

Decision No. 31514

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of CALIFORNIA WATER & TELEPHONE COMPANY, a corporation, for a certificate that public convenience and necessity require that it exercise the right and privilege granted under franchise by the County of Los Angeles in Ordinance No. 1449 N.S. to operate, alter, maintain and use a system of water pipes and pipe lines and all appliances for the purpose of distributing water to certain lots and tracts near the City of San Gabriel, in Los Angeles County, State of California.

ORIGINAL

Application  
No. 22267.

Peter A. Nenzel, for California Water & Telephone Company.

Ford L. Howland, for Ford L. Howland and Mayme J. Howland, his wife, and W. Lavern Howland and Lorraine Howland, his wife.

Eldred L. Wolford, for Martin-Goold Land & Water Co.

BY THE COMMISSION:

O P I N I O N

In this proceeding California Water & Telephone Company, a corporation, asks authority to exercise the rights and privileges under the franchise granted by the County of Los Angeles in Ordinance No. 1449 N.S. to operate and maintain a water system within a certain area of land near the City of San Gabriel.

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

The evidence shows that the California Water & Telephone Company, in acquiring the properties of Ford L. Howland, has come into possession of a certain franchise, Ordinance No. 1449 N. S. issued by the County of Los Angeles, which grants the right to operate a water system and lay and maintain pipe lines in the streets and alleys of a portion of the territory known as East San Gabriel District and more particularly described as follows:

Beginning at the intersection of Live Oak Avenue and Encinita Avenue; thence easterly along said Live Oak Avenue to its intersection with El Monte Avenue; thence southerly along said El Monte Avenue to its intersection with Lower Azusa County Road; thence westerly along said Lower Azusa County Road to its intersection with Dr. Arden Way; thence in a general southerly direction along said Dr. Arden Way to its intersection with the Southern Pacific right of way; thence northwesterly along said Southern Pacific railway right of way to its intersection with the southerly prolongation of Encinita Avenue; thence northerly in a direct line to point of beginning.

The above territory is delineated on a map, filed as Exhibit No. 1, in this proceeding.

The Railroad Commission in its Decision No. 18125, dated March 30, 1927, granted to Ford L. Howland now operating under the fictitious firm name of Mariposa Wells Water System, a certificate of public convenience and necessity to serve water as a public utility within the above franchise area. Later upon request of Ford L. Howland, et al, this certificate was modified by Decision No. 19918, dated June 22, 1928, to exclude a portion of the original territory. Since that date Mr. Howland extended the water mains not only outside the modified service area but also beyond the boundaries originally established by the franchise. In addition to this, Martin-Goold Land & Water Co., a public utility, has secured two certificates of public convenience and necessity granted in Decision No. 29703, dated April 26, 1937, and

Decision No. 29973, dated July 27, 1937, to operate water systems within certain portions of the territory covered by said Ordinance No. 1449 N. S. but not served by the Mariposa Wells Water System.

In order to eliminate any encroachment upon the service area of Martin-Goold Land & Water Co. a stipulation was entered into by all interested parties in which the respective service areas were agreed upon and definitely set out upon a map. This map filed as Exhibit No. 2 was accepted as amending the original application and shows the revised area for which a certificate of public convenience and necessity is requested. A corresponding modification of the description in metes and bounds of the agreed service area was filed as Exhibit No. 3, also amending the original description as set out in the application. This description excludes the area covered by certificate granted to Alton W. Hall by Decision No. 28262, dated October 7, 1935.

California Water & Telephone Company already operates several water systems in adjacent territory, notably the San Gabriel Valley Water System supplying San Marino, Rosemead and a large territory immediately outside the incorporated areas of the Cities of Pasadena and South Pasadena. The consolidation of these various more or less independent systems and the definite establishment of the service areas of the several utilities involved herein should be a vast improvement and benefit to the public generally. The certificate of public convenience will be granted.

#### O R D E R

Application having been filed 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 that California Water & Telephone Company, a corporation, operates a water system in that territory set forth below and which is more particularly delineated upon the map filed as Exhibit No. 2 which is hereby made a part hereof by reference:

Starting at the SW corner of Lot 51 of E. J. Baldwins Addition No. 1 to Santa Anita Colony; thence northerly along the westerly line of said Lot 51 and its prolongation to the southerly line of Lot 46 of said E. J. Baldwins Addition No. 1; thence easterly along the southerly line of said Lot 46 to the SE corner of said Lot 46; thence northerly along the easterly line of said Lot 46, 450 feet, to a point which is 350 feet south of the southerly line of Green Street; thence easterly 486 feet; thence at right angles northerly 750 feet to the southerly line of Lot 41 of said E. J. Baldwins Addition No. 1; thence westerly along the southerly line of said Lot 41 and its prolongation to the center line of Glickman Avenue; thence northerly on Glickman Avenue to the center line of Olive Street; thence easterly on Olive Street to the center line of El Monte Avenue; thence northerly on El Monte Avenue to the center line of Live Oak Avenue; thence westerly on Live Oak Avenue to the easterly line of Tract No. 8822; thence southerly along the easterly line of said Tract No. 8822 to the SE corner of said Tract No. 8822; thence westerly along the southerly line of said Tract No. 8822 and its prolongation to the SW corner of Lot 31 of said E. J. Baldwins Addition No. 1; thence northerly along the westerly line of said Lot 31 to the center line of Live Oak Avenue; thence westerly on Live Oak Avenue to the westerly line of Lot 4 of E. J. Baldwins Addition No. 2 to the Santa Anita Colony; thence southerly along the west line of said Lot 4 and its prolongation to the NE corner of Lot 6 of Tract No. 5342; thence westerly along the northerly line of said Lot 6 to the NW corner of said Lot 6; thence southerly along the westerly line of said Lot 6 to the center line of Lower Azusa County Road; thence westerly along Lower Azusa County Road to the southerly line of the Southern Pacific right of way; thence southeasterly along the southerly line of said Southern Pacific right of way to the center of Ellis Lane; thence northeasterly on Ellis Lane to Lower Azusa County Road; thence easterly on Lower Azusa County Road to the westerly line of said

Lot 51, the point of beginning.

Note: The foregoing description excludes the territory now being supplied with water by Alton W. Hall, Decision No. 28262, as said territory is delineated upon map filed as Exhibit No. 2.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and it is hereby granted to California Water & Telephone Company, a corporation, to operate a public utility water system in the above described area, under the rates, rules and regulations now in effect and filed with this Commission covering the operation by Ford L. Howland.

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

Dated at Los Angeles, California, this 5th day of December, 1938.

Raymond B. Smith  
Francis D. Smith  
Ray & Smith

COMMISSIONERS.