

Decision No. 51740.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application  
of BEN ALI WATER COMPANY for an  
order establishing applicant as  
a public utility.

Application No. 22398.

ORIGINAL

Huston, Huston & Huston,  
By Robert W. Huston, for Applicant.

BY THE COMMISSION:

O P I N I O N

In this proceeding Ben Ali Water Company, a corporation, asks the Commission for a certificate of public convenience and necessity to operate a water system in certain subdivided parcels of land near Ben Ali Station, being located easterly of and just outside of the corporate limits of the City of North Sacramento.

A public hearing in this proceeding was held before Examiner M. R. MacKall at Sacramento.

Ben Ali Water Company was organized and incorporated in the latter part of 1938 primarily for the purpose of providing domestic water service to residents of the 15 acre subdivision, known as Sunshine Tract, which lies in the triangular strip of land between Edison and Marconi Avenues and Howe Street. The water system was installed in 1937 and 1938 and has been extended to other small tracts in the vicinity embracing a total area of about 115 acres. Water is obtained from a well and is

distributed through a pressure tank to a total of seventeen consumers at present. There are in place 5,633 feet of mains ranging from one to six inches in diameter and an additional 4,000 feet of pipe lines are now in the course of construction. Upon completion the present plant will represent an investment of approximately \$7,774.00.

From the evidence it appears that this section of the county is increasing rapidly in population, stimulated to a large extent by the immediate proximity of the newly completed Sacramento Air Depot United States Army. No other public utility water works is operating in this territory nor is water available from any source other than private and individual wells. Applicant has received permits from the county authorities to lay, maintain and operate pipe lines in the county roads, highways, streets and alleys within the proposed operating territory. Present consumers have all requested continuance of service and no objection has been made against requests of applicant herein. A certificate of public convenience and necessity therefore will be granted to operate a water works.

The water company is now charging a flat rate of \$1.50 per month for each residence located upon a lot 50 feet by 100 feet, or less. This charge is agreeable to all of the present consumers. This rate is reasonable and will be retained. There are, however, in the newest subdivided tracts, many lots much larger and ranging up to 30,000 square feet, for such lots a proportionately larger charge must be made and provision therefor will be provided in the rate schedule established in the following order.

Applicant requested approval of a connection charge of \$10.00 for each new service based upon the similar charge made by the Sacramento Municipal Water Department. The Railroad Commission does not permit such charges in normal public utility operation and uniformly requires the installation and maintenance at the sole expense of the utility of all service facilities for water to the curb or property line. Similarly it has been found to be poor practice in most instances where service of water is provided to permanent residents, to make collections upon a quarterly basis and in this particular case we believe better results will be obtained by operating upon a monthly collection program.

O R D E R

Ben Ali Water Company, a corporation, having filed an application as entitled above, a public hearing having been held thereon, the matter having been submitted, and the Commission being fully advised in the premises,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require that Ben Ali Water Company, a corporation, operate a water system in that certain area in the County of Sacramento, near Ben Ali Station, described as follows and delineated on the map filed as Exhibit No. 2 herein:

Beginning at the intersection of El Camino Avenue and Eighteenth Street, thence northerly along said Eighteenth Street to its intersection with Auburn Boulevard; thence northeasterly along said Auburn Boulevard to its intersection with Bell Street; thence southerly along said Bell Street to its intersection with Edison Avenue; thence northeasterly along

said Edison Avenue to its intersection with Fulton Street; thence southerly along said Fulton Street to its intersection with Camino Avenue; thence westerly along said Camino Avenue to point of beginning.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and it is hereby granted to Ben Ali Water Company, a corporation, to operate a public utility water system in accordance with the foregoing declaration.

IT IS HEREBY FURTHER ORDERED that Ben Ali Water Company, a corporation, be and it is hereby authorized and directed to file with this Commission within thirty (30) days from and after date of this Order the following schedule of rates to be effective for all water service for domestic purposes rendered subsequent to the thirty-first day of January, 1939.

FLAT RATES

For water used for domestic purposes in a dwelling house, and on lots having an area of 5,000 square feet or less.....	\$1.50 per month
For house and a lot having an area over 5,000 square feet to and including 11,000 square feet.....	2.00 per month
For house and a lot having an area over 11,000 square feet to and including 13,000 square feet.....	2.25 per month
For house and a lot having an area over 13,000 square feet to and including 15,000 square feet.....	2.50 per month
For house and a lot having an area over 15,000 square feet to and including 18,000 square feet.....	2.75 per month
For house and a lot having an area over 18,000 square feet to and including 30,000 square feet.....	3.00 per month

IT IS HEREBY FURTHER ORDERED that Ben Ali Water Company, a corporation, file with this Commission within thirty (30) days

from the date of this Order, rules and regulations governing service to its 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 February, 1939.

Raymond J. Brown  
Frank J. Brown  
Ray J. Kelley  
W. J. Kelley  
Justin J. Cameron  
COMMISSIONERS.