

Decision No. 20681

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
JESSE DALLAS NICHOLS and MYRTLE NICHOLS,  
operating under the fictitious firm name  
of Homeland Water Company, for a certi-  
ficate of public convenience and necessity. } Application No. 21553

Jesse Dallas Nichols, for Applicants.  
Geo. Livingston, in propria persona.

BY THE COMMISSION:

O P I N I O N

In the above entitled application Jesse Dallas Nichols and Myrtle Nichols, operating under the fictitious firm name and style of Homeland Water Company, ask for a certificate of public convenience and necessity to sell and distribute water as a public utility and request the establishment of rates for service rendered in that portion of Tract No. 1049 in Kern County which consists of the northeast quarter of Section 6, Township 10 North, Range 7 West, San Bernardino Base and Meridian, lying southerly of The Atchison, Topeka and Santa Fe Railway adjoining Amargo City in San Bernardino County. The rates requested are as follows:

- Flat rate-----\$3.00 per month.
- Meter rate----- 3.00 per month, minimum charge entitling  
consumer to 2,000 gallons.
- Over 2,000 gallons----- 1/2 cent per gallon.

-oOo-

A public hearing in this matter was held before Examiner

Claude C. Brown at Hinkley.

The testimony shows that applicants are the owners of the land hereinabove described which consists of approximately twenty-four acres and is subdivided into sixty-four lots. It is located a short distance from the operating mines of Pacific Coast Borax Company which employs a large number of men. There is, therefore, an active market for the sale of lots in this subdivision.

Applicants have installed a water system to aid in the sale of lots and to serve water to those lot owners who have now built and will in the future build homes within the tract. There are twelve consumers being served at present. Water is obtained from a deep well and is pumped into an elevated storage tank from which it is distributed to the consumers through pipes ranging from  $1\frac{1}{2}$  inches to 2 inches in diameter. Applicants report the cost of the water system to be one thousand three hundred seventy-nine dollars and twenty-nine cents (\$1,379.29) and estimate the average annual cost of operation to be five hundred seventeen dollars and forty cents (\$517.40). The existing pipe lines are at present installed in easements across the lots or in the alleys so that no county franchise to lay and maintain mains and pipe lines in, on or across county roadways is necessary at this time.

No other utility is supplying water within the territory involved herein and no one protested the granting of applicants' request except as to the rates they proposed to be charged. Several consumers appeared and testified that they had been promised a rate not in excess of two dollars and fifty cents (\$2.50) per month. The record shows that the proposed rates are higher than those normally charged for service under similar conditions.

Therefore the schedule established in the following Order will modify the rates proposed by applicants and will be comparable to the rates in effect on like systems operated under similar conditions.

O R D E R

Application having been filed with the Railroad Commission as entitled above, a public hearing having been held thereon, the matter having been duly 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 the operation of a water system by Jesse Dallas Nichols and Myrtle Nichols, now doing business under the fictitious firm name and style of Homeland Water Company, in that certain tract of land described as all of that portion of Tract No. 1049 situate in the northeast quarter of Section 6, Township 10 North, Range 7 West, San Bernardino Base and Meridian, which lies south of the right of way of The Atchison, Topeka and Santa Fe Railway in Kern County, and

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and it is hereby granted to Jesse Dallas Nichols and Myrtle Nichols, doing business under the fictitious firm name and style of Homeland Water Company, to sell and distribute water as a public utility in the territory hereinabove described.

IT IS HEREBY FURTHER ORDERED that said Jesse Dallas Nichols and Myrtle Nichols be and they are 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 water service rendered subsequent to the 21<sup>st</sup> day of March, 1938:

MONTHLY FLAT RATE

For each residence, including toilet and bath-----\$2.50  
For the irrigation of lawns or shrubbery, per 100 sq. ft.---- .05

METER RATES

Monthly Minimum Charges:

5/8 x 3/4-inch meter-----\$2.55  
3/4-inch meter----- 3.00  
1-inch meter----- 4.00  
1 1/2-inch meter----- 6.00  
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 300 cubic feet, per 100 cubic feet-----\$0.85  
From 300 to 1,000 cubic feet, per 100 cubic feet----- .50  
From 1,000 to 5,000 cubic feet, per 100 cubic feet----- .25  
All over 5,000 cubic feet, per 100 cubic feet----- .20

-oOo-

IT IS HEREBY FURTHER ORDERED that Jesse Dallas Nichols  
and Myrtle Nichols be and they are hereby directed to file with  
this Commission, within thirty (30) days from the date of this Order,  
rules and regulations governing relations with their consumers, said  
rules and regulations to become effective upon their acceptance for  
filing by this 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 14<sup>th</sup> day of

March, 1938.

Jesse Dallas Nichols  
Myrtle Nichols  
Rafaela Nichols  
Walter Nichols  
Commissioners