

Decision No. 31914

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of
George P. Hummel and Walter J. Hummel,
d. b. a. Rosamond Water Company, for
Certificate of Public Necessity and
Convenience and Order Authorizing Rates.

Application No. 22455.

George P. Hummel, for Applicants.

BY THE COMMISSION:

O P I N I O N

In this proceeding George P. Hummel and Walter J. Hummel, engaged in the business of operating a public utility water system under the fictitious firm name and style of Rosamond Water Company, ask for a certificate of public convenience and necessity authorizing them to supply water to the unincorporated town of Rosamond and contiguous territory in Kern County.

A public hearing in this matter was held before Examiner M. R. MacKall in Rosamond.

The evidence shows that the townsite of Rosamond, consisting of 160 acres, was subdivided a number of years ago, the original map being recorded in 1907. The Union Rescue Mission of Los Angeles recently came into possession of the remaining unsold lots, and in 1935 installed a water system to supply the townsite and to aid in the sale of their property. The Union Rescue Mission has operated this water system since 1935, without securing the proper authority from the Railroad Commission, until December 5, 1936, when it made an agreement to sell the complete

water works to the applicants herein. The price named in the sales agreement is \$5,500.00. The evidence shows that the cost of the pumping plant, pipe lines and extensions, to date, was \$4,171.42. During the period the system was operated by Union Rescue Mission, a minimum monthly rate of \$2.00 was charged, which entitled the consumer to 2,000 cubic feet of water and for all over that amount the charge was at the rate of 10 cents per 100 cubic feet of water. At the hearing, applicants requested these rates to be authorized for the future, rather than the schedule of somewhat higher rates originally asked for in the application. There are 28 consumers being served at present on a measured basis.

The water supply is obtained from a well 250 feet in depth, from which water is pumped through a 2,500-gallon combined storage and pressure tank to the distribution system. The water mains consist of three-inch and four-inch diameter pipes which serve the now developed portions of the townsite, and will be extended when and as found necessary. The existing mains were laid in the streets and alleys before they were dedicated to public use. However, applicants have not yet obtained a franchise, permit or other consent from the county authorities to install, lay, or maintain pipe lines in, on, and/or across county roads, highways and alleys in the area proposed to be served with water by applicants herein. The following Order therefore will require a franchise, permit or other consent from the proper county authorities for any service to be rendered outside the existing townsite.

During the hearing, applicants were granted permission to amend their application to include an area outside of the original townsite of Rosamond, consisting of the south half of the

southwest quarter of Section 16 and the east half of the northeast quarter of Section 20, Township 9 North, Range 12 West, S.B.B. & M. There is no other water utility operating within the service area desired by applicants and it appears that this area is now building up and already needs water service.

No one appeared to protest against the granting of the certificate requested, and the consumers present indicated their willingness to have applicants operate the system and to continue the same charges for water as have been made heretofore. These rates compare favorably with those charged by other utilities under similar conditions and circumstances in the same general vicinity. Therefore, it appears that the application should be granted.

O R D E R

Application as entitled above having been filed with the Railroad Commission, 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 George P. Hummel and Walter J. Hummel, doing business under the fictitious firm name and style of Rosamond Water Company, in all of the northwest quarter of Section 21, which is the site of the unincorporated town of Rosamond, in all of the south half of the southwest quarter of Section 16, and in all of the east half of the northeast quarter of Section 20, Township 9 North, Range 12 West, S.B.B. & M., and totaling 320 acres all located in the County of Kern, and as delineated on the map attached to the application and by reference hereby made a part of this Order, and

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and it is hereby granted to George P. Hummel and Walter J. Hummel, doing business under the fictitious name and style of Rosamond Water Company, to operate a public utility for the sale and distribution of water within the territory hereinbefore described.

IT IS HEREBY FURTHER ORDERED that said George P. Hummel and Walter J. Hummel, doing business under the fictitious firm name and style of Rosamond 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 to consumers subsequent to the 30th day of April, 1939:

METER RATES

Monthly Minimum Charges:

For 5/8-inch x 3/4-inch meter - - - - -	\$2.00
For 3/4-inch meter - - - - -	\$2.50
For 1-inch meter - - - - -	\$3.00
For 1 1/2-inch meter - - - - -	\$5.00
For 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:

First 2,000 cubic feet, or less - - - - -	\$2.00
All over 2,000 cubic feet, per 100 cubic feet - - - - -	.10

IT IS HEREBY FURTHER ORDERED that George P. Hummel and Walter J. Hummel, doing business under the fictitious firm name and style of Rosamond Water Company, be and they are 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 their consumers.

IT IS HEREBY FURTHER ORDERED that the authority granted herein insofar as it involves the granting of certificate to operate a public utility water system in the area without the external boundaries of the town of Rosamond shall become effective only upon the filing with this Commission of the necessary franchise, permit or other consent granted by the Board of Supervisors of the County of Kern for the laying and maintaining of mains and water pipes on, over, in, or across all public highways, roads, streets and alleys within said outside area.

IT IS HEREBY FURTHER ORDERED that George P. Hummel and Walter J. Hummel, doing business under the fictitious firm name and style of Rosamond Water Company, shall file within sixty (60) days from the date of this order an affidavit to the effect that they will never claim before the Railroad Commission or any other public body a value for the above-mentioned franchise, permit or other consent other than the actual costs of obtaining same.

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

Dated at San Francisco, California, this 11th day of April, 1939.

Robert J. Carr
James J. Carr
Justice J. Carr
Commissioners.