

Decision No. 26515

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
E.R. Capstaff, doing business under
the fictitious name of Lake-Brook
Improvement Company, for a certificate
of public convenience and necessity to
operate a domestic water system, estab-
lish rates and define the service area.

Application No. 18984.

Edward R. Bowen, for applicant.

L. M. Moore, protestant.

BY THE COMMISSION:

O P I N I O N

In the above entitled proceeding, the Railroad Commission is asked to make its order declaring that public convenience and necessity require the operation by E.R. Capstaff, doing business under the fictitious name of Lake-Brook Improvement Company, of a public utility water system to supply water to serve residents of a tract of land at Lake Arrowhead known as Lake-Brook and consisting of Tracts Nos. 2026, 2172, 2191, 2322 and 2411, San Bernardino County. It is further requested that a schedule of rates be established for the service rendered.

A public hearing in this matter was held before Examiner Kennedy at Los Angeles.

The evidence shows that E.R. Capstaff, as owner, subdivided the above named tracts into cabin sites and installed a water system to aid in the sale of lots. The water supply is obtained from several large springs located on the property. The

water is pumped from the springs to storage tanks located at elevations which should give adequate pressure throughout the entire tract. The pipe lines are constructed on easements reserved for that purpose so that no franchise or other county permit is necessary at this time.

Several consumers appeared and protested against the service rendered in the past because of the lack of water. However, a new spring has been developed recently and an additional pumping unit installed which should take care of all needs for several years at the present rate of development. The sales contracts for lots provide, among other things, for the payment of from five to ten dollars (\$5.00 to \$10.00) into a general fund to be disbursed by Capstaff for the upkeep of the improvements. A part of this improvement fund included the upkeep of the water system. Applicant has agreed to eliminate this charge as soon as this application is granted.

At the present time this water works is supplying water to approximately sixty consumers, of whom only ten to fifteen per cent occupy their cabins the entire year.

Applicant submitted a schedule of rates based on an annual charge for all water supplied and, as the proposed rates are reasonable when compared with similar charges made by other resort utilities operating in the general vicinity, said schedule will be authorized in the following Order.

O R D E R

E.R. Capstaff, operating under the fictitious firm name and style of Lake-Brook Improvement Company, having made application as entitled above, a public hearing having been held thereon,

the matter having been submitted and the Commission being now fully advised in the premises,

The Railroad Commission of the State of California hereby declares that public convenience and necessity require that E.R. Capstaff, operating under the fictitious firm name and style of Lake-Brook Improvement Company, operate a water system for the purpose of supplying water to Tracts Nos. 2026, 2172, 2191, 2322 and 2411, San Bernardino County, and

IT IS HEREBY ORDERED that E.R. Capstaff be and he is hereby authorized and directed to file with this Commission within thirty (30) days from the date of this Order, the following schedule of rates to be charged for all service rendered consumers in said tracts subsequent to the 1st day of December, 1933.

FLAT RATES

For each residence, \$12.00 per annum payable in advance and due on January 1 of each year.

Wholesale Rate, \$10.00 per annum for each residence under wholesale consumer's pipe line, payable in advance and due on January 1 of each year.

ANNUAL METER RATES

Minimum Charge payable in advance and due on January 1 of each year:

5/8 x 3/4-inch meter-----	\$12.00
3/4-inch meter-----	15.00
1-inch meter-----	18.00
1 1/2-inch meter-----	24.00
2-inch meter-----	36.00

Each of the foregoing annual minimum charges will entitle the consumers to the quantity of water which that annual minimum charge will purchase at the following annual quantity rates.

Annual Quantity Rates:

0 to 3,600 cubic feet, per 100 cubic feet-----	33-1/3¢
Next 1,400 cubic feet, per 100 cubic feet-----	15¢
Next 5,000 cubic feet, per 100 cubic feet-----	13¢
All over 10,000 cubic feet, per 100 cubic feet-----	10¢

IT IS HEREBY FURTHER ORDERED that E.R. Capstaff, doing business under the fictitious firm name and style of Lake-Brook Improvement Company, be and he is hereby directed to file with the Railroad Commission, within thirty (30) days from the date of this Order, rules and regulations governing relations with his consumers, said rules and regulations to become effective upon their acceptance for filing by the Railroad Commission.

For all other purposes, the effective date of this Order shall be twenty (20) days from and after the date hereof.

Dated at San Francisco, California, this 13th day of November, 1933.

C. C. Shoney
Leon Whitely
W. J. Linn
W. B. Linn
M. H. Linn
Commissioners.