

ORIGINAL

Decision No. 34393

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of  
JULIEN GARRIC and MARGUERITE GARRIC,  
his wife, for Authorization to Sell  
Water.

Application No. 24158

(Section 50a, Public Utilities Act)

Julien Garric, for Applicants.  
John B. Lounibos, for Chauvet Water Works.

BY THE COMMISSION:

O P I N I O N

In this proceeding Julien Garric and Marguerite Garric, his wife, 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 a portion of Gibson's Addition to the unincorporated town of Glen Ellen in Sonoma 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 before Examiner M. R. MacKall in Glen Ellen.

Gibson's Addition, as originally subdivided in the 1820's, consisted of four irregularly shaped blocks lying on both sides of the right of way of the Santa Rosa and Carquinez Railroad, which has since become a branch line of the Southern Pacific Company. That portion of said Gibson's Addition lying easterly and southerly of the tracks, consisting of twelve acres more or less and divided into fourteen lots, has remained intact and has recently been acquired by the Applicants herein, together with a tract containing about 27 acres adjoining the subdivision on the east. Applicants intend

to make the existing lots, most of which have 100-foot frontages, into 50-foot lots about 150 feet in depth. The streets of the subdivision, as originally surveyed, have been dedicated to public use. Additional streets, as needed, will be laid out and all of them will then be graded preparatory to their being taken over by the county. Applicants desire a certificate to serve their properties primarily because Chauvet Water Works, supplying the developed portion of the community of Glen Ellen, is unable to extend its system to provide an adequate water service to this new development.

Mr. John B. Lounibos on behalf of Chauvet Water Works stipulated that said water works would not object to a certificate being granted to Applicants, provided that the service area be limited to the territory lying east and south of the center line of the railroad right of way as it now exists. This proposal was accepted by Applicants.

In that portion of Applicants' property lying immediately east of Block D of Gibson's Addition there now exists an 8-inch cased well 204 feet deep, which is equipped with a deep well piston pump driven by a 3/4-horsepower electric motor, delivering water into a small wooden storage tank to serve one house located in the triangular parcel of ground adjacent to the railroad right of way across Gibson Street from Block D and westerly thereof. Applicants intend to replace this pumping equipment with a cylinder of larger size in the pump and a more powerful electric motor, the capacity of the well being sufficient for all immediate needs.

On their property east of approximately the middle of Block E, at a suitable elevation, Applicants plan to construct a covered concrete tank 18 feet in diameter by 10 feet high, which will have a capacity of about 18,000 gallons and into which water will be delivered through a 2-inch line from the existing well. From the tank,

Applicants propose to lay a pipe to connect with the distribution system which will be built along the roads of the subdivision, the mains to consist mostly of 2-inch pipe. It is recommended that the main line from the tank to Gibson Street should be not less than three inches in diameter in order to deliver a sufficient volume of water at satisfactory pressure to all homes when the tract is fully developed. It is further recommended that the tank be located at an elevation of not less than 100 feet above the highest lot in the subdivision.

An estimate prepared by Mr. Garric shows the cost of the concrete tank to be \$232, which figure does not include the reinforcing steel. There were presented no other estimates of the probable cost of the 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.

It is not necessary at this time to obtain any permit or franchise from the Sonoma County or other authorities to install and maintain the water storage tank and pipe lines, since Applicants are the owners of the property upon and over which the facilities will be constructed; it is understood that such authority 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.

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 to adequately serve future inhabitants of the subdivision. 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.

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 and will require the operation of a water system by Julien Garric and Marguerite Garric, his wife, in that portion of Gibson's Addition to the unincorporated town of Glen Ellen in Sonoma County and in certain adjoining areas, which territory lies easterly and southerly of the center line of the right of way of the Southern Pacific Company's branch line formerly known as the Santa Rosa and Carquinez Railroad, 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:

Lots 1, 2, 3 and 4 of Block D and lots 1 to 10, inclusive, of Block E of Gibson's Addition to Glen Ellen, together with the adjacent areas lying between said lots and the center line of the main track of the former Santa Rosa and Carquinez Railroad, now operated as a branch line of the Southern Pacific Company's system, the territory thus described comprising an area of twelve acres, more or less.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and it is hereby granted to Julien Garric and Marguerite Garric, his wife, 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 proposed plans as modified by the recommendations contained in the Opinion which precedes this Order.

IT IS HEREBY FURTHER ORDERED that Julien Garric and Marguerite Garric, 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 31<sup>st</sup> day of July, <sup>1941</sup>, which schedule of rates is hereby found to be just and reasonable for the service to be rendered:

RATE SCHEDULE

Flat Rates

Per Month

1. For one house, flat, apartment, or other single dwelling unit of six (6) rooms, or less, and bathroom, including reasonable and necessary quantities of water for an irrigated area of not over 500 square feet of lawns, gardens, shrubbery and trees..... \$2.00
2. For each additional dwelling unit of six (6) rooms, or less, and bathroom, taking service through same connection..... 1.00
3. For each additional room over six (6) in any dwelling unit..... .10
4. For irrigation of grounds planted to lawns, gardens, shrubbery and trees in excess of the 500 square feet included in dwelling rate, per 100 square feet, payable each month from May to September, each inclusive, .02½
5. Commercial establishments and uses not otherwise classified, to be charged for at metered rates:

METERED RATES

Minimum Monthly Charges

|                               |        |
|-------------------------------|--------|
| For 5/8 x 3/4-inch meter..... | \$1.50 |
| For 3/4-inch meter.....       | 2.00   |
| For 1-inch meter.....         | 2.75   |
| For 1-1/2-inch meter.....     | 4.00   |
| For 2-inch meter.....         | 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    | 500 cubic feet, or less.....              | \$1.50 |
| Next     | 2,500 cubic feet, per 100 cubic feet..... | .25    |
| Next     | 3,000 cubic feet, per 100 cubic feet..... | .20    |
| All over | 6,000 cubic feet, per 100 cubic feet..... | .15    |

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

IT IS HEREBY FURTHER ORDERED that Julien Garric and Marguerite Garric, 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 8 1/2 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.

Dated at San Francisco, California, this 18<sup>th</sup>  
day of July, 1941.

[Signature]  
Justus P. Calmer  
Francis R. Havenue  
[Signature]  
COMMISSIONERS.