

Decision No. 27804

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
W.L. RUSSELL, applicant for permis-  
sion or certificate authorizing ap-  
plicant to make a just and reasonable  
charge for water furnished users in  
Orange County, California.

**ORIGINAL**

Application No. 19740.

Doyle, Clark & Thomas,  
by Clyde Doyle, for Applicant.

W.G. Threader, for committee representing  
the Consumers.

BY THE COMMISSION:

O P I N I O N

W.L. Russell, owner of a water system supplying water to the residents of Barber City Tract No. 661, Orange County, asks the Railroad Commission for a certificate of public convenience and necessity and for the establishment of a rate schedule.

A public hearing in this matter was held at Los Angeles by Examiner Gorman.

The testimony shows that this water system was installed in 1924 by Ira C. Barber who subdivided the tract. The tract consisted of 28 acres subdivided into 171 lots, of which 51 are occupied. A few residents have double lots, making a total of from 35 to 40 water consumers at the present time. In 1933 said Ira C. Barber was unable to meet his obligations and voluntarily reconveyed all of his right, title and interest to this property back to applicant herein, including said water system. During this period the residents of the tract operated the water system for

their own benefit. Water is obtained from a deep well equipped with an automatic pump and pressure system which the testimony shows to be adequate to give good service to all present consumers.

During operation by the water users a charge of fifty cents (50¢) per month was made for each lot which paid only for power and certain incidental expenses. This rate has not produced sufficient revenue to provide for the necessary repairs and replacements to the pumping equipment which applicant has been called upon to make and pay for at various times. He is now unable financially to advance further funds without compensation and desires to have established a fair and proper rate for the service rendered. Applicant has stated that he does not at this time ask for any return upon the capital invested but will be satisfied to receive the actual cost of operation, together with a reasonable allowance for depreciation. The rate herein established will so provide. The testimony of several consumers appearing indicates that they have no objection to the Commission granting this application but request that the rate established be as low as will be consistent with the rendering of good service.

The mains having been installed for over ten years and prior to the dedication of the streets to public use, no franchise or permit therefore will be necessary for the purposes of this proceeding. There is no other public utility operating in or near this tract and, as there was no opposition to the granting of the application, it will be approved.

#### O R D E R

Application having been made 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 W.L. Russell operate a water system for the purpose of supplying water for domestic and other purposes to consumers residing within the Barber City Tract No. 661, Orange County.

IT IS HEREBY ORDERED that W.L. Russell be and he is hereby authorized and directed to file with the Railroad Commission, within thirty (30) days from the date of this Order, the following schedule of rates to be charged for all water service rendered subsequent to the 31<sup>st</sup> day of March, 1935:

FLAT RATE PER MONTH

For each consumer occupying one lot with one house-----\$1.50  
For each additional lot or house----- 1.00

METER RATE

Monthly Minimum Charges:

5/8 x 3/4-inch meter-----\$1.50  
3/4-inch meter----- 1.75  
1-inch meter----- 3.00  
1 1/2-inch meter----- 5.00  
2-inch meter----- 8.00

Each of the foregoing "Monthly Minimum Charges" will entitle the consumer to the quantity of water which that monthly minimum charge will purchase at the following "Monthly Quantity Rates."

Monthly Quantity Rates:

From 0 to 600 cubic feet, per 100 cubic feet-----\$0.25  
From 600 to 2,000 cubic feet, per 100 cubic feet----- .20  
From 2,000 to 3,500 cubic feet, per 100 cubic feet----- .15  
From 3,500 to 5,000 cubic feet, per 100 cubic feet----- .10  
All over 5,000 cubic feet, per 100 cubic feet----- .06

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IT IS HEREBY FURTHER ORDERED that W.L. Russell be and he

is hereby directed to file with this 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 11th day of March, 1935.

Leon Whitwell

W. P. Lee

W. B. Harris

W. H. [unclear]

John P. [unclear]  
Commissioners.