

Decision No. 7023.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application )  
of MOKELUMNE RIVER POWER AND WATER )  
COMPANY, a corporation, for estab- )  
lishment of a schedule of rates to )  
be charged for water furnished by )  
it in Calaveras County. )

Application No. 4943.

F. J. Solinsky, for applicant.

F. G. Mitchell, for consumers at Mokelumne Hill.

R. A. Fox, for consumers at Valley Springs.

BY THE COMMISSION:

SUPPLEMENTAL OPINION ON FURTHER HEARING  
AND INVESTIGATION

Heretofore, on April 8, 1920, this Commission rendered its opinion and order in above entitled proceeding - Decision No. 7394. Subsequent thereto a number of the consumers filed informal complaints, alleging in effect that the rates established therein covering irrigation service from the domestic pipe system of the Mokelumne River Power and Water Company are unreasonable and result in unduly high charges. Several conferences were held between representatives of the consumers, the company, and members of the Commission's hydraulic engineering division in an endeavor to adjust these complaints informally. As a result applicant agreed to accept a reduced rate for such irrigation service and

placed on file a rate which became effective on October 13, 1920. Dissatisfaction among the consumers continuing, this Commission instituted on its own motion an investigation and held a further hearing in the matter on March 8, 1921, at Valley Springs before Examiner Satterwhite.

As evidenced in the above mentioned decision, this utility operates an extensive ditch system, originally constructed and used for hydraulic mining purposes, which use ceased some years ago. By reason of the present operating conditions and the different use to which the water is now put, the system as it exists today is largely overbuilt for its present purposes. Wherefore it was very apparent that should a rate schedule be established sufficiently high to yield a full return of the annual expenses of this utility, including interest on the investment, the few consumers at present receiving service would be burdened with charges unduly high and greater than the service is reasonably worth. Accordingly, the rate schedule established in the said decision was designed to yield only a partial return to applicant, commensurate with the conditions obtaining but considered fair both to the utility and its consumers.

The evidence shows that the maintenance and operation expenses for the past three years have averaged about \$7,250 annually, not including taxes, which for 1920 amounted to \$3,106.21. The revenue from water sales during the year 1920 was as follows:

Mining use (quartz mills) . . . . .	\$2,061.47
Domestic use, including garden irrigation . . . . .	2,405.26
Irrigation directly from the ditch. . . . .	<u>341.50</u>
Total. . . . .	\$4,808.23

The record shows that the income from quartz mining is not dependable because of the irregularity of operation. During 1917 seven mines were operating, yielding a revenue to the utility of

\$5,151.33. At the time of the hearing in this matter only one mine supplied with water by this utility was in operation.

Applicant filed a tabulated survey of the premises of the domestic users, including the area irrigated and showing the monthly charges by applying the established flat rate schedule. It is noted that the area of gardens and orchards irrigated in connection with the domestic services is large as compared with such use in other localities.

At present there are about 85 active domestic consumers on the system. Recently meters were installed on 22 of these services and the record of metered use for the period October, 1920, to February, 1921, when there was little or no irrigation, shows that the monthly consumption of practically all came well within the established minimum of approximately 400 cubic feet monthly for a 5/8" meter.

The testimony of protestants at the hearing was mainly confined to complaints to the effect that the established rates for irrigation in connection with domestic service result in unreasonable and prohibitive charges. It was contended that the rates for this service should be comparable with the miner's inch rate as established for irrigation use directly from the ditch.

Further, protests were entered regarding the water shortage of the past few years and consequent total cessation of service during the late summer months in the district served below Mokelumne Hill and particularly at Valley Springs.

The evidence shows that this ditch system was constructed to deliver the large volume of water required for mining purposes in the early days, which use was largely during the winter and spring months, while the present maximum demand for domestic and irrigation purposes is during the summer months, when the natural stream flow is at a minimum. Taking into consideration the large

seepage and evaporation losses from the ditch it is evident that use for irrigation purposes cannot be largely extended without the construction of storage facilities.

Applicant admits the condition of disrepair of ditches and flumes and consequent seepage losses, but contends that the possible return from the present or prospective future uses of water is unremunerative and will not warrant the expense necessary for extensive repairs or renewals.

Certainly the situation presented is an extremely unsatisfactory one. Here we have a water system consisting of approximately 40 miles of ditches and flumes originally constructed to supply an industry requiring great volumes of water. This requirement no longer exists. The utility is now dependent for its income upon a small domestic and irrigation use, except for such revenue received for supplying quartz mines. The revenue it receives from these sources is hardly adequate to support the system properly. The result is a situation that must be met by establishing a schedule of rates that will as equitably as possible distribute among the available consumers the cost of operating this system. As we see it, the most promising<sup>ultimate</sup> solution to this problem is the inclusion of an additional acreage under this utility's system to justify the installation of storage facilities sufficiently large to insure a continuous supply throughout the irrigation season, and to take care of shortage in the event of years of scarcity of water supply.

It appears that the situation, already unsatisfactory, is aggravated by lack of cooperation between the utility and its consumers. Both the consumers and the utility should do all in their power to relieve this condition, and should in every way facilitate the operation of the system. We cannot urge too strongly the fact

that satisfactory service can only be obtained through cooperation, and we believe that any personal grievance which any of the consumers have should be laid aside to further the welfare of the entire community.

The difficulties under which this company operated during the past season were further accentuated by the failure of the natural water supply. As a result of four successive seasons of a scarcity of rainfall, the natural water supply in California became well-nigh exhausted. Such drought conditions affected nearly every water utility in the state. The service of the Mokelumne River Power and Water Company suffered to a marked degree, as the supply was insufficient to overcome seepage and other losses. As a result a great number of the consumers withheld the payment of their bills. The drought conditions have apparently passed, and the consumers of this system seem assured of a plentiful water supply for the present season. We urge that these consumers settle their accounts with the company immediately because, obviously, the company cannot continue to operate with seriously impaired revenue. In cases where certain consumers feel that they have been improperly charged, and an amicable agreement cannot be reached with the utility, such consumers may deposit with this Commission the amount claimed by the utility to be due in accordance with the general rule of this Commission regarding the settlement of disputed bills.

The order herein will contain a schedule of rates which takes into consideration the necessities of the situation and is intended to overcome as nearly as possible the difficulties both of the utility and its consumers.

#### SUPPLEMENTAL ORDER

This Commission having heretofore, on April 8, 1920 (Decision No. 7394) issued its order in the above entitled proceeding, author-

izing and directing the Mokelumne River Power and Water Company, a corporation, to file and charge a certain schedule of rates, and numerous consumers having requested a modification of said rates covering irrigation service from this utility's domestic pipe system, and thereupon a further investigation having been instituted by this Commission on its own initiative, a public hearing having been held and the matter having been submitted:

It Is Hereby Found as a Fact that the rate schedule at present in effect 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 its consumers for water;

And basing its order upon the foregoing finding of fact and the further statements of fact which are contained in the opinion which precedes this order and in the opinion in Decision No.7394,

IT IS HEREBY ORDERED that Mokelumne River Power and Water Company, a corporation, be and it is hereby authorized and directed to file with this Commission within twenty (20) days of the date of this order the following schedule of rates for water delivered to its consumers, said rates to be charged for all service rendered subsequent to June 15,1921.

#### RATE SCHEDULE

##### Monthly Flat Rates for Domestic Use

- |   |        |
|---|--------|
| 1. Residences and tenements of four rooms or less, occupied by a single family . . . . .                  | \$1.75 |
| For each additional room . . . . .  | .10    |
| Additional for each flush toilet or bath tub . . . . .  | .20    |
| Additional for private barn - not more than 2 horses or cows . . . . .                                    | .60    |
| For each additional horse or cow . . . . .  | .25    |
| 2. Irrigation of lawns, shrubbery, trees, gardens, etc., per 100 square feet of surface actually watered, |        |
| For 3000 square feet or less . . . . .  | .08    |
| From 3000 to 10000 square feet . . . . .  | .05    |
| All over 10000 square feet . . . . .  | .05    |

3.	Private boarding houses, each roomer or boarder, in addition to the family rate. . . . .	\$0.15
4.	Livery stables and stock yards per average number of stock fed, each. . . . .	.25
	Minimum charge . . . . .	2.50
5.	Blacksmith, wagon and repair shops . . . . .	2.00
6.	Public garages, average 4 autos or less. . . . .	3.00
	For each additional auto . . . . .	.30
7.	Barber shops, for single chair . . . . .	1.50
	For each additional chair. . . . .	.50
8.	Soda fountains, soft drink places, and ice cream or lunch parlors, either alone or in connection with other business . . . . .	3.00
9.	Creameries, slaughter houses, bottling works and laundries. . . . .	2.00 to 5.00
10.	Butcher shops, bakeries, drug stores, undertaking parlors and dentists' offices . . . . .	2.25
11.	Billiard parlors, fraternal halls, club rooms, plumbing shops, churches, stores and shops not otherwise listed . . . . .	2.00
12.	Barns in connection with stores, shops, etc., not more than two horses . . . . .	.50
	For each additional horse. . . . .	.25
13.	Additional for each bath tub, flush toilet or urinal in 4 to 11 inclusive. . . . .	.50
14.	For cold storage machines in addition to store rates. . . . .	1.50 to 4.00
15.	Living rooms in connection with stores or shops, additional to store rate. . . . .	.75
16.	For use of hose in front of stores or shops for washing windows and sprinkling sidewalks and roadway, according to use. . . . .	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 bath tub. . . . .	.50
	For each flush toilet or urinal. . . . .	.30
18.	Water motors, depending on size. . . . .	0.75 to 3.00
19.	For each hydrant especially installed for fire protection or for the individual use of persons, firms or corporations for fire service exclusively. . . . .	.75

20. Water for all purposes or establishments not specified in above schedule, charged for at measured rates.

Meter Rates

1. Minimum monthly payments:
 

5/8-inch meters. . . . .	\$1.75
3/4-inch meters. . . . .	2.00
1 -inch meters. . . . .	2.25
1 1/2-inch meters. . . . .	2.75
2 -inch meters. . . . .	3.00
  
2. Quantity rates per 100 cubic feet:
 

From 0 to 1000 cubic feet per month. . . . .	.25
From 1000 to 5000 cubic feet per month . . . . .	.10
All over 5000 cubic feet per month . . . . .	.04


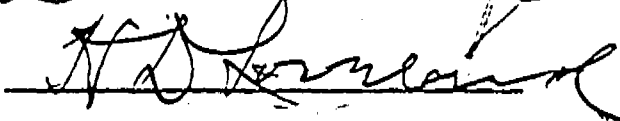



Meters may be installed at the option of the consumer or the company. When a meter is installed at the request of a consumer, a deposit may be required, such a deposit to be returned to the consumer as a credit on monthly water bills at the rate of one-third of the monthly bills for water used.

Irrigation, Mining and Industrial Uses--  
Open Ditch Service:

<u>For Irrigation Season</u>	<u>Per miner's inch per day</u>
24-hour service, continuous flow . . . . .	\$0.35
12-hour service, continuous flow . . . . .	0.20
24-hour service, non-continuous flow . . . . .	0.45
<u>For Calendar Year</u>	
24-hour service, continuous flow . . . . .	0.30
12-hour service, continuous flow . . . . .	0.15

Minimum annual payment will be the equivalent of 1/4 of a miner's inch continuous flow for irrigation season. Miner's inch equals 1/40 of a cubic foot per second.

Dated at San Francisco, California, this 28<sup>th</sup> day of May, 1921.

  
  
  
  
  
 Commissioners.