

Decision No. 8526

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

ORIGINAL

FRANCES R. SCHEMITT, ET AL.,)
Complainants,)

vs.)

Case No. 1292.

EMIL FIRTH and DR. EDGAR SMITH,)
Defendants.)

W. W. Orme for Dr. Edgar Smith.

Elias V. Rosenkranz for Emil Firth.

BY THE COMMISSION.

SUPPLEMENTAL OPINION UPON FURTHER HEARING

The complaint in the above entitled matter, alleging inadequate service, was filed by some twenty-eight consumers of the water system supplying the tract known as Sunnyside Garden Acres. After a hearing in the matter the Commission issued its opinion and order (Decision No. 6220, dated March 24, 1919.), wherein the complaint, insofar as it related to defendant Emil Firth was dismissed, and defendant Smith (true name Charles Edgar Smith) was ordered to file certain plans and specifications for the reconstruction of the distributing system, said plans and specifications to be filed with the Commission within ten (10) days of the date of the order, and it was directed that upon the approval of said plans and specifications defendant Smith should proceed without delay to reconstruct and repair the water system as provided in the approved plans and specifications and should complete said reconstruction and improve-

ments on or before May 15, 1919.

At the request of defendant Smith additional time was granted by the Commission within which to file plans and specifications, and it was not until May 17, 1919, that the required plans and specifications were submitted.

Defendant then proceeded to make certain improvements to this water system. The installation of these improvements, however, proceeded very slowly and was delayed from time to time. Furthermore, it developed upon investigation that certain of the pipe lines installed were of poor quality and in unsatisfactory condition, while others were in accordance with the specifications. As time went on war conditions intervened, and the possibility developed that the area served by defendant would be annexed to the City of Los Angeles. These facts caused the Commission to exercise leniency in its requirements, but the conditions which were found to prevail and the time which had elapsed, finally made a further investigation advisable. Accordingly, a further hearing was held in this matter, and evidence taken which disclosed the fact that portions of the improvements which had been installed by defendant were of such poor quality that unsatisfactory service conditions would inevitably ensue, and also that certain other and further improvements are necessary in order that the Commission's requirements may be complied with.

Taking the foregoing conditions into consideration, the original order in this proceeding will be supplemented as follows:

SUPPLEMENTAL ORDER

A further hearing having been held in the above entitled proceeding and the evidence having adduced certain additional in-

formation with relation thereto;

IT IS HEREBY ORDERED, that Charles Edgar Smith, owner and operator of a public utility water system supplying the residents in Tracts Nos. 3002 and 2752, Sunnyside Garden Acres Addition, Los Angeles County, be and he is hereby directed to install improvements in said water system as follows:

1. - In Normandie Avenue, from the tanks of this utility northerly to 100th Street, a pipe of six-inch internal diameter.
2. - In 100th, 101st, 102nd and 103rd Streets, from the main pipe in Normandie Avenue westerly to Harvard Boulevard, pipe of not less than two inches internal diameter.

The above pipe shall be either new pipe or second-hand pipe in first-class condition. The pipe shall be what is known as "Standard" screw pipe and shall have all been dipped in a bath of molten asphalt, conforming with standard practice. All the existing house service pipes in the above streets shall be connected to the new pipes and all the necessary fittings shall be installed with the pipe mains, service to consumers to be rendered through the new pipes as soon as construction permits.

IT IS HEREBY FURTHER ORDERED, that Charles Edgar Smith be and he is hereby directed to be governed by the following conditions in installing the improvements above outlined:

1. - The actual work of installing the improvements ordered above shall be begun within thirty (30) days of the date of this order, and continued diligently to its completion, said improvements to have been installed and completed on or before April 1, 1921.
2. - Weekly reports of progress on installation of improvements shall be rendered to the Commission, the first of said reports to be filed not later than thirty days from the date of this order.
3. - At such time as the material has been selected for the improvements contemplated by the order herein, the Commission shall be so notified, to the end that an inspection of same may be made by a representative of its Engineering Department before the installation is made.

IT IS HEREBY FURTHER ORDERED, that any conditions of the Order in Decision No. 6220, issued March 24, 1919, in this proceeding, which may be in conflict with the conditions of this order, be, and they are hereby rescinded and set aside.

Dated at San Francisco, California, this 8th day of January, 1921.

H. S. Loveland

Frank R. Deems

H. B. Roundigo

Commissioners.