

Decision No. 30990

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of JULIA E. WILSON for Certificate
of Public Convenience and Necessity
to Operate a Domestic Water Supply
System near the unincorporated town
of Earlimart, California.

Application No. 21900

ORIGINAL

Julia E. Wilson, in propria persona.

WAKEFIELD, COMMISSIONER:

O P I N I O N

In this proceeding Julia E. Wilson asks the Railroad Commission for a certificate of public convenience and necessity to operate a domestic water supply system as a public utility in certain property adjacent to the southern boundary of the unincorporated town of Earlimart in Tulare County. A request is also made for the establishment of a schedule of rates covering charges for such service.

A public hearing in this matter was held near the town of Earlimart in the territory for which a certificate is sought.

The evidence shows that applicant is engaged in the business of selling lots in certain property lying southerly and adjacent to the unincorporated town of Earlimart and, to aid in the sale of lots, has drilled a well and constructed a water system which at present extends to seventy-two lots, of

which approximately forty-three have been sold. Applicant is repossessing two other and contiguous parcels of land each containing four acres, more or less, and proposes to enlarge and extend her water system to these lands, which will be divided and placed on sale as lots of about the same size as those already offered for sale. After this has been accomplished and streets graded therein, applicant proposes to deed all streets and alleys to the county, at which time there will be reserved the necessary rights of way for the laying, installation and maintenance of water supply pipe lines required to serve the entire area.

The properties intended to be served by this water system are defined as that tract of land bounded on the north by Franklin Street (which separates it from the town of Earlimart), on the east by State Street (extended), on the south by Hesse Street (being the county road running along the south side of Section 33, T. 23 S., R. 25 E., M.D.B. & M.), and on the west by State Highway No. 99, and otherwise described as follows:

"Lots 'F' and 'G' of Earlimart Fruit and Alfalfa Colony #2, as per map thereof recorded in Book 11, page 14, of maps in the office of the County Recorder of said (Tulare) county."

The application states that said Lots "F" and "G" are not being subdivided by the applicant, but that the parcels thereof have been and will be sold under descriptions by metes and bounds. A plat of said tract and the parcels thereof, showing also the water mains, is annexed to the application, marked Exhibit "A."

The water supply for this system is obtained from a deep well and delivered through a pressure tank of 2300-gallon

capacity, through mains ranging from three inches to one inch in diameter. The pump is of such design that its capacity can be increased when additional water is required.

The evidence shows that the Earlimart Mutual Water Co., Inc., supplying domestic water in the adjacent town of Earlimart is unwilling to supply water in applicant's service area. No protest was made against the approval of request of applicant and there being no other public utility in the general vicinity ready or in a position to operate in this territory, it appears that the application should be approved.

At the present time applicant is charging the water users at a flat rate of \$2.50 per month per lot and the consumers present at the hearing expressed their satisfaction with this rate. However, it is believed that while this rate is fair for the amount of water used for household and garden purposes during the months of warm weather prevalent at this location, such a rate is too high for the amount of water that will be required and used during the cooler months of the year. Therefore, the schedule of flat rates established in the following Order will take into consideration this seasonal variation. As requested, the following Order will include a schedule of meter rates, in order to provide a means of settling possible controversy over unnecessary waste of water or complaint concerning excessive charges to consumers who require only minimum quantities of water.

Moreover, it should be borne in mind that this utility is now in its initial development stage and that the rate schedule is necessarily more or less in the nature of a trial or experimental structure. The ultimate charges can be definitely fixed only in the future when the area has assumed a uniform and established character, and reliable operating

statistics are available from actual practice. The schedule of flat and meter rates set out in the following Order has been based upon similar charges in effect on other systems operating under like circumstances and the rates should be fair and reasonable to both consumer and applicant for the service rendered.

The following form of Order is submitted.

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 Julia E. Wilson in that certain territory lying southerly and adjacent to the unincorporated town of Earlimart in Tulare County, defined as that tract of land bounded on the north by Franklin Street (which separates it from the town of Earlimart), on the east by State Street (extended), on the south by Hesse Street (being the county road running along the south side of Section 33, T. 23 S., R. 25 E., M.D.B. & M.), and on the west by State Highway No. 99, and otherwise described as follows:

"Lots 'F' and 'G' of Earlimart Fruit and Alfalfa Colony #2, as per map thereof recorded in Book 11, page 14, of maps in the office of the County Recorder of said (Tulare) county."

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and it is hereby granted to Julia E. Wilson to operate a public utility for the sale and distribution of water within the territory hereinabove described.

IT IS HEREBY FURTHER ORDERED that said Julia E. Wilson be and she 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 water service rendered subsequent to the 30th day of June, 1938:

RATE SCHEDULES

FLAT RATES

Per Month

For Each Lot, 60' Wide or Less

During months of April to September, inclusive - - - - -	\$2.50
During months of October to March, inclusive - - - - -	\$1.50

A meter may be installed on any service at the option of either the consumer or the utility, in which case there will be applied the following:

METER RATES

Monthly Minimum Charges

For 5/8-inch x 3/4-inch meter - - - - -	\$1.50
For 3/4-inch meter - - - - -	2.00
For 1-inch meter - - - - -	3.00
For 1 1/2-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

First 500 cubic feet or less - - - - -	\$1.50
Next 500 cubic feet, per 100 cu. ft. - -	.20
All over 1,000 cubic feet, per 100 cu.ft.	.10

IT IS HEREBY FURTHER ORDERED that said Julia E. Wilson be and she is hereby directed to submit to this Commission for its approval, within thirty (30) days from the date of this Order,

rules and regulations governing relations with her consumers.

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

The foregoing Opinion and Order are hereby approved and ordered filed as the Opinion and Order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 20th day of June, 1938.

Walter M. ...
Leon ...
Frank ...
Robert ...
Paul ...
Commissioners.