

Decision No. 25402

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application for an Order Authorizing LUCY GENEVA GRISSOM to sell, and NORMAN C. GRISSOM and DORIS LEE GRISSOM to purchase, a water system near El Monte, and designating the real property necessary to the operation of said water system.

ORIGINAL

Appl. No. 24469

John F. Hurtt, for Applicant.

BY THE COMMISSION:

O P I N I O N

In this proceeding Lucy Geneva Grissom, the widow of O.R. Grissom, the former owner of the public utility water system serving a small area near El Monte, Los Angeles County, requests the Railroad Commission for authority to sell and transfer the facilities used in supplying water, including certain real property on which the well is located, to Norman C. Grissom and Doris Lee Grissom, husband and wife, who join in the application. Applicants Norman C. Grissom and Doris Lee Grissom also ask for a certificate of public convenience and necessity authorizing them to operate said water system under the fictitious firm name and style of Grissom Water System to serve water in said area at the rates and subject to the rules and regulations heretofore established or that may hereafter from time to time be put into effect therein.

A public hearing in this matter was held before Examiner E. L. Clark in Los Angeles.

The evidence shows that O. R. Grissom died on December 7, 1940, leaving to his widow, Lucy Geneva Grissom, as part of his estate, what is known as the O. R. Grissom Water Supply operating under the

Commission's authority granted in its Decision No. 25460, dated December 19, 1932.

Since the death of O. R. Grissom, his nephew Norman C. Grissom and Doris Lee Grissom, the latter's wife, have assisted in the operation of this waterworks and they have now entered into an agreement to purchase the water utility properties from Lucy Geneva Grissom, as evidenced by the document dated September 5, 1941, and the proposed "Joint Tenancy Deed, Assignment and Bill of Sale" filed with the application and marked Exhibits "A" and "B," respectively, and which are hereby made a part hereof by reference. The agreement covers properties other than those used or useful in the operations of the water system and it is applicants' desire that only such properties as may correctly be considered utility properties should be included in the Commission's authorization.

However, it is the opinion of the Commission that it is neither desirable nor necessary at this time to classify the properties as to their public utility character. Therefore, the Order which follows will authorize the sale and transfer of the entire properties heretofore owned and operated as a public utility by said O. R. Grissom, deceased, in the supply and distribution of water. Such authorization will not preclude the new owners from setting aside or disposing of any portion of the said properties which are nonoperative and which are not needed in the proper and satisfactory conduct of the public utility water business.

The testimony shows that Lucy Geneva Grissom is now living in Missouri and is not physically or financially able to carry on the operations of this water system and it is her desire that the entire property be conveyed to Norman C. Grissom and his wife in settlement of a debt of approximately \$2,500 which she owes them. Applicant Norman C. Grissom estimated that the utility property had cost \$5,175, not including that portion of the 60' x 200' lot and a small house

which he considers as nonoperative public utility property.

Mr. Norman C. Grissom and his wife, Doris Lee Grissom, propose to operate this water system under the fictitious firm name of Grissom Water System, and will adopt the same rates, rules and regulations as heretofore established and approved by the Railroad Commission.

No one objected to granting the requests made in the application. However, several consumers did protest against the service they are receiving from one certain pipeline which apparently is in bad condition and needs to be replaced with a new and larger main. Mr. Grissom stated he would do this as soon as the transfer of the property to him and his wife has been consummated.

From the record submitted in this proceeding it appears that the interests of the consumers and of the applicants will be best served by authorizing the sale and transfer of the properties and by granting a certificate of public convenience and necessity, as requested.

#### 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 Lucy Geneva Grissom be and she is hereby authorized to sell and transfer to Norman C. Grissom and Doris Lee Grissom, husband and wife, all right, title and interest in and to that certain water system known and designated as the O. R. Grissom Water Supply, including all appurtenant properties and rights heretofore owned and operated by O. R. Grissom, deceased, for supplying water to residents of a certain small area of land near El Monte, Los Angeles County, all as more particularly described in

Exhibits "A" and "B," attached to the application herein and which are hereby made a part of this Order by reference, subject to the following terms and conditions:

1. The authority herein granted shall apply only to such transfer as shall have been made on or before the 1st day of June, 1942, and a certified copy of the final instrument or instruments of conveyance shall be filed with this Commission by Norman C. Grissom and Doris Lee Grissom, his wife, within thirty (30) days from the date upon which said instrument or instruments are executed.
2. Within ten (10) days after the date on which Norman C. Grissom and Doris Lee Grissom actually acquire control and possession of the properties herein authorized to be transferred, they shall file with this Commission a certified statement indicating the exact date upon which such control and possession were acquired.
3. The consideration for the transfer herein authorized shall not be urged before this Commission or any other public body as a finding of value for rate fixing or any purpose other than the transfer herein authorized.

IT IS HEREBY FURTHER ORDERED that upon due compliance with the above terms and conditions, said Lucy Geneva Grissom shall thereupon and thereby stand relieved of all further public utility obligations and liabilities in connection with the O. R. Grissom Water Supply and the appurtenant properties herein authorized to be transferred.

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the acquisition, maintenance and operation of a public utility water system by Norman C. Grissom and Doris Lee Grissom, husband and wife, operating under the fictitious firm name and style of Grissom Water System, within the territory delineated on that certain map filed in this proceeding as Exhibit No. 1 and hereby made a part hereof by reference, said territory being east of the City of El Monte, in the County of Los Angeles and more particularly described as follows:

Beginning at a point on the southerly boundary of E. Exline Street (formerly Olive Road) approximately 630 feet westerly of the westerly boundary of N. Maxson Road; thence southerly parallel to N. Maxson Road a distance of about 580 feet; thence easterly parallel to E. Exline Street to the northerly boundary of E. Garvey Avenue; thence northeasterly along the northerly boundary of E. Garvey Avenue to a point on or near the easterly line of a diagonal branch of N. Maxson Road; thence northerly along a line which is about 150 feet easterly of and parallel to N. Maxson Road to a point which is approximately 640 feet northerly of the northerly boundary of E. Exline Street; thence westerly parallel to E. Exline Street about 840 feet to a point approximately 630 feet westerly of the westerly boundary of N. Maxson Road; thence southerly parallel to N. Maxson Road about 680 feet to the point of beginning; and consisting of an area of 24 acres, more or less.

IT IS HEREBY FURTHER ORDERED that a certificate of public convenience and necessity be and it is hereby granted to Norman C. Grisson and Doris Lee Grisson, husband and wife, operating under the fictitious firm name and style of Grisson Water System, to operate a public utility for the sale and distribution of water to residents within the territory hereinabove described.

IT IS HEREBY FURTHER ORDERED that Norman C. Grisson and Doris Lee Grisson, his wife, operating under the firm name and style of Grisson Water System, be and they are hereby authorized and directed to file in quadruplicate 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 March, 1942, which schedule of rates is that previously filed and now in effect for service heretofore rendered by the O. E. Grisson Water Supply in the same area for which a certificate of public convenience and necessity is granted herein:

RATE SCHEDULE

MONTHLY FLAT RATE

Domestic use for house, including lawn, flowers, shrubbery, etc..... \$2.00

MEASURED RATES

Minimum Monthly Charges

For 5/8 x 3/4-inch meter.....	\$1.50
For 3/4-inch meter.....	1.75
For 1-inch meter.....	2.00
For 1 1/2-inch meter.....	3.00
For 2-inch meter.....	5.00
For 3-inch meter.....	8.00

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 1,000 cubic feet, or less.....	\$1.50
All over 1,000 cubic feet, per 100 cubic feet..	.07

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

IT IS HEREBY FURTHER ORDERED that Norman C. Grissom and Ioris Lee Grissom, his wife, operating under the fictitious firm name and style of Grissom Water System, be and they are hereby directed, as follows:

1. Within thirty (30) days from the date of this Order, to file with this Commission for its approval four 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 200 feet to the inch, upon which shall be delineated correctly by appropriate markings the various parcels of land in the territory for which the certificate is granted herein. This map shall 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 Los Angeles, California, this 3<sup>rd</sup> day of March, 1942.

Justin J. Calver  
Ray J. Chen  
[Signature]  
Francis D. Haven  
[Signature]

COMMISSIONERS.