Decision No. 6572



REFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the Matter of the Commission's Investigation into the practices of George S. Montgomery, operating a water system in Casadero and vicinity, under the fictitious name of Cazadero Water Works, and the interest and responsibility of George S. Montgomery and J.C. Holte, or either of them, herein.

Case No. 1353.

F.A.Berlin for George S. Montgomery and J.C. Holte. Frank J. Schneider in propria persona.

BY THE COMMISSION:

OPINION

Numerous informal complaints having been made to this Commission by consumers receiving their water supply from the system known as Cazadero Water Works, that those responsible for its operation have neglected and refused to deliver an adequate supply of water, and it appearing that public necessity required a hearing in the matter on less than ten days notice, the Commission instituted an investigation on its own motions

Public hearings were held in Cazadero on August 7,1919, and in San Francisco on August 12, 1919.

Testimony conclusively showed that on numerous occasions during the present year certain consumers have received inadequate. service and at times have been entirely without water. It also appeared that subsequent to an inspection by one of the Commission's engineers a concrete dam was constructed on St. Elmo Creek and that

service has thereby been materially improved.

Testimony by J. C. Holte, the superintendent of the system. and by the Commission's engineer, indicates that further improvement of the system is necessary to furnish an adequate supply in the summer months when the number of consumers is very much larger than during other portions of the year. It is evident that further cleaning and development of the Buckeye and Hotel Springs, including repair of the concrete intake at Hotel Spring to prevent the escape of water under the walls, is required; that a tank of not less than 5000 gallons capacity should be installed below Hotel Spring for storage purposes and to provide for the removal from the water of material which closs the pipes; that removal, cleaning and replacing the transmission pipe lines between the Springs, St. Elmo Creek intake and the town is required in order to remove material which has clogged the lines; that the present one inch pipe in the transmission mains should be replaced with pipe of not less than one and one-half inch diameter; * that all pipe lines be covered to a sufficient depth to prevent freesing, and that the work of repairing leaks in the pipes, now in progress, be continued until completed.

Testimony shows that Mr. Holte has made every effort, since he assumed charge in March, 1919, to put the water system in first class condition but has been greatly hampered by the neglect of Mr. Montgomery, the owner, to furnish the necessary funds. It was not elaimed that the revenues from the sale of water are/sufficient to cover the cost of the necessary improvements, but such a contention has little weight. A utility, which believes its revenues inadequate; can at any time apply to the Commission for an increase in rates, but as an evidence of good faith must first supply adequate service to consumers.

ORDER

This Commission, having instituted an investigation, on its own motion, in the above entitled proceeding, public hearings having been held thereon, and the Commission being fully informed in the matter, it is hereby found as a fact that the service furnished to consumers by George S. Montgomery, operating a water system in Casadero and vicinity, under the fictitious name of Casadero Water Works, has been inadequate and insufficient and that additional improvements are necessary to guarantee adequate service to consumers during the summer months, and basing its order upon the foregoing finding of fact and upon the further findings contained in the preceding opinion

IT IS HEREBY ORDERED, that George S. Montgomery file with this Commission, for its approval, within 30 days from the date of this order, detailed plans and specifications for the improvements outlined in the preceding opinion.

IT IS HEREBY FURTHER ORDERED, that after the Commission's approval of said plans and specifications, George S. Montgomery begin at once and complete before March 1, 1920, the improvements herein ordered.

Dated at San Francisco, California, this 16 day of August

1919.

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Commissioners.