

# ORIGINAL

Decision No. 35682

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of

LAMBERT FARMS, INC., doing  
business under the fictitious  
firm name and style of  
SUNKIST WATER COMPANY,

Application No. 22864  
as Amended

for a certificate of public convenience  
and necessity authorizing the sale and  
distribution of water.

Harry J. McClean, for Applicant.

Tscharner & Miller, for Azusa Irrigating Company.

J. W. Larner, for La Plente Cooperative Water Company.

STANER, COMMISSIONER:

## O P I N I O N

In this proceeding, Helen E. Meeker, doing business under the fictitious firm name and style of Sunkist Water Company, asks the Railroad Commission for a certificate of public convenience and necessity to furnish water service to a certain limited area of land lying within the corporate limits of West Covina in Los Angeles County. The Commission is also requested to establish a schedule of rates for the service rendered.

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

The original application was filed by Lambert Farms, Inc., and asked the Commission for a certificate to distribute water in an area of approximately 2400 acres in West Covina. Upon oral request made at the hearing, applicant was granted permission to amend the petition and a written amendment thereto has now been filed, with the following important modifications:

1. The name of the applicant has been changed to Helen E. Meeker, operating under the fictitious firm name and style of Sunkist Water Company.
2. The area of service is reduced from 2400 acres to approximately 160 acres embraced in Lots 90, 92, 94, 96 and 98 of T. J. Baldwin's Second Subdivision, and Lots 110, 111 and 112 of T. J. Baldwin's Fourth Subdivision of Rancho La Puente, Los Angeles County.
3. A schedule of flat and metered rates was submitted to the Commission for its approval.

The testimony shows that said Helen E. Meeker owns the controlling stock in Lambert Farms, Inc., a concern acting among other things as the selling agency for the lands involved in this proceeding. It is the desire of Helen E. Meeker to assume personally the public utility obligations requested herein, rather than to encumber the said corporation with a servitude which would to some extent complicate the organization's private business enterprises. The revised service area includes only such lands as are now owned or controlled by Lambert Farms, Inc. These properties are in process of being subdivided into lots of various sizes for homesites and small farms.

A water supply has been developed from a well and is distributed through four and six inch mains located in easements reserved to applicant for that purpose. Permits have been and are obtained from the proper authorities for the crossing of main thoroughfares whenever necessary.

The Alusa Irrigating Company, a mutual water company, supplies both domestic and irrigation water to a portion of the 2400-acre territory described in the original application. Upon agreement to amend the original application to reduce and restrict the service area to those lots named therein, Tschanner & Miller, appearing in behalf of this company, withdrew all opposition to the granting of the application.

The area for which applicant now requests a certificate is within the district of the La Puente Cooperative Water Company,

a mutual organization, which supplies water for irrigation purposes. J. W. Larmer, manager thereof, testified that his concern is not able to render domestic water service under pressure, nor irrigation service to small lots and, therefore, his company has no objection to the service proposed by applicant.

L. M. Meeker testified that he has had charge of the construction and operation of the water system since its inception, and that it has cost as follows:

Well, pump and tank.....	\$2,750.00
Pipe Line and connections.....	<u>\$8,250.00</u>
Total.....	\$11,000.00

There are now in excess of 95 houses built within the area to be served. With the exception of six consumers, all water is delivered under flat rates. The applicant requests the establishment of the following schedule of charges:

<u>MONTHLY MINIMUM CHARGES</u>		
<u>Size of Meter</u>	<u>Rate</u>	<u>Water Entitlement</u>
5/8 x 3/4" Meter	\$1.25	1,000 cubic feet
3/4" Meter	1.50	1,250 cubic feet
1" Meter	2.00	1,750 cubic feet
1 1/2" Meter	3.00	2,750 cubic feet
2" Meter	5.00	4,750 cubic feet

<u>MONTHLY QUANTITY RATES</u>	
0 to 1,000 cubic feet	12 1/2¢ per 100 cubic feet
1,000 to 5,000 cubic feet	10¢ per 100 cubic feet
Over 5,000 cubic feet	8¢ per 100 cubic feet
Flat rate without meter	\$2.00 monthly per half-acre, or less.
	50¢ for each additional 1/4 acre or less.

The proposed rates appear reasonable when compared with those of other systems of comparable character operating under similar conditions and circumstances, and appear acceptable to all parties concerned at this time.

From the evidence submitted, it appears that applicant Helen E. Meeker is financially able to operate and maintain this water

system and to make such additions and improvements thereto as may be required from time to time to serve adequately present and future inhabitants therein. In the operation of this waterworks there will be no competition with any other person, firm or corporation. The evidence indicates that it is for the best interests of this community that the certificate of public convenience and necessity be granted as requested.

The following form of order is recommended:

O R D E R

Application as amended and 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 Helen F. Meeker in that certain territory within the corporate limits of the City of West Covina described as Lots 90, 92, 94, 96 and 98 of E. J. Baldwin's Second Subdivision, and Lots 110, 111 and 112 of E. J. Baldwin's Fourth Subdivision of Rancho La Puente, Los Angeles County, State of California, and as more particularly delineated upon the map entitled in part "City of West Covina" filed as Exhibit No. 5 in this proceeding and hereby made a part hereof by reference. Now therefore,

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and it is hereby granted to Helen F. Meeker to operate under the fictitious firm name and style of Sunkist Water Company, a public utility, for the sale and distribution of water within the territory hereinabove described.

IT IS HEREBY FURTHER ORDERED that said Helen F. Meeker 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 31<sup>st</sup> day of March, 1942, which schedule of rates is hereby found to be just and reasonable for the service to be rendered:

RATE SCHEDULE

FLAT RATES

	<u>Per Month</u>
For each lot of one-half acre or less, with or without residence, where service connection does not exceed one inch.....	12.00
For each additional one-quarter acre or less.....	.50
For each additional residence on one lot.....	1.00

METERED RATES

Minimum Monthly Charges:

For 5/8 x 3/4" Meter.....	\$1.25
For 3/4" Meter.....	1.50
For 1" Meter.....	2.00
For 1 1/2" Meter.....	3.00
For 2" Meter.....	5.00

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

Monthly Quantity Rates:

First 1,000 cubic feet, or less.....	\$1.25
Next 4,000 cubic feet, per 100 cubic feet	.10
All over 5,000 cubic feet, per 100 cubic feet	.08

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

IT IS HEREBY FURTHER ORDERED that Helen E. Meeker, doing business under the fictitious firm name and style of Sunkist Water Company, 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 quadruplicate 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, 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 600 feet to the inch, upon which shall be delineated by appropriate markings the various tracts 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; 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 Los Angeles, California, this 3<sup>rd</sup> day of March, 1942.

Justus P. Greenen  
Ray H. Rice  
H. M. M. M.  
Francis L. Haven  
Richard L. L.  
COMMISSIONERS.