

ORIGINAL

Decision No. 6157

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

---oOo---

In the Matter of the Application	)	
of ALGER FAST, as Receiver of the	(	
SACRAMENTO VALLEY WEST SIDE CANAL	)	
COMPANY, for an increase in the	(	Application No. 4345
rates to be charged for water sup-	)	
plied by him as such Receiver for	(	
the purposes of irrigation.	)	

---oOo---

Morrison, Dunne & Brobeck and Edward Hohfeld,  
for Alger Fast, Receiver,

Stanley Moore, for Belle Williams Moore and  
J. S. Gibbs & Company,

C. L. Donohoe, for certain land owners and  
water users,

George R. Freeman, for the Spalding Company.

DEVLIN, BRUNDIGE and MARTIN, COMMISSIONERS.

O P I N I O N

This is an application of Alger Fast, acting as Receiver of the Sacramento Valley West Side Canal Company, a public utility corporation developing and delivering water used for irrigation, for a certain stated increase in rates.

The present rates charged by the company are as follows:

Flat Rates Per Acre Per Annum:

Rice, . . . . .	\$7.00
All other crops, . . . . .	2.00

Rates by Measurement:

\$2.00 for the first one and one-half (1½) acre  
feet per acre per annum.  
Use in excess of one and one-half (1½) acre  
feet per acre at the rate of \$1.50 per acre foot.

Special Rate:

For germinating water grass seed or moistening  
land for plowing, \$0.75 for first 4 acre inches

per acre, and proportionate charge for water used in excess of that amount.

The rates applied for are:

Flat Rates Per Acre Per Annum:

Rice, . . . . . \$8.00  
 All other crops, . . . . . 2.00

Rates by Measurement:

\$2.20 for the first one and one-half (1½) acre feet per acre per annum.  
 Use in excess of one and one-half (1½) acre feet per acre at the rate of \$1.65 per acre foot.

Special Rate:

For germinating water grass seed or moistening land for plowing, \$1.00 for first 4 acre inches per acre, and proportionate charge for water used in excess of that amount.

The application also sets forth the following proposed schedule of payments to be made by growers of both rice and general crops:

<u>Flat Rates:</u> <u>Time of Payment:</u>	<u>Rice Land</u> <u>Per Acre:</u>	<u>General Crops</u> <u>Per Acre:</u>
With application for water service:	\$2.00	\$0.50
March 15,	2.00	0.50
April 15,	1.00	0.25
June 15,	1.00	0.25
August 1,	1.00	0.25
September 1,	1.00	0.25

It is stated in the application that the consent of a large proportion of the water users had been gained previous to the filing of this application, and a letter of Charles L. Donohoe, representing certain of the rice growers, is filed with the application as Exhibit "C". This letter contains the statement that the indicated agreement with the company's proposed rate schedule is to be considered operative for the season of 1919 only.

At the hearing held in this application on February 11th, 1919 at San Francisco, full opportunity was given for expression of opinion by consumers on the rate proposed and no objection was voiced. The growers of rice on at least 20,000 acres were repre-

mented by counsel at the hearing.

The testimony shows that about 27,000 acres of rice land was irrigated during the season of 1918.

Under all the circumstances herein, and in view of the agreement of such a majority of consumers that the requested increase should be granted for the period above referred to, and that no objection by any consumer was made, even though all consumers had the usual notice, it is deemed unnecessary to follow the customary methods in determining the reasonableness of the proposed rate.

We submit the following form of order:

ORDER

A public hearing having been held in the above entitled proceeding and the same having been submitted and being now ready for decision,

IT IS HEREBY FOUND AS A FACT that the rates that have been heretofore charged by applicant, in so far as they differ from the schedule of rates set forth in the following order are non compensatory and that the rates herein established are just and reasonable rates.

Basing its order upon the foregoing finding of fact and the findings of fact contained in the opinion preceding this order,

IT IS HEREBY ORDERED that Alger East, as Receiver of the Sacramento Valley West Side Canal Company, be and he is hereby authorized to charge the following schedule of rates:

Flat Rates Per Acre Per Annum:

Rice - - - - -	\$ 8.00
All other crops - - - - -	2.00

Rates by Measurement:

\$2.20 for the first one and one-half (1½) acre feet per acre per annum.  
Use in excess of one and one-half (1½) acre feet per acre at the rate of \$1.65 per acre foot.

Special Rate:

For germinating water grass seed or moistening land for plowing, \$1.00 for first 4 acre inches per acre, and the proportionate charge for water used in excess of that amount.

IT IS HEREBY FURTHER ORDERED that payments shall be due

in the amounts and on the dates set forth below:

<u>Flat Rates:</u> <u>Time of Payment:</u>	<u>Rice Land</u> <u>Per Acre:</u>	<u>General Crops</u> <u>Per Acre:</u>
With application for water service:	\$2.00	\$0.50
March 15,	2.00	0.50
April 15,	1.00	0.25
June 15,	1.00	0.25
August 1,	1.00	0.25
September 1,	1.00	0.25

IT IS HEREBY FURTHER ORDERED that the herein established schedule of rates shall become effective immediately and that applications for service received at the office of the company more than fifteen days from the date hereof may be subject to denial, and in case it is found that there is not a sufficient supply to satisfy all applications, those received before such date will be given priority over those received later.

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 25<sup>th</sup> day of February, 1919.

Erwin O. Edgerton

W. S. Loveland

Frank D. Dyer

H. R. Lundberg

Josiah Martin

Commissioners.