

Decision No. 21783.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the Application of
LESLIE W. EVANS and CHARLES H. DAVENSO,
copartners, operating under the name
TWENTY-NINE PALMS WATER COMPANY, for a
certificate of public convenience and
necessity authorizing the establishment,
maintenance and operation of a water
supply system as a public utility in and
adjacent to the community of Twenty-nine
Palms, San Bernardino County.

ORIGINAL

Application No. 21783

W. R. Williams, for Applicant.

Faries & McDowell, by McIntyre Faries,
for Twenty-nine Palms Corporation.

Arthur E. Griffin, for himself.

BY THE COMMISSION:

O P I N I O N

In this proceeding Leslie W. Evans and Charles H. Davenso, copartners operating under the fictitious name and style of Twenty-nine Palms Water Company, ask for authority to operate a water system as a public utility in and adjacent to the community of Twenty-nine Palms, San Bernardino County. A schedule of rates is proposed for the service to be rendered.

A public hearing in this matter was held at Twenty-nine Palms before Examiner McCaffrey.

At the hearing applicants were granted permission to amend the application to include O. W. Lewis as one of the copartners.

The evidence shows that applicants are engaged in the business of subdividing certain properties in and adjacent to Twenty-nine Palms and, to aid in the sale of lots, have obtained possession of a well and constructed a water system

which at present covers one unit of fifteen (15) acres. Applicants have under control another tract containing eighty (80) acres, more or less, and propose to enlarge and extend their water system to their own properties and also to supply any and all demands for water on other lands described as Sections 28, 29, 32 and 33, Township 1 North, Range 9 East, San Bernardino Base and Meridian, excluding therefrom, by stipulation entered into at the hearing held in this proceeding, the lands owned or controlled by Twenty-nine Palms Corporation and its subsidiary, Twenty-nine Palms Inn Company, described as follows:

"The North Half ($N\frac{1}{2}$) and the Southeast Quarter ($SE\frac{1}{4}$) of Section Thirty-three (33), Township One (1) North, Range Nine (9) East, San Bernardino Base and Meridian."

The water supply for this system is obtained from a deep well and delivered through a pressure tank of 3500-gallon capacity, through mains ranging from two (2) inches to five and one-half ($5\frac{1}{2}$) inches in diameter. More wells can be drilled by applicants at various places throughout their service area when additional water is required.

The evidence shows that applicants have installed their existing pipe lines on easements reserved for utility purposes and also have informal permission from the County Highway Commissioner of San Bernardino County to lay, install and maintain pipe lines in the county roads, highways and alleys throughout the area in which service is now being rendered. A county franchise covering other parts of the territory can be obtained at any time in the future when conditions so warrant.

No further protests having been made against the approval of request of applicants and there being no other

public utility in the general vicinity ready or in a position to operate in the proposed service area, it appears that the application should be approved.

The quantity rates established in the following Order are those proposed by applicant and are very favorable to the consumers under the existing conditions of service. It should be borne in mind, however, that this utility now is in its initial development stage and that the rate schedule necessarily is more or less in the nature of a trial or experimental structure. The ultimate charges can be definitely fixed only at some time in the future when the area has assumed a uniform and established growth characteristic, at which time reliable operating statistics and other data should be available from actual practice system operation. Therefore, the following Order will authorize the quantity rates proposed by applicants. However, the monthly minimum charges will be slightly modified to conform to a more equitable and uniform segregation of charges for the various sizes of meters.

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 now being 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 Leslie W. Evans, Charles E. Davenso and O. W. Lewis, a copartnership operating under the fictitious name and style of Twenty-nine Palms Water Company in that certain territory known as Twenty-nine Palms and more particularly described as Sections 28, 29, 32 and 33, Township 1 North, Range 9 East, S.B.B.M., excepting therefrom the North Half and the Southeast Quarter of Section 33, Township 1 North, Range 9 East, S.B.B.M., as delineated upon the map designated as Exhibit "A" attached to the application

herein and hereby made a part of this Order by reference.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and it is hereby granted to Leslie W. Evans, Charles H. Davenso and O. W. Lewis, a copartnership operating under the fictitious name and style of Twenty-nine Palms Water Company, to operate a public utility for the sale and distribution of water within the territory hereinabove described.

IT IS HEREBY FURTHER ORDERED that Leslie W. Evans, Charles H. Davenso and O. W. Lewis, a copartnership operating under the fictitious name and style of Twenty-nine Palms Water Company, 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 31st day of May, 1938:

METERED RATES

Monthly Minimum Charges

1/2 or 5/8 x 3/4-inch meter-----	\$1.50
3/4-inch meter-----	1.75
1-inch meter-----	2.50
1-1/2-inch meter-----	3.50
2-inch meter-----	5.00

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 500 cubic feet, per 100 cubic feet-----	\$.30
500 to 1,000 cubic feet, per 100 cubic feet-----	.25
1,000 to 5,000 cubic feet, per 100 cubic feet-----	.20
All over 5,000 cubic feet, per 100 cubic feet-----	.15

IT IS HEREBY FURTHER ORDERED that Leslis W. Evans, Charles H. Davenso and O. W. Lewis, a copartnership operating under the fictitious name and style of Twenty-nine Palms Water Company, 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 18th day of May 1938.

Matthew W. ...
Leon Whittell
Frank ...
Ralph ...
Ray ...
Commissioners.