

Decision No. 20249

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

M. M. London, James W. Gilmore,
Mary R. Cooper, et al.,
Complainants,

-vs-

Camp Meeker Water System,
Effie M. Meeker (sole femme) and
Julia E. Meeker (widow),
(owners of the Camp Meeker Water
System),
Defendants.

ORIGINAL

Case No. 4465

M. M. London, for Complainants.

W. S. Westcoatt, for Defendants.

CRAEMER, COMMISSIONER:

O P I N I O N

This complaint is filed by M. M. London, James W. Gilmore, Mary R. Cooper and several other water consumers who own vacation homes in Camp Meeker, a recreation and summer resort located approximately half way between the town of Occidental and Monte Rio in Sonoma County. These petitioners complain that the Camp Meeker Water System is not functioning properly, that the management is inefficient; the water supply inadequate and deliveries interrupted because of the dilapidated condition of the storage tanks. No answer was filed by or in behalf of any of the defendants.

A public hearing was held in this proceeding in Camp Meeker.

The Camp Meeker Water System was installed in 1900 to serve the summer and vacation resort of Camp Meeker. During the past year it served 240 consumers. The water supply is obtained from a number of springs and is delivered primarily by gravity with the aid of three small booster pumping units available for pressure equalization during periods of peak load demand occurring in the summer weekends and holidays.

The service provided by this utility has long been the subject of controversy. On March 14, 1932, the Commission issued its Decision No. 24567, establishing a new schedule of rates and directing the installation of a number of system improvements, together with specific orders requiring the owners of this property to place in complete charge of the operation of the utility a capable manager who would be a permanent resident of the community and available at all reasonable times to deal directly with the consumers in those regular and routine business affairs affecting water service, payment of bills and the remedying of complaints. These instructions, issued by the Commission, were complied with in a general way. A new operator, G. S. Abbott, was employed, who thereupon proceeded to install such improvements as were possible with the limited funds provided by the owners of the waterworks. Unfortunately, at the present time, as the result of a series of deaths in the Meeker family, none of the original owners are alive and title to an undivided two-thirds interest in the water properties is now in the Estate of Effie M. Meeker, deceased, with the date of the distribution of said estate being problematical. The remaining one-third undivided interest is owned by Mrs. Julie Edwards Meeker.

From the evidence presented, it appears that there is no longer a capable and experienced manager in charge of this utility. Apparently the former superintendent, who had re-designed and installed the system improvements, was released under the guise of an economy program and no competent operator has been provided in his place. As a result of such procedure, no improvements have been made to the system during the past year, neither have the diversion facilities been properly cared for nor the water supply conserved. The responsible owners and administrators of this utility property will be expected and required to obtain without delay a suitable manager for this waterworks. The fact should not be overlooked that the present rate structure of this utility was predicated upon the installation of such improvements as were reasonably necessary to provide adequate service and upon management of the utility by efficient personnel capable of maintaining and assuring a continuous and proper water supply to all users.

From the testimony presented by the majority of the witnesses, the unsatisfactory service conditions complained of related almost entirely to the shortage of water which occurred, not during 1940, but during the preceding year. In fairness to the defendants herein, it should be pointed out that the evidence also is undisputed that in the summer and fall of 1939 there occurred one of the most severe periods of water shortage ever experienced in this section of the State. Depletion of water yield was by no means confined to this particular water system. Defendants, however, were derelict in their duty to the public in making no effort whatsoever to repair spring intake facilities and diversion works and in taking no serious steps to develop and

maintain the full production of their springs. There can be no legitimate excuse for the obvious failure of defendants to repair and maintain the intake pipes, boxes, and tanks to prevent the unnecessary and excessive losses that took place at these vital points. The engineering testimony shows that such repairs would have cost a nominal sum only and would have required at the most but a few days work by unskilled labor.

The record in this proceeding further indicates that during the summer season of 1940, as well as in the previous year, there were frequent interruptions in water deliveries in that district generally known as Hampton Roads. The testimony of the engineer conclusively indicates that the simplest and most economical solution for this particular problem lies in the installation of additional storage to the extent of not less than 25,000 gallons at an elevation capable of producing better working pressures. The new storage capacity for this area has the further advantage of collecting waters now wasted during the low-use periods in the middle of the week, holding them in readiness for the heavy consumption on weekends and holidays.

The estimated historical cost of this water system is \$22,595, as of December 31, 1939; the corresponding depreciation annuity is \$324. The average annual revenues for the five-year period last past, to and including 1939, amounted to \$3,430. The total annual revenues for the year 1939 as reported were \$3,412. Operating expenses for the year 1939, as revised, including depreciation, were \$1,879. The proper and reasonable requirements of operation including depreciation for the immediate future were estimated by R. E. Savage, one of the Commission's hydraulic engineers, to be \$2,219. The operating expenses allowed in 1932,

Decision No. 24567, were \$2,482. These latter operating expenses contemplated the employment of a full-time resident manager or superintendent for the plant.

The evidence presented in this proceeding indicates quite clearly that the owners of this utility can well afford to install the improvements and adopt the operating methods and practices outlined above, full performance of which must be insisted upon by this Commission without any further evasion by the owner or owners, or responsible administrator of these water properties.

The following form of Order is recommended:

O R D E R

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

Based upon the findings of fact set forth in the foregoing Opinion and other good cause appearing, now therefore,

IT IS HEREBY ORDERED that Julia E. Meeker and the administrator, or the administratrix of the Estate of Effie M. Meeker, deceased, as responsible operators of the Camp Meeker Water System in the County of Sonoma, be and they are hereby ordered and directed to construct or cause to be constructed additional storage facilities of a total capacity of not less than 25,000 gallons in the Hampton Roads District of the Camp Meeker Water System service area, said facilities to be installed at a location and in a manner satisfactory to this Commission and to be connected to the system in proper working order at a date not later than the first day of September, 1941.

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 May, 1941.

[Signature]

Justus F. Cullen
Francis D. Havens
[Signature]
Commissioners.