

Decision No. 34506

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of)
WILMA MCFARLAND for a Certificate of)
Public Convenience and Necessity and)
an Order Fixing Rates.)

Application No. 24273

Brown & Brown, by Ralph M. Brown,
for Applicant.

CRAEMER, COMMISSIONER:

O P I N I O N

In this proceeding Wilma McFarland asks the Commission to grant her a certificate of public convenience and necessity to operate a public utility water system to supply domestic water service in College Manor Tract, located approximately one quarter of a mile northwest of the city of Modesto in Stanislaus County. The Commission is also asked to fix rates for the service furnished.

A public hearing was held in the proceeding at Modesto.

This ten-acre tract was subdivided recently and in order that the property may be certified for loans by the Federal Housing Administration, applicant desires to provide public utility water service. The project as subdivided has been duly approved by both the County Planning Commission and also by the Modesto City Planning Commission because of possibility of annexation proceedings. Application has been made to the Board of Supervisors of Stanislaus County for a permit or franchise to construct and maintain pipe lines in, on, under or across the streets and roadways of the tract. In addition thereto reservations for the installation and maintenance of such

pipe lines already have been made in the streets and roadways.

At present there are three houses on the tract. The ten-inch well will be 100 feet deep, equipped with a deep well turbine, having a capacity of 200 gallons per minute. The distribution system is of 4-inch mains throughout.

No objection was made to applicant's petition and as no other water utility is furnishing service in the proposed service area or in the general vicinity thereof, it is apparent that it is in the public interest that the certificate be granted.

The rates requested and established herein are substantially the same as charged by the city of Modesto for similar classes of demand, and appear to be just and reasonable at this time.

The following form of Order is recommended.

O R D E R

Application as entitled above having been filed with the Railroad Commission, public hearing having been held thereon, the matter having been duly 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 Wilma McFarland, in College Manor Tract, Stanislaus County, situate in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 20, T3S, R9E, MDB&M, as more particularly shown on a map marked Exhibit "A" attached to application and on map marked Exhibit No. 1 filed in this proceeding, and which are hereby made a part of this Order by reference.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and it is hereby granted to Wilma McFarland to operate a public utility for the sale and distribution of water within the territory hereinabove 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 Wilma McFarland be and she is 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 her consumers subsequent to the 30th day of September, 1941:

FLAT RATES

For water used in one dwelling house, apartment, store, or other single unit establishment, including a reasonable use of water for irrigating lawns, gardens, shrubs, and trees on the premises, the charges shall be as follows:

For 3/4-inch service connection.....per month	\$2.25
For 1-inch service connection.....per month	\$3.00

MEASURED RATES

Monthly Minimum Charges:

For 5/8 x 3/4-inch meter.....	\$1.50
For 3/4-inch meter.....	1.75
For 1-inch meter.....	2.50
For 1 1/2-inch meter.....	3.50
For 2-inch meter.....	5.00
For 3-inch meter.....	10.00
For 4-inch meter.....	15.00

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 2,000 cubic feet or less.....	\$1.50
Next 3,000 cubic feet, per 100 cubic feet.....	.075
Next 45,000 cubic feet, per 100 cubic feet.....	.06
Over 50,000 cubic feet, per 100 cubic feet.....	.04

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

IT IS HEREBY FURTHER ORDERED that Wilma McFarland be and she is hereby directed as follows:

1. Within thirty (30) days from the date of this Order, to submit to this Commission for its approval four sets of rules and regulations governing relations with her consumers, each set of which shall contain a suitable map or sketch, drawn to an indicated scale upon a sheet

8-1/2 x 11 inches in size, delineating thereupon in distinctive markings the boundaries of the authorized service area, 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. 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 100 feet to the inch, upon which shall be delineated by appropriate markings the tract in the territory for which the certificate is granted. 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 property comprising the entire utility area of service; provided, however, that such map 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.
3. Within sixty (60) days from the date of this Order, to file with this Commission an affidavit to the effect that she 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 23rd day of September, 1941.

[Signature]
[Signature]
Justice F. Cradner
Frank J. Havens
[Signature]
COMMISSIONERS.