

Decision No. 33782

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 ARTHUR TREGENZA and MARGARET J.
 TREGENZA, doing business under the
 firm, name and style of "BOLSA
 KNOLLS WATER COMPANY" for certifi-
 cate of public convenience and
 necessity to operate a water system
 and for the approval of rates.

Application No. 23747

ORIGINAL

Harry L. Noland, for Applicants.

BAKER, COMMISSIONER:

O P I N I O N

In this proceeding Arthur Tregenza and Margaret J. Tregenza, his wife, doing business under the fictitious firm name and style of Bolsa Knolls Water Company, ask the Railroad Commission for a certificate of public convenience and necessity to operate a public utility for the purpose of supplying water for domestic and other uses to the inhabitants of that certain tract of land known as Bolsa Knolls Subdivision and in territory adjacent thereto located on the westerly side of Sausal Road, more commonly known as the San Juan Road, about four miles northerly of the City of Salinas in Monterey County, California. Request is also made for the establishment of rates for the service to be rendered.

A public hearing in this matter was held in Salinas.

Bolsa Knolls Subdivision, consisting of about 25 acres, has been subdivided by Applicants into 90 lots, most of which have a frontage of 60 feet, with depths varying from 115 to 240 feet.

The streets of the subdivision already have been graded and dedicated to public use, but as yet no houses have been constructed on the tract. Adjoining the northeasterly corner of the subdivision, but not a part thereof, are two parcels of land sold by metes and bounds prior to the subdivision of the Bolsa Knolls property. There is a home on each of said parcels which requires water from Applicants. Adjacent to the northwesterly corner of the subdivision is a 5-acre tract of land owned by Applicants but not yet subdivided. At the hearing Mr. Tregenza amended the application by asking that the certificate be made to include this 5-acre tract and also the two parcels mentioned above.

Water is pumped from a 10-inch cased well 112 feet deep by a deep-well turbine, driven by a 5-horsepower electric motor, delivering water into a steel storage tank of about 600-gallon capacity. An auxiliary source of supply comes from an older 10-inch cased well about 109 feet deep at present equipped with a farm windmill pump, delivering water into a 1,000-gallon wooden tank elevated only about 10 feet above ground surface. This equipment however can and will be replaced whenever necessity demands with a suitable electric-motor driven pump.

Mr. Tregenza presented plans at the hearing for the future construction of the distribution system. The mains are to be of "Transite" pipe, 5,635 feet in all, ranging in size from six to two inches in diameter. There will be ninety service connections and an additional new 12,000-gallon pressure tank. These installations will cost \$4,035, which does not include the existing tanks, wells and pumping equipment. Applicants do not contemplate installing meters on any of the services unless necessitated by careless and wasteful use of water. To provide

for this contingency, at the hearing Mr. Tregenza asked that his application be amended to include a request for the establishment of a schedule of meter rates in addition to the flat rate of \$1.50 per month as originally proposed. This flat rate entitles each consumer to such quantity of water as will be sufficient for household use and lawn irrigation for a dwelling house occupied by a single family, on one lot or parcel of land of an area of not more than 7,500 square feet. No provision is made for any additional quantity of water used.

There were presented no estimates of the probable cost of the entire water works, depreciation annuity, anticipated annual revenues, nor the yearly maintenance and operation expenses. The rates established in the following Order, therefore, will be based upon the experience of other water utilities of comparable size and character operating in nearby localities under conditions similar to those existing in the area to be served by Applicants.

The Board of Supervisors of the County of Monterey has granted a permit to Arthur Tregenza to install and maintain water pipes on or across all streets and roadways in the Bolsa Knolls Subdivision; similar authority covering the above mentioned adjoining 5-acre tract of land may be obtained at any time upon request to the Board of Supervisors or to the County Surveyor after acceptance of the streets and roadways therein for the public use. Applicants' water supply has been approved by the County of Monterey Consolidated Health Services as being of good quality and free from contamination and pollution. Applicants plan to install on the distribution system a number of fire hydrants at suitable locations to accommodate the apparatus of the County Fire District within which the subdivision lies. No charge is contemplated for this service under present conditions.

From the evidence submitted, it appears that Applicants are able to finance the construction of the proposed water system together with such subsequent additions and improvements as may be required. In the operation of this water works, there will be no competition with any person, firm, or corporation in this class of utility service. The evidence indicates that it is for the best interests of this community that a certificate of public convenience and necessity be granted.

The following form of Order is recommended.

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 Arthur Tregonza and Margaret J. Tregonza, his wife, doing business under the fictitious firm name and style of Bolsa Knolls Water Company, in Bolsa Knolls Subdivision and in certain adjoining areas, which territory consists of a portion of Lot 11 of Espinosa Partition of Rancho Bolsa de Las Escarpinas, located approximately four miles north of the City of Salinas, in Monterey County, as shown on the maps marked Exhibit A, attached to the application herein, and Exhibit No. 3, filed in this proceeding, and which are hereby made a part of this Order by reference, and which territory is more particularly described as follows:

Beginning at the point where the center line of Cornwall Street intersects the center line of Sausal Road, which is the old state highway from Salinas to San Juan Bautista; thence proceeding N. $70^{\circ} 46' 45''$ W. along the center line of said Cornwall Street a distance of 1,540 feet, more or less, to the westerly boundary of an unsubdivided area comprising about 5 acres; thence S. $30^{\circ} 03' 15''$ W. along the westerly boundary of said 5-acre tract a distance of 515 feet, more or less, to the southerly boundary of said 5-acre tract; thence S. $70^{\circ} 46' 45''$ E. along the southerly boundary of said 5-acre tract a distance of 428.5 feet; thence by a meandering course approximately S. $4^{\circ} 19'$ E. 224.12 feet, S. $11^{\circ} 25'$ W. 300 feet, S. $29^{\circ} 44'$ E. 312.16 feet, S. $19^{\circ} 13' 15''$ W. 158.2 feet, more or less, to the center line of Russell Road, a county highway sometimes designated as the Natividad-Castroville Road; thence S. $70^{\circ} 46' 45''$ E. along the center line of said Russell Road a distance of 450 feet, more or less, to the center line of the aforesaid Sausal Road; thence N. $34^{\circ} 58'$ E. along the center line of said Sausal Road a distance of 1,425 feet, more or less, to the point of beginning; the territory thus bounded comprising an area of approximately 30 acres.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and it is hereby granted to Arthur Tregenza and Margaret J. Tregenza, his wife, doing business under the fictitious firm name and style of Bolsa Knolls Water Company, to operate a public utility for the sale and distribution of water within the territory hereinbefore described, provided, however, that the distribution mains and other facilities shall be installed and constructed substantially in accordance with the plans as submitted.

IT IS HEREBY FURTHER ORDERED that Arthur Tregenza and Margaret J. Tregenza, 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 their consumers subsequent to the 31st day of January, 1941, which schedule of rates is hereby found to be just and reasonable for the service to be rendered:

RATE SCHEDULEFlat RatesPer Month

- | | | |
|-----|---|--------|
| 1. | For one dwelling, house, flat, apartment, or other single unit of six (6) rooms, or less, and bathroom, including reasonable and necessary quantities of water for an irrigated area of not over 5,000 square feet of lawns, gardens, shrubbery and trees | \$1.50 |
| 2. | For each additional room over six (6) in any dwelling unit | .10 |
| 3. | For irrigation of grounds planted to lawns, gardens, shrubbery and trees in excess of the 5,000 square feet included in dwelling rate, per 100 square feet, payable each month of the year | .02 |
| 4. | For each public hall, lodge room or church | 1.00 |
| 5. | For each retail store or market | 1.50 |
| 6. | For each barber shop, for single chair | 1.00 |
| | For each additional chair in use | .25 |
| 7. | For each doctor's or dentist's office, consisting of not more than two rooms with water service | 1.25 |
| | For each additional room with water service | .25 |
| 8. | For each restaurant and cafe, at 10 cents per unit of seating capacity, minimum charge | 1.50 |
| 9. | For each garage, service station, drug store, soft drink parlor or other business establishment, according to use of water, minimum charge | 2.00 |
| 10. | For each window-box type air cooling unit, in addition to regular flat rates, a charge will be made during months of use which will be considered as the months of June, July, August and September, except where the consumer notifies the Company as to the | |

RATE SCHEDULEFlat Rates Contd.Per Month

months during the above period in which the unit will not be in service, and provided the unit is disconnected during such months, subject to inspection by Company representatives.

Noncirculating type	\$0.40
Circulating type20

11. Auto courts and camps and uses not otherwise classified, to be charged for at metered rates.

Metered RatesMinimum Monthly Charges:

For 5/8 x 3/4-inch meter	\$1.50
For 3/4 " "	2.00
For 1 " "	2.75
For 1-1/2 " "	4.00
For 2 " "	6.00

Each of the foregoing "Minimum Monthly Charges" will entitle the consumer to the quantity of water which that minimum monthly charge will purchase at the following "Monthly Quantity Rates":

Monthly Quantity Rates:

First 600 cu. ft., or less	\$1.50
Next 1,900 " " per 100 cu. ft. ..	.20
Next 3,500 " " " 100 " " ..	.15
All over 6,000 " " " 100 " " ..	.10

A meter may be installed on any service at the option of either the consumer or the utility.

IT IS HEREBY FURTHER ORDERED that Arthur Tregenza and Margaret J. Tregenza, his wife, be and they are hereby directed, as follows:

1. Within thirty (30) days from the date of this Order, to submit to this Commission for its approval, quadruplicate 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 8½ x 11 inches in size, delineating thereupon in distinctive markings the boundaries of the authorized service area; provided, 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. Within sixty (60) days from the date of this Order, to file with this Commission four copies of a comprehensive map drawn to an indicated 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 include sufficient data to determine clearly and definitely the location of the various properties comprising the entire utility area of service.
3. Within sixty (60) days from the date of this Order to file with this Commission an affidavit to the effect that they will never claim before this Commission or any other public body an amount for the certificate of public convenience and necessity granted herein in excess of the actual cost of acquiring it.

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 3rd day of January, 1941.

Ray L. Riley

[Signature]

[Signature]

Justus J. Calmer
Commissioners.