a separate minimum charge for each service and meter now

installed, or hereafter installed upon application of a consumer, and that it is not entitled to make a separate minimum charge where one service and meter serves several buildings.

It is hardly necessary to add that nothing in this opinion would give a person the right to procure water from defendant through his meter and then resell said water to other consumers in defendant's territory.

O R D E R.

A public hearing having been held in the above-entitled case, and oral and documentary evidence having been introduced, and the matter having been duly submitted and being now ready for decision,

The Railroad Commission of the State of California, for the reasons set forth in the foregoing opinion, hereby orders that defendant MONTEREY COUNTY WATER WORKS shall hereafter make only one minimum monthly charge for each service and meter now installed or hereafter installed upon application of a consumer.

Dated at San Francisco, California, this 25th day of January, 1917.

Max Thelen
H. D. Boydland
Frank R. Berlin

Commissioners.