

SR

Decision No. 9877

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application }
of the SAN RAFAEL RANCH COMPANY } Application No. 6989.
for permission to discontinue }
water services. }

John Munger and Sheldon Borden,
for applicant.

G. E. Waldo, for protestants.

W. S. Volkmar, in propria persona.

BY THE COMMISSION.

O P I N I O N

The San Rafael Ranch Company, a corporation, applicant herein, owns and operates what is known as the Parkdale Water System, a public utility supplying water for domestic purposes. The distribution system is located partly in the City of Pasadena, partly in the City of Los Angeles, and partly in the adjacent unincorporated portion of the County of Los Angeles. Applicant asks permission to discontinue water service to all persons formerly served and now being served in that portion of its system in the Cities of Los Angeles and Pasadena, with the exception of two isolated consumers in the City of Pasadena.

A public hearing was held in Los Angeles before Examiner Williams, of which all interested parties were notified and given an opportunity to be present and be heard.

It appears from the testimony presented that this water system was installed by the San Rafael Ranch Company about 1906, primarily to aid in the sale of the company's real estate. The earlier forms of contract covering the sales of lots by the San Rafael Ranch Company contained a provision obligating the company to furnish water for domestic purposes to the purchaser on his request at the same rate established for water service by the City of Pasadena. This form of contract was later somewhat modified.

The evidence indicates that the available water supply developed by the company's wells has gradually decreased during the past six years, and in consequence it has been necessary for the utility to purchase water from the City of Pasadena during a portion of the years 1919, 1920 and 1921; that the applicant has expended considerable sums of money in an attempt to increase the available water supply but without success; that the system is in a dilapidated condition and requires the expenditure of an unreasonable amount for maintenance and operation, and that unless permission to discontinue service is granted it will be necessary to replace a large portion of its distribution system at a heavy expense. It was also shown that the City of Pasadena and the City of Los Angeles stand ready to supply all the consumers to whom the applicant desires to discontinue service, and that all the services in Pasadena excepting that of Captain Volkmar have been disconnected from the Parkdale Water System and are now being supplied by the municipally owned and operated water system of the City of Pasadena.

Protestants herein, all residents of the City of Pasadena, contend that the service rendered by the City of

Pasadena is inferior to that formerly supplied by the Parkdale Water System, and that they consented to a transfer of their services to the system owned by the City of Pasadena under the impression that they would later be connected to the City's high pressure system, but they now find that this is not the case, and owing to the lower pressures prevailing on the municipal system it will be necessary to expend considerable sums for the rebuilding of their private pipe lines in order to secure an adequate supply.

Tests of the pressures maintained on the system owned by the City of Pasadena were taken by Mr. J. G. Hunter, one of the Commission's hydraulic engineers, and it was found that the minimum pressure at the ground elevation in this territory was 31 pounds, which is adequate for all ordinary domestic use.

Captain Volkmar, who owns approximately 12 acres of land and who maintains about $3\frac{1}{2}$ acres of nursery on the lower levels, contends that the system now operated by the City of Pasadena will not supply the higher levels of his ground, upon which it is his intention to erect a residence in the future. It was shown, however, that the pressures maintained in the City's system are sufficient for his present needs, and that plans have been drawn and expenditures authorized for the construction of a high pressure reservoir, which upon its completion will adequately supply all portions of this property. Captain Volkmar also contends that the terms of the contract entered into with the San Rafael Ranch Company obligate that company to supply him with water at all times, and that he is a consumer under private contract rather than under a public utility status.

There are eight consumers within the city limits of Los Angeles who are now supplied by this system, none of whom appeared to protest the granting of the application, although due notice of the hearing was given them. It appears that the City of Los Angeles is ready at any time to connect these consumers with its water mains and to supply them with water.

A careful consideration of all the evidence presented leads to the conclusion that there is an adequate alternative water supply available for the use of all consumers to whom the applicant is asking permission to discontinue service, and that under the circumstances it would be unwise to require the applicant to continue to supply water in competition with the municipal systems whose mains are already in place in the streets.

ORDER

The San Rafael Ranch Company having made application to the Railroad Commission for permission to discontinue water service to its consumers in the City of Los Angeles and to certain consumers in the City of Pasadena, a public hearing having been held and the matter having been submitted,

IT IS HEREBY FOUND AS A FACT that public convenience and necessity do not require applicant to continue to supply water to the consumers referred to in this application.

And basing the order upon the foregoing finding of fact and upon the statements of fact contained in the opinion which precedes this order,

IT IS HEREBY ORDERED that San Rafael Ranch Company be and it is hereby authorized to discontinue, on and after

March 1, 1922, such public utility service as it has heretofore rendered to its consumers within the City of Los Angeles and to its consumers within the City of Pasadena, excepting R. C. Gould and Mrs. J. W. McKinley, upon the following conditions:

1. Within ten (10) days of the date of this order applicant shall notify each consumer to whom service is to be discontinued that on and after March 1, 1922, such service will be discontinued as authorized herein.

2. Within twenty (20) days from the date of this order applicant shall file with this Commission a certified statement that all consumers have been so notified.

Dated at San Francisco, California, this 16th
day of December, 1921.

H. B. Burdick

H. D. Howard

Charles H. Rowan

J. H. Pennington

Commissioners.