

Decision No. 7715.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

ORIGINAL

Pearl McCallum McMannus, )  
Complainant, )  
vs. )  
Palm Valley Water Company, )  
Defendant. )

Case No. 1386.

Pearl McCallum McMannus in propria persona.

P. T. Stevens for Palm Valley Water Company.

BY THE COMMISSION.

O P I N I O N

Pearl McCallum McMannus, complainant in the above entitled proceeding, is a resident and land owner of Palm Springs, Riverside County, California. Complainant alleges that Palm Valley Water Company, defendant herein, furnishes an insufficient supply of water for domestic purposes; that the mains of said system are inadequate; that proper supervision of the system is not maintained, and that complainant has made application for water for the irrigation of trees in the territory served by defendant and has been unable to obtain such service.

Defendant, in its answer alleges that it serves water for domestic purposes only and is not obligated to serve water for irrigation purposes as a public utility.

The ownership of Palm Valley Water Company rests in Stephens, Turner and Company, they having taken over the property and stock through foreclosure proceedings in 1917. It appears from

the testimony of Mr. C. E. Bunker, predecessor in ownership of the property, that for a period of four years prior to 1917 he had served water for irrigation purposes for compensation to all applicants. This clearly establishes the practices of the utility in this regard, and it would therefore appear that complainant in this proceeding is entitled to the service of water for irrigation.

From the evidence it appears that the complaint in regard to extension of mains was probably due to a misunderstanding. At any rate, all parties to this proceeding have agreed to the plan submitted by this Commission; the utility to install 100 feet of main for each new permanent consumer, and the consumer or owner of the property to advance the cost of the remainder, said cost to be returned to said owner or consumer when the annual income derived from such service shall have reached an amount equal to twenty per cent of the cost of installation.

Mr. Prescott T. Stevens, President of Palm Valley Water Company, testified that the company would install a reservoir and provide for a more adequate supply of water; also that it was the purpose of the company to install meters. These improvements will no doubt curtail the excessive use of water and better the service.

#### O R D E R

Pearl McCallum McManus having filed formal complaint with the Railroad Commission against Palm Valley Water Company, as outlined above, a public hearing having been held, the matter having been submitted and being now ready for decision,

IT IS HEREBY FOUND AS A FACT that complainant herein is entitled to the service of water for irrigation purposes by said Palm Valley Water Company, and basing its order on the foregoing finding of fact and the other statements of fact contained in the opinion

which precedes this order,

IT IS HEREBY ORDERED that Palm Valley Water Company be, and it is hereby directed to furnish said service of water for the purposes of irrigation to said complainant.

IT IS HEREBY FURTHER ORDERED that the complaint of Pearl McCallum McMannus, in so far as it relates to service conditions, be, and it is hereby dismissed without prejudice, it appearing to the Commission that Palm Valley Water Company has inaugurated a program of betterment and improvements which will result in satisfactory service.

Dated at San Francisco, California, this 16<sup>th</sup> day of June, 1920.

Edwin O. Edgerton

H. S. Loveland

Iwing Martin

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Commissioners.