

Decision No. 9947.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

Harry C. Rahn, et al,
Complainants,)

vs.)

Jesse S. Harker and Edna M.
Harker, Defendants.)

ORIGINAL

Case No. 1510.

Harry C. Rahn and R. O. Utterback,
for complainants,
Charles L. Evans, for defendants.

BY THE COMMISSION:

O P I N I O N

This is a proceeding brought by Harry C. Rahn and some fifty other residents of a tract of land adjacent to the southwesterly boundary of the City of Los Angeles, and bounded on the north by Barraba Street, on the east by Main Street, on the south by 100th Street, and on the west by Moneta Avenue, in Los Angeles County, against Jesse S. Harker and Edna M. Harker, owners of a public utility water system known as Melvin Place Water Plant, which supplies 310 consumers, about 210 of whom are metered.

Complainants allege in effect that the amount of water furnished is not adequate for ordinary needs; that the pressures are not sufficient to force water into the houses of complainants, so that plumbing fixtures can be properly operated; and that there is a lack of proper supervision in the operation of the system.

Defendants in answer deny all the allegations of the

complainants, and allege in effect that there is sufficient water for domestic use except at certain times of the day when large numbers of the consumers are using water for irrigation of lawns and gardens.

Public hearings were held in this matter before Examiner Williams at Los Angeles.

The evidence clearly shows that the water service has been decidedly unsatisfactory. Furthermore, it appears that a spirit of antagonism and distrust exists between the defendants and the consumers. Discrimination has been shown in that, in the absence of a flat rate schedule, the minimum meter rate has been charged to approximately one-third of the consumers having no meters, who have been allowed for a nominal charge to use excessive amounts of water on their lots and gardens, while their less fortunate neighbors have been compelled to pay at meter rates for all the water used.

Since the filing of this complaint and for some time previous, the Commission's Hydraulic Engineers have kept in close touch with the service conditions under this system and have made numerous inspections. In their opinion the distribution mains of this system are not of sufficient size to furnish an adequate supply of water to the consumers with the pressures obtained from the storage tank that is raised some fifty feet above ground. Temporary relief was obtained on a portion of the system by the installation of a booster pump, which increased the pressure in the southern portion of the district to 45 pounds. This, however, failed to relieve the situation at the north end of the tract, where a pressure of only 9 pounds was produced, due no doubt to the inadequate size of the pipe lines or to some obstructions in them. It is therefore apparent that the only permanent relief for this system lies in the installation of larger distribution mains and the placing of meters on all services.

We wish to urge upon both the complainants and defendants the necessity of such co-operation as will promote

harmonious relations, and will, in the end, result in good to all concerned. The defendants, as a public utility, have assumed the obligation of rendering adequate and satisfactory service, and to do this they must promote a spirit of co-operation among their consumers.

Defendants have enjoyed rates which carried provision for deterioration and renewals, but the testimony shows that practically nothing has been expended in keeping up or improving the system, ~~as consumers increased~~. Defendants related their ~~failure to obtain loans for such purposes~~, and gave as a reason that should the consumers elect to annex the area served to the City of Los Angeles, which would lay its own mains and thereafter supply water, the utility would be forced out of existence. While this peril exists, defendants can co-operate with the City of Los Angeles by laying mains according to its specifications, and be reimbursed therefor, less depreciation, whenever the City occupies this area. We regard it as a reasonable duty on the part of defendants to make such improvements as are necessary to give adequate service.

On the other hand, the consumers, if they wish to receive satisfactory service, must do their part and refrain from any acts tending to disrupt harmonious relations, and particularly those consumers whose acts might interfere with the delivery of water to their neighbors.

ORDER

Harry C. Rahn and other consumers having complained against the water service rendered to them by Jesse S. Harker and Edna M. Harker, owners of the Melvin Place Water Plant, public hearings having been held thereon and the matter having been submitted:

It is Hereby Found as a Fact that defendants have not furnished an adequate supply of water to their consumers; that the pressures maintained have not been sufficient to force water into the houses so that plumbing fixtures could be properly operated; and that there has been a lack of proper supervision

in the operation of the system.

And basing the order on the foregoing findings of fact and upon the statements of fact contained in the opinion preceding this order,

IT IS HEREBY ORDERED that Jesse S. Harker and Edna M. Harker be and they are hereby ordered to file with this Commission within thirty (30) days from the date of this order, for its approval, detailed plans of such improvements and betterments as are necessary to insure to their consumers an adequate water service at all times, and upon the approval of such plans by the Commission, to proceed immediately with the work of installation and to report the progress of the improvements to this Commission at weekly intervals until completion, and

IT IS HEREBY FURTHER ORDERED that Jesse S. Harker and Edna M. Harker be and they are hereby directed to place a suitable meter upon each active service not later than March 1, 1922, and that this Commission be notified when the metering of the system is completed, and

IT IS HEREBY FURTHER ORDERED that Jesse S. Harker and Edna M. Harker be and they are hereby directed to file with this Commission within thirty (30) days of the date of this order, rules and regulations governing the distribution of water to their consumers, such rules and regulations to become effective immediately upon their acceptance by this Commission.

Dated at San Francisco, California, this 29th
day of December, 1921.

H. J. [Signature]
H. J. [Signature]

Charles H. [Signature]
[Signature]