

Decision No. 33825

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application for an Order Authorizing HELENE W. FILES, H. T. WADLEY and PEARLE W. HARDING, Co-partners doing Business as MANCHESTER HEIGHTS WATER COMPANY, of Los Angeles, to Abandon Water Service in the City of Los Angeles, if and when its now Pending Application for Authority to Sell its Utility Property situated Outside the Limits of said City is Granted.

Application No. 23820

ORIGINAL

Thomas S. Bunn, for Applicants.

CRAEMER, COMMISSIONER:

O P I N I O N

In this proceeding, Helene W. Files, H. T. Wadley and Pearle W. Harding, doing business as co-partners under the fictitious firm name of Manchester Heights Water Company, ask the Railroad Commission for authority to abandon public utility water service within the city limits of Los Angeles.

A public hearing in this matter was held at Los Angeles.

This water company has been operating in the Manchester Heights district for many years and just recently was authorized by this Commission in its Decision No. 33761, dated December 21, 1940, to sell and transfer to Southern California Water Company, a corporation, its principal water properties serving some 800 consumers all living outside of the city limits of Los Angeles. There remained, however, a portion of the water system supplying

some 47 consumers in the Dolan Tract (No. 6440, Los Angeles County) which was not acquired by said Southern California Water Company because this tract is located within the Los Angeles city limits and has heretofore been piped throughout with water mains by the City's Department of Water and Power.

Mr. C. A. Poling, water sales agent for the said Department, testified that as long ago as July, 1930, the City had installed 6-inch cast iron water mains with service connections to each of the 255 lots in the Dolan Tract and was now serving water to all residents of this subdivision with the exception of the few still supplied by applicants herein. This witness further testified that the Department of Water and Power was ready and willing to install the necessary pipe connections immediately and without cost to all applicants' consumers in this tract upon demand, provided this Commission authorizes discontinuance of service as requested herein.

The evidence conclusively shows that the entire water plant operated by this company in the Dolan Tract is seriously in need of immediate and complete rehabilitation, requiring so large an expenditure of funds as to render future operation with the permanently restricted number of consumers impossible except at a continued out-of-pocket loss. In view of the fact that no protests were made by any of the Company's consumers, and that the Bureau of Water Works and Supply of the City of Los Angeles through its Department of Water and Power is now and for a considerable number of years last past has been furnished water throughout the entire Dolan Tract, it is clearly to the best interests of the public at this time that the application be granted.

O R D E R

Application as entitled above having been filed with this Commission, a public hearing having been held thereon, the matter having been duly submitted, and the Commission being now fully advised in the premises,

IT IS HEREBY ORDERED that Helene W. Files, H. T. Wadley and Pearle W. Harding, doing business as co-partners under the fictitious firm name and style of Manchester Heights Water Company, be and they are authorized to discontinue on the first day of March, 1941, all public utility water service to their consumers in the Dolan Tract, being Tract No. 6440, Los Angeles County, and thereafter and thereby stand relieved of all further public utility obligations and liabilities in connection therewith, subject, however, to the following terms and conditions:

1. On or before the 10th day of February, 1941, said Helene W. Files, H. T. Wadley and Pearle W. Harding shall notify in writing each and every consumer now being supplied water service from their Dolan Tract system, of the authority herein granted and of their intention to discontinue on the 1st day of March, 1941, all public utility water service within said Dolan Tract No. 6440.
2. On or before the 10th day of February, 1941, said Helene W. Files, H. T. Wadley and Pearle W. Harding shall refund to all consumers all deposits or credits due them arising from deposits made to guarantee payment of water bills, for main extensions, meters, service connections and for any other purposes whatsoever emanating from those phases of its operations under jurisdiction and control of this Commission.
3. On or before the 1st day of March, 1941, said Helene W. Files, H. T. Wadley and Pearle W. Harding shall file with this Commission a certified statement to the effect that they have duly complied with the provisions of paragraphs one and two above, and in the event no refunds are due and owing, it shall be so stated; said statement further shall set forth the date upon which the delivery of water to their consumers was finally and actually discontinued in accordance with the authority granted herein.

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 27th day of January, 1941.

[Signature]
[Signature]
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Justus J. Caseman
Francis R. Havens
Commissioners.