

Decision No. 8933.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application )  
of BEAR GULCH WATER COMPANY for )  
permission to purchase the "Por- )  
tola Woods" distribution system, )  
located in San Mateo County. )

Application No. 6709.

Jas. M. Mannon, Jr., for applicant.  
John E. Behan, for Spring Valley Water Co.  
Mr. Donegan, for the Family Club and  
Messrs. Tynan and Talbot.  
C. K. McIntosh, in propria persona.  
F. A. Eane, " " "  
E. H. Rixford, " " "  
Halsey E. Rixford, " " "  
Samuel H. Pond, " " "

LOVELAND, Commissioner.

O P I N I O N

Bear Gulch Water Company, a corporation, supplying water in and in the vicinity of Menlo Park, San Mateo County, applies in this proceeding for authority to purchase from the Spring Valley Water Company a water system installed by the latter on a tract of land known as "Portola Woods." The Spring Valley Water Company joins with the Bear Gulch Water Company in this application.

The entire property involved in the proposed transfer is set out in Exhibit B, attached to the petition. The main items included in this transfer consist of about 2706 feet of 8-inch pipe on Manzanita Drive, and about 1330 feet of 3-inch lateral pipes, being in two leads from the 8-inch line, together with

the necessary easements and rights for maintenance and operation.

A public hearing was held in this matter at San Francisco. Notices of the hearing were mailed to all consumers in the Woodside section (a territory now served by applicant, and obtaining its water from the same source from which Portola Woods would be supplied), that they might appear and be heard.

Applicant has a diversion dam in Bear Gulch Creek and conducts the waters of said creek to a 115,000,000 gallon reservoir, from which about 1000 consumers are served in Menlo Park and vicinity. Below the diversion dam is Woodside, where about 65 consumers are served. Previous to 1900 Woodside had been supplied by individual wells, and these failing, the residents of this territory in many instances connected to and received their supply from a system of pipes installed by the county authorities and used by them for a time for road sprinkling. The service thus received was not satisfactory, and the Bear Gulch Water Company has gradually extended its distributing system into the district to such an extent that the residents of Woodside are at this time practically all supplied by that utility. Recently a new diversion has been installed in Bear Gulch Creek at a higher point than the diversion to the main reservoir, and a new pipe line constructed to the Woodside section. It is anticipated that this new installation, together with a new reservoir now being built, will add some 20 pounds per square inch to the pressure already available in Woodside.

Much interest in the matter of this application was shown by residents of Woodside, their thought being that inasmuch as Portola Woods is located at a lower elevation than the greater part of Woodside, there might be a tendency for the new dis-

trict to take its supply in times of shortage from the system in such a way as to deprive them of the good service which they are about to enjoy. At the same time these gentlemen were anxious to make it clear that they have no desire to hinder the development of Portola Woods, but are merely apprehensive concerning their own supply.

Evidence shows that the Bear Gulch Water Company has expended some \$32,000 since 1916 in improving its system in Woodside, and stands ready to make further expenditures if necessary to establish and maintain adequate service in that district as well as throughout the remainder of its system. From a study of the water supply now available and the plans of the company for the future, I feel confident that the consumers in Woodside can rest assured that they will in the future receive an adequate service. The additional consumers added to the system by assuming service to the Portola Woods would number some twelve or more. It does not appear from the evidence that there will be any impairment of service as a result of the granting of this application. On the contrary it occurs to me that the general public convenience will be furthered by the granting of this application and the completion of the improvements announced by applicant.

I recommend the following form of order:

#### O R D E R

Bear Gulch Water Company having made application for permission to purchase from the Spring Valley Water Company a water system located in what is known as Portola Woods, San Mateo County, and said Spring Valley Water Company having joined in the application, and a public hearing having been held and the matter having been submitted,

It Is Hereby Found as a Fact that public convenience will be served by the granting of this application;

and basing its order on the above finding of fact and the further statements of fact contained in the opinion preceding this order,

IT IS HEREBY ORDERED that the above application be, and it is hereby granted upon the following conditions and not otherwise:

1. The property herein authorized to be transferred consists of approximately 2706 feet of 8-inch pipe in Manzanita Drive and 1330 feet of 3-inch lateral pipe, together with the necessary easements and rights for maintaining and operating said pipe system, all of which is more particularly described in Exhibit "B" attached to the petition.
2. The authority herein granted will apply only to such transfer as may have been made on or before June 30, 1921.
3. The consideration given for the transfer of said Portola Woods water system shall not be urged before this Commission or any other public body as a finding of the value of said property for rate fixing or any purpose other than the transfer herein authorized.
4. It is expressly understood that authorization for this transfer is conditioned upon continued good service to the consumers in Woodside and to all other consumers served by applicant.
5. Applicant shall file with this Commission within twenty (20) days of the date of this order a certified copy of the instrument of conveyance under which it secures and holds title.
6. Within ten (10) days from the date on which the Spring Valley Water Company relinquishes possession of said Portola Woods water system as herein authorized, it shall file with this Commission a certified statement setting forth the date on which such possession and control was actually relinquished.

The above opinion and order are hereby approved and ordered filed as the opinion and order of the Railroad

Commission of the State of California.

Dated at San Francisco, California, this 6<sup>th</sup>  
day of May, 1921.

H. J. Loveland  
H. C. Lundie  
Dwight Martin  
A. B. Benedict

Commissioners.