

Decision No. 26679

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
CALIFORNIA WATER SERVICE COMPANY, a
corporation, for a certificate that
public convenience and necessity
require the exercise of the rights
and privileges granted applicant by
the City of Montebello, under
Ordinance No. 223. }

Application No. 19104

McCutcheon, Olney, Mannon & Green, by
George Earnagle, Jr., for Applicant.

BY THE COMMISSION.

OPINION

ORIGINAL

In the above entitled application, the California Water Service Company, a corporation, operating a public utility water works serving consumers residing in a territory contiguous to the westerly limits of the City of Montebello, Los Angeles County, asks the Railroad Commission for a certificate of public convenience and necessity to exercise rights and privileges heretofore granted to it by the City of Montebello, under Ordinance No. 223.

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

The evidence shows that the California Water Service Company desires to extend its present water system to serve consumers residing in contiguous and adjacent territory but lying within the city limits of Montebello, authorization therefor having been obtained through franchise granted by said city on August 21, 1933. The new territory is a part of the Bicknell Estate subdivided several years ago at which time water mains were installed along certain of

the streets in the tract.

Under arrangements with the subdividers applicant has agreed to provide water to the residents of this property. The marketing of this tract having proved unprofitable, all of the streets have not been completed and portions of the property are still open fields. Applicant has, therefore, obtained a franchise only along certain streets or portions thereof. In the event that future demand therefor should arise, applicant will be expected to obtain the necessary authority to provide water service throughout the entire tract under its rules and regulations.

The tract is fully piped to supply the present needs within the franchise area. The Company has agreed to charge the same rate and operate under the same rules and regulations as now are in effect on the rest of its water system. At the present time, approximately twenty residents are obtaining water who have no other source of supply.

No one protested against the granting of this application and it appears therefore that it should be approved.

O R D E R

California Water Service Company, a corporation, 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 the California Water Service Company, a corporation, operate a water

system for the purpose of supplying water within that certain area more particularly set forth and described in Ordinance No. 223 of the City of Montebello, under the following conditions:

1. That California Water Service Company, a corporation, file with this Commission, within thirty (30) days from the date of this order, a resolution duly authorized and passed by its Board of Directors, to the effect that said applicant, its successors or assigns, will never claim for said franchise a value in excess of the actual cost of securing same, which cost shall be set forth in said resolution.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 27th day of December, 1933.

C. J. Leary
Leon O. O'Brien
M. A. Lee
M. B. Harris

Commissioners.