

ORIGINAL

Decision No. 8849

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of CORTE MADERA WATER COMPANY to
increase rates.

) Application No. 4401.

TOWN OF CORTE MADERA,

Complainant,

Vs.

F. A. WILSON, doing business under
the firm name and style of CORTE
MADERA WATER COMPANY, DOHERTY COM-
PANY, a corporation, and BRADBURY
ESTATE INVESTMENT COMPANY,

) Case No. 1309.

Defendants.

John J. Mazza for Complainant.

E. L. Doherty for Applicant and
Defendants.

BY THE COMMISSION.

SUPPLEMENTAL OPINION

By its order dated August 16, 1919, in Decision No. 6577, the Commission fixed rates for water served in Corte Madera, Marin County, upon the condition that the utility install certain repairs and betterments designed to improve its service, and serve only water obtained from its springs or from the Marin Municipal Water District. Petition for rehearing was filed and denied. Later, E. L. Doherty, who had meanwhile acquired the entire ownership of the system under authority of Decision No. 7017 of January 9, 1920, filed written report on December 28, 1920, to the

effect that after operating for over a year under the rates fixed by the Commission and under the limitation of water supply already referred to, he found it impossible to continue without a considerable deficit; that he, therefore, secured the use of a well in Larkspur; that he had caused the well water to be analyzed by the State Board of Health, which had reported favorably. He, therefore, asked a modification of the original order which would permit him to supply water from said well, and also to make special rates to consumers of large amounts of water for irrigation purposes.

Meanwhile, a number of informal complaints concerning service from this system having been received, the Commission, by its order of January 19, 1921, reopened the entire matter for further investigation and hearing.

Further public hearings in both matters were held by Commission Brundige, and later by Examiner Westover, of which all consumers were notified. Both matters were submitted and are now ready for decision. At the hearing two reports of the State Board of Health were submitted in evidence, to the effect that the water is safe for drinking and domestic purposes, and is in no manner injurious or detrimental to health. Several consumers testified, complaining of a metallic taste in the well water under certain conditions, if taken from the pipes, but one or two commented upon the absence of such taste, when taken directly from the well.

Water from Marin Municipal Water District is now purchased by applicant at its regular retail rates, and distributed through applicant's system, much of it being pumped to higher levels. To maintain high-class service under such conditions would naturally result in increasing rates to a point burdensome to many of applicant's consumers.

Since the hearing, applicant has filed a written report, submitting copy of form letter sent to each consumer, describing

the situation and enclosing to each two forms of reply,- one in favor of allowing the use of well water, with the understanding that it would be discontinued if not satisfactory, and expressing opposition to a raise in rates; the other expressing opposition to a raise in rates sufficient to provide Marin water only. Of 23 replies submitted, 18 favor a trial of the well water, 4 are against it, and 1 favors sale of the system to the Marin Municipal Water District and operation by it. While these expressions were not placed in evidence and while, unfortunately, the form letter and form replies refer to one alternative as the use of Marin water only, we feel that the expressions of the consumers fairly show a desire to try the well water on which the State Board of Health has reported favorably rather than pay an increased rate and receive part of the supply from the Marin Municipal Water District.

At the hearing no evidence was presented concerning an increase in rates, except a tentative rate based upon continuing the use of the Marin water and excluding the use of water from the well. Under the circumstances, we have not given consideration to a proposed modification in the schedule submitted after the hearing, which would result in increasing the rate for small consumption, while reducing the rate for large consumption.

SUPPLEMENTAL ORDER

A public hearing having been held in the above entitled case and application, pursuant to the Commission's order of January 19, 1921, instituting further investigation, the Commission being now fully advised in the premises, and the matter being submitted and ready for decision,

IT IS HEREBY ORDERED that the order contained in Decision No. 6577 of August 16, 1919, be and it is hereby amended by

modifying the fifth paragraph of said order so that it shall read as follows:

IT IS HEREBY FURTHER ORDERED that until the further order of the Commission, the water hereafter served through said system be limited to that obtained from the so-called Bradbury well in Block 4, Subdivision No. 1, Baltimore Park, Larkspur, Marin County; from the springs of applicants; or from Marin Municipal Water District.

In all other particulars, including the rate schedule set forth therein, said order of August 16, 1919, shall remain in full force and effect.

Dated at San Francisco, California, this 12th day of April 1921.

Wm. R. D. Wm.
H. S. Loveland
H. B. Brundage
J. W. Maitland

Commissioners.