

Decision No. 32142

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application

-of-

CONSOLIDATED DEVELOPMENT CO.,
a corporation, and
CALIFORNIA WATER SERVICE COMPANY,
a corporation,

for (1) an order authorizing the transfer from Consolidated Development Co. to California Water Service Company of the water system now serving White Oaks Tract, and certain portions of Beverly Hills Tract, White Oaks Annex and Sunset Highlands, and (2) a certificate that public convenience and necessity require the extension of the plant and system of California Water Service Company now serving water to the Town of San Carlos and vicinity to White Oaks Tract, and certain portions of Beverly Hills Tract, White Oaks Annex and Sunset Highlands.

ORIGINAL

Application No.

22761

Carl F. Mau, for Applicants

BY THE COMMISSION:

O P I N I O N

The record, in this proceeding, shows that the Consolidated California Development Co. is the owner of certain water pipes and mains and other property constituting a water system in and about White Oaks Tract; Blocks 1 to 5, inclusive, of Beverly Hills Tract; Blocks 1 to 6, inclusive, of White Oaks Annex and Block 1 of Sunset Highlands, situated in and adjacent to the Town of San Carlos, San Mateo County, California. The areas being served by this water system and the location of the pipe lines are shown on the maps filed in this proceeding as Exhibit A and Exhibit B. The properties are generally described in the proposed deed and bill of sale filed as Exhibit 2. They include

5,740 feet of 2-inch pipe of various kinds; 5,779 feet of 2-inch standard screw pipe, 29,203 feet of 3-inch standard screw pipe, 28,019 feet of 4-inch standard screw pipe, 1,600 feet of 4½-inch extra heavy welded pipe, a 180,000 gallon reservoir, a steel tank, a booster station, about 186 meters and a like number of services, 94 fire hydrants and several small parcels of land.

PM
Consolidated
California Development Co., without admitting that it is a public utility, has joined in this application and requests permission to sell to California Water Service Company for \$21,000.00, its water system in the areas mentioned.

The California Water Service Company now supplies water to about 670 consumers in the Town of San Carlos and vicinity. It asks that the Commission grant it a certificate of public convenience and necessity authorizing it to extend its plant and water system now serving the Town of San Carlos and the vicinity thereof, to serve the aforesaid White Oaks Tract; Blocks 1 to 5, inclusive, of Beverly Hills Tract; Blocks 1 to 6, inclusive, of White Oaks Annex and Block 1 of Sunset Highlands, with water at the rates, and subject to the rules and regulations of said California Water Service Company now in force in the Town of San Carlos, or that may hereafter, from time to time, be in force therein.

The testimony shows that the water system of Consolidated Development Co. is serving about 186 consumers, and that the rates charged such consumers are the same as the rates charged by the California Water Service Company in the Town of San Carlos. The Consolidated Development Co. has been, and is obtaining its entire water supply from the City of Redwood City. If its water system is acquired by California Water Service Company, that company will connect the same with its system and supply the Consolidated Development Co. area from its system. The water which it distributes in the Town of San Carlos

is obtained from the San Francisco Water Department. The California Water Service Company is ready, willing and able to assume the public utility obligations of water service to the residents of the tracts mentioned. It will immediately, at a cost of about \$1500.00 connect the Consolidated Development Co. system with its San Carlos system and will also undertake to replace at an estimated cost of about \$4,500.00, the distribution system in the Beverly Hills Tract.

The testimony shows that Consolidated Development Co. assumes the liability of returning, prior to the conveyance of its water system, any service or extension deposits that it now holds. It is of record that it holds only meter deposits and that such deposits do not exceed \$50.00 in the aggregate.

No one appeared at the hearing had on June 26th before Examiner Fankhauser to protest the granting of this application.

O R D E R

The Commission having considered applicants' request and the evidence submitted in support thereof, and it being of the opinion that this application should be granted, subject to the provisions of this order, therefore,

IT IS HEREBY ORDERED, that Consolidated Development Co. be, and it is hereby, authorized to sell on or before September 1, 1939, to the California Water Service Company the properties described in the proposed deed and bill of sale filed in this proceeding as Exhibit 2, such sale to be made under the terms and conditions of the agreement filed in this proceeding as Exhibit 1.

The Railroad Commission of the State of California hereby declares that public convenience and necessity require the extension of the California Water Service Company's plant and system now serving the Town of San Carlos and the vicinity thereof, to serve the aforesaid

White Oaks Tract; Blocks 1 to 5, inclusive, of Beverly Hills Tract; Blocks 1 to 6, inclusive, of White Oaks Annex; and Block 1 of Sunset Highlands with water at the rates and subject to the rules and regulations of said California Water Service Company now in force in the Town of San Carlos, or at such other rates, rules and regulations as the Commission may, from time to time, enforce therein, or in said areas, said White Oaks Tract; said Blocks 1 to 5, inclusive, of Beverly Hills Tract; said Blocks 1 to 6, inclusive, of White Oaks Annex and said Block 1 of Sunset Highlands, being shown on the maps filed in this proceeding as Exhibit 3-A and Exhibit 3-B.

IT IS HEREBY FURTHER ORDERED, that a certificate of public convenience and necessity be, and it is hereby, granted the California Water Service Company to construct, maintain and operate a public utility water system in said White Oaks Tract; in said Blocks 1 to 5, inclusive, of Beverly Hills Tract; in said Blocks 1 to 6, inclusive, of White Oaks Annex and in said Block 1 of Sunset Highlands, and to charge for water sold to consumers in said areas the rates subject to the rules and regulations of said California Water Service Company now in force in the Town of San Carlos, or such other rates, rules and regulations as the Commission may, from time to time, enforce therein, or in said areas.

IT IS HEREBY FURTHER ORDERED, that the consideration paid by the California Water Service Company for the said properties shall not be urged as a finding of the value of said properties for any purpose other than the transfer herein authorized.

IT IS HEREBY FURTHER ORDERED, that within thirty (30) days after the transfer of the properties herein authorized, California Water

Service Company shall file with the Railroad Commission a copy of the deed and bill of sale under which it acquires and holds title to said properties.

DATED at San Francisco, California this 30th day of June, 1939.

Ray Swabey
Frank Dubler
[Signature]
Justin J. Cramer
COMMISSIONERS