

ORIGINAL

Decision No. 7394

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

---oOo---

In the matter of the application of MOKELUMNE RIVER POWER AND WATER COMPANY, a corporation, for establishment of a schedule of rates to be charged for water furnished by it in Calaveras County.

)  
)  
)  
) Application No. 4943.  
)  
)

R. W. Hawley for applicant.  
J. T. Plilier for protestants.

BY THE COMMISSION:

O P I N I O N

Mokelumne River Power and Water Company, applicant herein, asks the Railroad Commission for authority to establish a comprehensive schedule of rates to be charged for all classes of water service rendered by it, such rates to provide a substantial increase in revenue.

Applicant alleges in effect that it is a public utility engaged in the business of supplying water for domestic, irrigation, mining and industrial purposes to

consumers in the unincorporated towns of Mokelumne Hill, Campo Seco and Valley Springs, and the territory adjacent thereto in Calaveras County; that the revenue derived from the operation of its system is insufficient to meet the cost of maintenance, operation and repairs, without any interest return upon capital investment or any sum for depreciation reserve, and further that no payment is made for fire protection or for street sprinkling in the several communities served by it, thereby unjustly burdening other patrons.

The Mokelumne River Power and Water Company was incorporated in 1907, succeeding the Mokelumne and Campo Seco Canal and Mining Company, a corporation, organized in 1852 or 1853. The ditch system was originally constructed and water used primarily for hydraulic mining operations. The water supply is obtained by diversion from the South Fork of the Mokelumne River and distributed to the consumers by gravity. The present operative portion of the system consists of about 37 miles of main canal, 12 miles of laterals and the diversion dam, tunnels, flumes, pipe siphons and other necessary structures on these canals; also six small earthen distributing reservoirs with appurtenant structures and lands, together with the pipe distribution systems in the towns. Hydraulic mining has ceased, and the present use for other mining and industrial purposes has decreased in recent years by reason of the closing down of mines. Irrigation use is small, being in its development stage.

A public hearing was held in this matter before Examiner Satterwhite at Valley Springs, of which all interested parties were notified.

An inventory and estimated cost of the property filed with the application as Exhibit "D" gives the total for operative property \$411,500.00 and for non-operative property \$264,000, not including any value for water rights. No other appraisal was submitted.

A further consideration of a rate base in this proceeding is unnecessary since the evidence shows that the investment is disproportionate to the present uses of water with a resulting overbuilt system.

Applicant concedes that under present conditions of use of water it cannot expect a rate schedule established that will produce a full return to include interest on the investment, depreciation allowance and the maintenance and operation expenses. The evidence further shows the general condition of disrepair of the ditches, pipe siphons and pipe distribution systems and the resulting large seepage losses and waste of water, also a consequent heavy annual maintenance expense.

It is evidently unfair to the few consumers now using water to burden them with the entire expense which is necessitated because of the extensive system originally constructed and operated to deliver water for hydraulic mining. The consumers should not be required to pay rates higher than the service is reasonably worth and consideration should be given to rates which obtain for like service in similar localities in the Sierra foothill region, some of which rates were introduced in evidence.

The maintenance and operation expenses for the year 1918 totalled \$10,097.09, and for 1916 and 1917

approximated the same amount. The evidence shows that these totals include certain amounts for material and labor for repair of flumes that may properly be charged to replacement of flumes, which have reached a condition when continual repair is necessary, but it is a difficult matter in the case of flumes to determine the point where the repairs should be charged to replacement.

The total income received from the rate schedule in effect was \$5,954.58 for 1916, \$8,923.63 for 1917 and \$4,645.34 for 1918. The increase in 1917 was due principally to increased mining use which has since been discontinued; and in 1918 the water shortage caused the supply for certain periods to be cut off below Mokolunne Hill, thereby reducing the income.

The record of water consumption during 1919 shows: domestic use 121 consumers on a flat rate, mining use (2 mines operating) about 21,000 miner's inch days, and irrigation use on 60 acres about 1800 miner's inch days.

After a careful consideration of all the facts and the evidence, the rate schedule established in the accompanying order has been computed and is designed to yield a reasonable return to this utility under present operating conditions and use of water.

#### O R D E R

THE MOKELUMNE RIVER POWER AND WATER COMPANY, a corporation, having applied to this Commission for an order authorizing it to increase its rates, a public hearing having been held, and the Commission being fully apprised in the premises,

IT IS HEREBY FOUND AS A FACT that the present rate schedule of Mokelumne River Power and Water Company, in so far as it differs from the rate schedule herein set out, is unjust and unreasonable, and that the rates herein established are just and reasonable rates to be charged by said company for water,

And basing its order upon the foregoing finding of fact and the other statements of fact contained in the opinion preceding this order,

IT IS HEREBY ORDERED that Mokelumne River Power and Water Company be and it is hereby authorized and directed to file with this Commission within twenty (20) days of the date of this order, and thereafter charge, the following rates for water served its consumers.

RATE SCHEDULE

Domestic Use.

To apply to all users on separate premises in whatever ownership.

Monthly Flat Rates.

- |    |  |        |
|----|--|--------|
| 1. | Residences and tenements of four rooms or less occupied by a single family.....                | \$1.30 |
|    | For each additional room.....  | .10    |
|    | Additional for each flush toilet or bathtub.....   | .20    |
|    | For each private barn - not more than two horses or cows.....                                  | .60    |
|    | For each additional horse or cow.....  | .25    |
| 2. | Private boarding houses, for each roomer or boarder, in addition to the family rate.....       | .15    |
| 3. | Irrigation of lawn, garden, grounds, etc. payable every month in the year, per 100 sq. ft..... | .10    |
| 4. | Livery stables and stockyards, per average number of stock fed, each.....                      | .25    |

5.	Wagon and blacksmith shops.....	\$2.00
6.	Public garages, average 4 autos or less	3.00
	For each additional auto.....	.50
7.	Barber shops, for single chair.....	1.50
	For each additional chair.....	.50
8.	Soda fountains and soft drinks, ice cream or lunch places, either alone or in con- nection with other business.....	1.50
9.	Creameries, slaughter houses, bakeries and laundries.....	2.00 to 5.00
10.	Billiard parlors, fraternal halls, churches, plumbing shops, stores and shops not otherwise listed.....	1.00
11.	Barns in connection with stores, shops, etc. not more than two horses.....	.50
	For each additional horse.....	.25
12.	Additional for each bath tub, flush toilet or urinal in 4 to 11.....	.50
13.	Private garages, where cars washed on premises, for each auto kept.....	.50
14.	For use of cold storage machines in ad- dition to store rate.....	2.00 to 6.00
15.	Living rooms in connection with stores or shops, additional to store rate.....	.75
16.	For use of hose in front of stores and shops for washing windows and sprinkling sidewalks and roadway, according to front- age.....	0.25 to 1.00
17.	Hotels and lodging houses.	
	For dining room.....	2.50
	For bedrooms without running water.....	.20
	For bedrooms with running water.....	.30
	For each bathtub.....	.50
	For each flush toilet or urinal.....	.30
18.	For each hydrant especially installed for fire protection or for the individual use of persons, firms or corporations for fire service exclusively.....	1.25
19.	Water for all purposes or establishments not specified in above schedule, charged for at measured rates.	

Measured Rates.

1.	Minimum monthly payments.	
	5/8 inch or 3/4 inch meter.....	1.25
	1 inch meter.....	2.00
	1 1/2 inch meter.....	2.75
	2 inch meter.....	3.50
2.	Quantity rates per 100 cubic feet.	
	For use between 0 and 2000 cu. ft. per month.....	.30
	For use over 2000 cu. ft. per month.....	.20

Meters may be installed at the option of the consumer or the company. When a meter is installed at the request of a consumer, a deposit may be required, such a deposit to be returned to the consumer as a credit on monthly water bills at the rate of one-tenth of the deposit per month.

The following deposits may be required:

For 5/8 inch meter.....	\$14.00
For 3/4 inch meter.....	18.00
For 1 inch meter.....	22.00
For 1 1/2 inch meter.....	40.00
For 2 inch meter.....	68.00

Irrigation, Mining and Industrial Uses:

<u>For Irrigation Season.</u>	<u>Per Miner's Inch per day</u>
24 hour service, continuous flow.....	\$.35
12 " " " " " " " " " " " " " "	.20
24 " " " non" " " " " " " " " " " " " "	.45
<u>For calendar year.</u>	
24 hour service, continuous flow.....	\$.30
12 " " " " " " " " " " " " " "	.15

Minimum annual payment will be the equivalent of one-quarter of a miner's inch continuous flow for the irrigation season.

The above rates are based on the California Statute miner's inch, equivalent to a flow of 1/40 of a cubic foot per second.

Dated at San Francisco, California, this 8<sup>th</sup> day of April, 1920.

*Edwin G. Edgert*  
*Frank Rubin*  
*H. K. ...*

---

Commissioners.