

Decision No. 33242

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 BRUCE E. BAIRD AND NEVA B. BAIRD,
 husband and wife, doing business
 under the firm name and style of
 "BRUCE E. BAIRD WATER COMPANY"
 for certificate of public conven-
 ience and necessity to operate a water
 system and for the approval of rates.

Application No. 23389

Russell Scott, for applicant.
 John P. Muller, of Rosendale, Thomas
 and Muller, on behalf of certain consumers.

BAKER, COMMISSIONER:

O P I N I O N

Bruce E. Baird and Neva B. Baird, his wife, who own and operate a water system under the fictitious firm name and style of Bruce E. Baird Water Company desire to supply domestic water service in a Subdivision known as Airport Homes Tract, located a short distance northerly of the City of Salinas in the County of Monterey. The Commission is asked to grant applicants a certificate of public convenience and necessity and to establish a schedule of rates.

A public hearing in this matter was held at Salinas.

The evidence shows that in 1935 Bruce E. Baird subdivided and placed upon the market the Airport Homes Tracts, Numbers 1 and 2, and installed a water system to serve the lot purchasers. The water is obtained from a 12-inch well and is distributed through mains ranging from 2 to 4 inches in diameter.

One hundred and twenty-four consumers are now being served.

Mr. Baird has asked for an initial and base flat rate of \$2.00 per month for homes and a charge of \$10 per month for auto courts and camps. The rates requested were not supported by the evidence and were the basis of considerable protest by many consumers. Certain lot owners claimed that at the time of purchase of their parcels from applicants they were promised no increase would be made in water charges. Such promises and purported agreements are beyond the issue in this proceeding. Any contractual rights involving Mr. Baird and private obligations to provide water, which property owners in these various subdivisions may have, will not be disturbed. The schedule of rates established in the following Order are more reasonably aligned with the charges for water service in similar tracts in the general vicinity of this section of the territory adjacent to Salinas.

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 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 Bruce E. Baird and Neva B. Baird, his wife, in Airport Homes Tracts, Numbers 1 and 2, and in that certain adjoining unsubdivided area containing 74 acres more or less situated in the County of Monterey, as is more particularly delineated upon a map submitted in evidence in

this proceeding and marked "Exhibit No. 8" which is made a part of this Order by reference, and as further described as follows:

Beginning at a point on the westerly right of way boundary of U. S. Highway No. 101 at its intersection with the south line of Rochex Road; thence northerly along said westerly right of way boundary, a distance of approximately twenty-six hundred eighty (2,680) feet; thence at approximately right angles to said westerly boundary of U. S. Highway No. 101, a distance of approximately three thousand two hundred (3,200) feet; thence in a southerly direction and parallel to said U. S. Highway No. 101 right of way boundary, a distance of approximately seventeen hundred and fifty (1,750) feet; thence at approximately right angles in an easterly direction, a distance of approximately nine hundred forty (940) feet to the intersection with the southwesterly line of Airport Avenue; thence in a general southeasterly and easterly direction along the southerly line of Airport Avenue and Rochex Road, a distance of approximately twenty-seven hundred (2,700) feet to the point of beginning, comprising a total area of one hundred sixty-eight (168) acres more or less.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and it is hereby granted to Bruce E. Baird and Neva B. Baird, his wife, to operate a public utility for the sale and distribution of water within the territory hereinabove described.

IT IS HEREBY FURTHER ORDERED that Bruce E. Baird and Neva B. Baird, his wife, 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 his consumers subsequent to the 30th day of June, 1940.

RATE SCHEDULE

FLAT RATES

	<u>Per Month</u>
For each residence which includes not to exceed 2,500 square feet of lawn or garden irrigation	\$1.50
For all lawn and garden irrigation in excess of 2,500 square feet, per 100 square feet..	.025

Note: Auto courts or camps shall be served under meter rates.

METER RATES

<u>Monthly Minimum Charges</u>	<u>Per Month</u>
5/8 inch meter	\$1.50
3/4 inch meter	2.00
1 inch meter	2.50
1 1/2 inch meter	3.50
2 inch meter	5.00

Each of the foregoing "Monthly Minimum Charges" will entitle the consumer to the quantity of water which the Monthly Minimum Charge will purchase at the following "Monthly Quantity Rates" set out below:

Monthly Quantity Rates:

From 0 to 1,000 cubic feet, per 100 cubic feet	\$0.20
Next 2,000 cubic feet, per 100 cubic feet	.15
Over 3,000 cubic feet, per 100 cubic feet	.10

IT IS HEREBY FURTHER ORDERED, as follows:

1. That within thirty (30) days from the date of this Order Bruce E. Baird and Neva E. Baird, his wife, be and are hereby directed to submit to this Commission for its approval four sets of rules and regulations governing relations with their consumers, each set of which shall contain a suitable map or sketch, drawn to an indicated scale, upon a sheet approximately 8 1/2" x 11" in size, delineating thereupon in distinctive markings the boundaries of the authorized service area hereinabove described and the location thereof with reference to the

surrounding territory, provided further, however, that such map or sketch shall not thereby be considered by this Commission or any other public body as a final or conclusive determination or establishment of the dedicated area of service, or any portion thereof.

2. That Bruce E. Baird and Neva B. Baird, his wife, shall file with this Commission, within sixty (60) days from the date of this Order, four copies of a comprehensive map, drawn to a scale of not less than 400 feet to the inch, upon which shall be delineated correctly by appropriate markings the various tracts of land in the territory for which the certificate is granted herein. This map should be reasonably accurate, show the source and date thereof, and sufficient data to determine clearly and definitely the location of the various properties comprising the entire utility area of service.

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 25^d day of June, 1940.

Ray L. Rice
Walter S. ...
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(Commissioners)